From: Dennis Peterson [e-mail redacted]
Sent: Monday, September 27, 2010 6:19 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: software patents

I am a software developer. Patents are useless to me, because the cost of getting a patent is much higher than the cost of inventing things.

I create patentable ideas in software on a regular basis, just by sitting down and typing. Every good software developer does the same. Writing software is inherently an act of inventive problem-solving. We don't manufacture physical objects. We don't need animal testing. We just start with a problem, invent a solution, and move on.

Due to patents, these ideas I invent, casually and independently, don't necessarily belong to me. I've seen a great many software patents that are no more inventive than the solutions I invent myself, and which are so broad that I could inadvertently infringe. These patents fail the "non-obvious" criteria for any competent developer faced with a similar problem.

Fortunately, the majority of software patents are held by companies that obtained them purely for defensive purposes. These companies will not be harmed if all software patents are invalidated, since there will no longer be any threat to defend against. Many of the remaining patents are held by companies that do not actually produce software, but simply profit by means of legal attacks. These companies increase industry costs while providing no public benefit.

Software can be adequately protected by copyright. A great deal of software was invented while copyright was its only protection. Please do away with software patents.

Thank you,
Dennis Peterson
Charlotte, NC