From: kar [e-mail redacted]
Sent: Friday, September 24, 2010 12:44 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: Bilski and obviating software patents are consistent

Greetings,

The Supreme Court's decision in *Bilski v. Kappos* demonstrates that they expect the boundaries of patent eligibility to be drawn more narrowly than they commonly were at the case's outset. This case affects many software patents, not just a few, and essentially narrows patentability.

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.

As many other letters I know you've received have explained, software patents hurt American small businesses and entrepreneurs, American competitiveness in foreign markets, and our society in general. Please use Bilski as a stepping stone to eliminate software patents in the USA.

Sincerely,
Karl Berry
Bandon, Oregon