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Comment On: PTO-C-2020-0055-0001
Discretion to Institute Trials Before the Patent Trial and Appeal Board

Document: PTO-C-2020-0055-0283
Comment from Austin Meyer

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General Comment

Hello! I was sued by a Patent Troll that claimed to OWN THE IDEA of a computer exchanging data with another computer to unlock a computer program so it can be run. To say that this patent was vague and pre-dated by boat-loads of prior art would be an understatement. Because of this shockig vguem over-broad, pre-dated-by-prior art patent, troll holding it was suing countless people that.... used the Google Play Store to distribute their App... people including myself.

The Judge hearing the case in the Eastern District of Texas (Leonard Davis) was the father of a Bo Davis, a patent attorney in the same tiny district that made his money in patent cases like this one. Despite there being zero connection of the case with the Eastern district of Texas, in either the plaintiff or the numerous defendants in my case, Leonard Davis refused all venue-transfer requests (as he always does, for all cases, as can be foud by researching his case history).

So, my situation as that I was being sued for a patent that was clearly pre-dated by prior art, shockingly vague and useless in practice, allowed the troll to sue everyone that used the Google Play Store, in a district that I had no connection to, overseen by a Judge that never grants venue

transfers, trapping me in a tiny distant venue where a principle lawyer in the industry was the judges son.

The Troll suing me (Uniloc, Google them) offered to go away if I just gave them $50,000 cash.

My only defense in this situation was to... of course... demonstrate the patent was invalid, and never should have been approved in the first place!
Which I and my co-defendants didm though IPR.
At a cost of about $750,000 and three years.

If there was no non-accessible IPR, then I would have been trapped in this hell-hole... with no ability to prove that the patent being used to hold me there... never should have been approved in the first place.

Taking away IPR would literally take away my ability to prove that the accusations being made against me were frivolous.

When patents are granted, they are "presumed valid"... which is the same thing as saying that those being sued are "presumed guilty"... an IPR to overturn the patent is the only way for the troll's victim to demonstrate that the patent never should have been approved in the first place.

How can we have a system where the accused is not allowed to demonstrate the frivolity of the accusers the claim?
How can we have a system where the accuser cannot have his accusations challenged?

I made a documentary movie called "The Patent Scam" that explains all of this. You can find it on Amazon here:
https://www.amazon.com/Patent-Scam-Austin-Meyer/dp/B0736G66P8

...and you can see the condensed version on youtube for free right now if you like:
https://www.youtube.com/watch?v=sG9UMMq2dz4

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