

June 29, 2001

Mr. Robert Clarke
United States Patent and Trademark Office
Via E-mail: Robert.Clarke@USPTO.gov

Dear Mr. Clark,

I am the Chief Executive Officer of IP.com, Inc. and I am writing to you today in response to your office's "Notification of Required and Optional Search Criteria for Computer Implemented Business Method Patent Applications in Class 705, and Request for Comments."

Please allow me to respectfully submit IP.com, Inc.'s Disclosure Database for consideration as a mandatory search database for your office while conducting prior art searches for business method patents. The Disclosure Database is accessible on the Internet by navigating to <http://www.ip.com>.

The Disclosure Database gives companies and individual inventors a fast and effective tool for releasing innovation into the public domain. This database is an Internet-based tool used for the publishing of innovations, whether in the form of technical disclosures, product descriptions, white papers, or conference papers. Publications are date stamped to set the priority date, digitally fingerprinted, notarized, made immediately available online, and subsequently published in The IP.com Journal. Our paper-based Journal, ISSN 1533-0001, is distributed to selected libraries and strategic partners (including the US Patent Office). Once the documents are electronically published and indexed, full text and bibliographic web-based searching is available.

IP.com, Inc. aggregates prior art that includes content otherwise not available to patent examiners. For a continuously increasing number of inventors, from Fortune 500 corporations to individuals, our Disclosure Database (and The IP.com Journal) is the sole source of their invention disclosures.

To date, the Disclosure Database has gained quick acceptance in the marketplace. Customers and publications are added on daily basis. Since the launch of the database in September of 2000, approximately forty-five corporate customers have endorsed the database and many more are signing contracts or expressing strong interest. Our customers include some of the largest companies in the world, such as Motorola Corporation, Eastman Kodak, Abbott Laboratories, ON Semiconductor, United Technologies Corporation, and many more that remain confidential.

The Disclosure Database currently contains almost 5,000 documents. Of these documents, there are numerous business method disclosures along with a wide variety of other technical disclosures. (A number of the early documents in the database were placed there as examples and samples; these documents include some Statutory Invention Registrations and Internet Requests for Comments.)

In addition to our strong client relationships, we have also established several important strategic relationships. We have an agreement with the European Patent Office (EPO) under which the EPO receives electronic copies of our documents on a regular basis; a similar relationship exists with a second undisclosed major patent office. Additionally, we are providing copies of The IP.com Journal to the USPTO.

In the request for comment, certain detailed information was required to allow for the assessment of a recommended database. I have included this information below for your consideration.

Identification

Names of the Database

The IP.com, Inc. Disclosure Database
The Disclosure Database
IP.com Database
www.ip.com

Database Producer and Access Provider

IP.com, Inc., 150 Lucius Gordon Drive, West Henrietta, New York 14586
Tel. 716-427-8180, Fax 716-427-8183
<http://www.ip.com>

Content

Years of coverage

The database has documents that were previously published as far back as 1969. (These older documents are part of the original seed data comprised of Statutory Invention Registrations and Internet Requests for Comment.) Along with the publication of current innovations, customers of IP.com are encouraged to publish older “legacy” documents. These are documents that a company or individual may or may not have published in the past. As a result, documents published currently could date back several years.

The subject matter

The innovations published on the Disclosure Database cover a wide range of topics and are not limited to any one category. Current disclosures in the database range across industries and across uses.

Does the bibliographic information include documented publication dates

Yes, all disclosures include documented publication dates.

Does the database include abstracts and/or full text

Upon publication, users are requested to provide an abstract of the invention being published as well as additional, structured bibliographic information. The invention is described in a “primary” document and optional supporting “attachments” may be included. Whenever possible, the full text of the primary document is made searchable.

Accessibility

The database is available 24 hours per day, seven days a week at <http://www.ip.com>, subject to periodic maintenance. Performance reports have shown that the database’s average weekly availability is greater than 95% percent.

Technical Support

Technical support is available Monday through Friday, 8:30AM to 5:00PM EST or by sending e-mail to helpdesk@ip.com.

Continuity

All data is indexed, stored, and is available for public viewing on the database. No data is being removed or restricted from the publicly available database for at least 15 years.

Mode of Access

The database is available via the Internet at <http://www.ip.com>. IP.com makes the data available to other Web-based searching outlets such as Delphion; other access methods are expected in the future. Each month’s additions to the database are also published in The IP.com Journal (ISSN 1533-0001), a paper and CD-ROM based publication.

Search Capabilities

IP.com, Inc. has enabled searching on several levels of the Disclosure Database. Searchers have access to both bibliographic and full text searching. All searching is enabled using easy-to-use and powerful web-based forms.

Bibliographic Searching

Using the bibliographic searching facilities, queries involving multiple fields may be formulated using Boolean logic (AND, OR, and NOT) along with matching operators such as “field contains,” “field does not contain,” “field begins with,” “field ends with,” or “field is equal to.”

Full Text Searching

Using the full text searching facilities, complex queries seeking words or phrases may be formulated which either contain or do not contain specific words, word fragments, phrases, or forms of words.

Both searching methodologies allow for limiting of results based on language, country, publication date, and/or other relevant criteria.

Mr. Robert Clarke
June 29, 2001
Page 4

Cost

While IP.com is committed to free access to searching the database, beginning in the summer of 2001 there will be a fee for the downloading of complete documents. (To assist with determining document relevance, bibliographic and selected document text will be available free as well.) IP.com will waive the download fees on a continuing basis for worldwide patent offices (such as the USPTO) in the event that the Disclosure Database is selected as a mandatory or supplemental search site.

Thank you for taking the time to consider the IP.com, Inc. Disclosure Database. I feel that the database would provide tremendous value to your office. Our success to date has proven that we are providing the marketplace with a valuable resource that will continue to grow in the future. Please contact me at our offices if there is any additional information you require or any questions.

Very Truly Yours,

Thomas J. Colson
Chief Executive Officer
IP.com, Inc.