Dear sir / madam,

I am a software developer by trade. I've been writing software for over 5 years. And I think that software patents are a horrible idea. Mind you, I'm not inclined to give away my work. But there's copyright and licensing agreements to protect my actual code. The code is the real asset, because everyone has ideas. Only people who put those ideas into fruition and innovate should be able to profit from them. Competitors will spring up in every avenue of business, and it's my job to stay ahead of the game once I've created something. Software evolves far to quickly for patents to do anything but slow us down. And that's as it should be.

Currently, patents are like a game of fortune telling. Corporations occasionally implement the technology in their patent, but the main usage of a patent is as ammunition for possible litigation against competitors and successful companies. Patent suits rarely start when the idea is first gaining momentum, but instead wait until the company has gained enough money to make a patent suit *profitable*.

Some corporations have built their entire income around stifling innovation like this. They scoop up existing patents and write their own, and search for people who have technology similar to their patent. Once they've found them, they sue. However, these corporations have no actual product. They don't use the patents. They don't create products for consumers. They just abuse the legal system for money, caring no that they're holding back the progress of our nation and world.

Even if the patents are being used, software patents are never properly reviewed by anyone capable of judging their validity. And so today we have so many patents on the most basic technology that even having your own web site (which any kid can do since 1990) can put you in violation of multiple patents. People routinely steal others' ideas or rush to patent technology. But software patents are a hindrance to innovation and small businesses. They stifle competition.

Even with proper patent review, they're still a bad idea, because the only groups with patents to protect are corporations. Acquiring a patent requires the assistance of a patent lawyer. The fees required are astronomical to a single individual looking to start their own business. But fees have to be notable to prevent corporations from spamming (a word that means repetitive submission to the point where it overwhelms) the courts with patent applications and trying to second guess future innovation with vague terminology.

You can't even search for existing patents to ensure that you're not violating them, as it makes you liable for future litigation. So you're always under the threat of possible litigation, and can't make any preparatory steps to bypass software patents.

If there is anything we need in a modern science like software, it is innovation. Please strike software patents down. I promise you that if the antediluvian and oppressive concept of software patents is abolished, a new wave of software innovation will sweep across the nation. People will write new software and share it. Some will charge, some won't. I personally have four innovative software ideas that I've been sitting on for a while. Getting them patented is beyond my means as an individual, and they're my ideas, so I don't want to share them with a corporation. But, if you abolish software patents, I will strike out on my own and implement them. Please stop tying the hands of the innovators. The real work is done by the developers, and we will have the power to create change if we're not under the thumb of esoteric laws and greedy companies. We won't lose our jobs, but even if we will, I'll not regret it at all. Because it gives me the chance to succeed on my own, instead of tying my future to a company.

Thank you for your time.

-Matthew Newell
Software Developer