

From:**Sent:** Tuesday, January 05, 2010 12:18 PM**To:** patent_quality_comments**Subject:** Request for Comments on Enhancement in the Quality of Patents

Pursuant to the Request for Comments on Enhancement in the Quality of Patents, have you considered the benefits of the introduction of a Utility Model type application in the US? These are apparently used with success in countries such as Australia, Germany, PRC, Japan. Given the rate of change of technology and nature of incremental improvements in many technologies I believe many applicants may choose a shorter-term and easier to acquire Utility Model application over a conventional full-term non-provisional application. This will unburden Examiners and allow Examiners more time to fully examine conventional full-term applications and have a knock-on effect on the application queue and the Examiner hiring issue. A Utility Model application still requires novelty (§102) but a lower level of non-obviousness (innovative step rather than inventive step). My understanding also is that a Utility Model application can remain unexamined until the applicant needs to assert this – further unburdening the Examiner.

Anonymously provided. Jan 5, 2010.

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