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To: Bilski_Guidance
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The main problem we are seeing with software patents being awarded is that the patent examiners don't have the expertise, the time or the resources to properly examine the deluge of software patents. There are patents being approved with common sense approaches, documented prior art or worst yet, general practices. These patents are then being used to extort small businesses that are usually not in a position to defend themselves.

A good analogy in my opinion of a software patent is driving directions. There are many ways to get from DC to Richmond, just as there are many different ways to write computer instructions which come up with the same end result (software). If someone comes out and patents 495 and issues the statement that nobody can use 495 unless they pay us, it would be absurd. However, this is exactly what is happening in the software world. Small parts of the software's instructions are being patented which can impact thousands of programs(software) and just as many small businesses in a single poorly awarded patent.

On top of this, it is virtually impossible to use the US Patent office's systems to search through the thousands of patents to see if they even impact what a programming shop is coding. They find out when they get sued.

I for one have no hope that this issue will be fixed as our laws and way of life are being lead by the nose by an army of lawyers and I seriously doubt they will let go of something so lucrative as software patent lawsuits easily.

Thank you,
Scott Ashman
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