From: Justin Miramontes [e-mail redacted]
Sent: Friday, September 24, 2010 3:29 PM
To: Bilski_Guidance
Subject: Regarding Software Patents

I believe software patents are the largest threat to innovation and the future of our technology driven economy.

Please consider the below reasoning for putting an end to the granting of software patents.

The Supreme Court of the United States has never ruled in favor of the patentability of software. Their decision in Bilski v. Kappos further demonstrates that they expect the boundaries of patent eligibility to be drawn more narrowly than they commonly were at the case's outset. The primary point of the decision is that the machine-or-transformation test should not be the sole test for drawing those boundaries. The USPTO can, and should, exclude software from patent eligibility on other legal grounds: because software consists only of mathematics, which is not patentable, and the combination of such software with a general-purpose computer is obvious.

Thank you for taking the time to hear from those of us that are deeply concerned about this issue.

Be good,

Justin Miramontes
1-800-833-8080 | 949-442-4344