

# PUBLIC SUBMISSION

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Request for Comments on Discretion to Institute Trials Before the Patent Trial and Appeal Board

**Comment On:** PTO-C-2020-0055-0001

Discretion to Institute Trials Before the Patent Trial and Appeal Board

**Document:** PTO-C-2020-0055-0360

Comment from Frank Burmann

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## General Comment

To whom it may concern at the USPTO,

I believe I understand the Constitution and U.S. history better than most citizens. As you know the Utility Patent process is purposely set up to be very rigorous, perhaps even a little unfair to the inventor applicant. This is to protect the patents that have been issued. Those granted patents are private property that should be very difficult to take away. This is not the case now, and it is well known that US patents have lost their value in the market.

There is another more cynical reality regarding big multi-national companies, power, legal maneuverings, etc. that I will not address. Suffice it to say I have lost faith in America, and how dare any government official or corporate executive complain about China winning the innovation war when American inventors are striped of their patents and IP rights.

The Constitution is supposed to protect individual rights and private property. It is clear that

PTAB has another agenda that seems clearly unconstitutional. PTAB can even circumvent the rulings of judges. It is truly a sign that the USPTO is completely dysfunctional. From what I understand some of this is due to the problems with Patent Mills and other issues. This should not be the Patent Holders problem. These should not be excuses to set up unconstitutional systems that circumvent the legal system and strip IP rights from inventors.

I have no detailed suggestions regarding code changes, etc. I do understand the Constitution, I do understand history, I do understand that my rights have been stripped long ago and the USPTO is run by rules written and bought by large corporations. It is obvious what has happened, and why it has happened. Americas invention machine is broken because of the USPTO and PTAB.

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## Attachments

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