**From:** Butler, Kevin [e-mail redacted]
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**To:** Bilski_Guidance
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**Subject:** Software professional opinion against software patents

My name is Kevin Butler, and I'm a professional software architect and do some individual software development in a personal business.

In nearly 20 years of professional software development,  I have never experienced any benefit from software patents, but the existence of software patents instead act as a deterrent to innovation. That is, innovators in software do not get new ideas from published software patents, and the availability of patents does not increase the incentive to innovate.

Rather, patents are sought in order to exclude others from the market, hindering competition, and to act as a shield in the event of lawsuits from other organizations that may have received patents.

Furthermore, the threat of patent litigation is always present in every software project. In both my personal development and development for my employer, projects proceed with the concern that almost any piece of code could result in a surprise patent infringement complaint.

From my experience as a software architect for both a very small, independent software vendor and as an employee of a large company, I feel that software patents harm the software development industry, and I strongly encourage the USPTO to stop granting patents on software or on software combined with general purpose computers.

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