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Sent: Saturday, September 25, 2010 4:18 PM
To: Bilski_Guidance
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Subject: please stop issuing software patents

The existing system that allows software to be patentable is broken, and the solution is to stop issuing patents for software. Software is math and ideas. Math and ideas are not and should not be patentable.

Software is the written embodiment of how that math comes alive on a computer, a device that is already patented. Any specific implementation of software/math/idea is already covered by copyright and needs no further protection through the patent system.

I make my living as a software developer. I would not be able to do this if I actually respected the patent system. My productivity would be stopped in its tracks while I endeavored to make sure I was not trampling someone else's patents. As the famous quote reads, "If you give me six lines written by the hand of the most honest of men, I will find something in them which will hang him." Further, if all programmers like myself attempted to protect their work through the patent system, the system itself would collapse to gridlock. Alas, I cannot even afford to avail myself of the supposed protections offered by software patents.

Some supporters of software patents are corporations seeking the profits that come with control of entire industries that patents enable. Corporations are banding together to achieve these ends.

MPEG-LA claims that a video player cannot be written without violating one of its patents. This is disturbing. Patents are so broadly granted that a company merely adds a twist of lime and calls it a new dish, so to speak. And litigation is so expensive that even the most clearly invalid patents cannot be called out for what they are.

Software patents exist to foster innovation but are actually anti-competitive. Software patents claim to protect, but actually serve to exclude.

But not just software developers are open to legal attacks that software patents enable. All users of software are vulnerable to these attacks.

If I work developing ideas my company has patented, I cannot take my job skills with me if I am let go, and as a result, my company does not have to treat me as well as they should.

The system is a legal drain on the entire industry that we will do just fine without. 91% of the top 500 supercomputers run on free software that was developed without reliance on patents.

Please stop issuing software patents altogether.