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Sent: Thursday, September 23, 2010 10:12 PM
To: Bilski_Guidance
Subject: Software patents

Software patents hurt individuals by taking away our ability to control the devices that now exert such strong influence on our personal freedoms, including how we interact with each other. Now that computers are near-ubiquitous, it's easier than ever for an individual to create or modify software to perform the specific tasks they want done -- and more important than ever that they be able to do so. But a single software patent can put up an insurmountable, and unjustifiable, legal hurdle for many would-be developers.

The Supreme Court of the United States has never ruled in favor of the patentability of software. Their decision in **Bilski v. Kappos** further demonstrates that they expect the boundaries of patent eligibility to be drawn more narrowly than they commonly were at the case's outset. 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.

I speak from a personal stand-point which witnesses, first-hand, the terrible affect that patented software has on it's users. Patented software brings innovation and creativity in the software sector to a complete halt. Just look at how often computers screw up. Look at the problems caused by viruses, spyware, etc. on your computer - even if you did not do anything incorrect (exploits in the software and/or operating system!). This is pathetic...when companies like Microsoft (and thousands of others), have bugs in their software which severely compromise a user's security and privacy, but are ignored because the biggest goal for them is making the buttons a little more colorful and flashy, but not really benefiting the user in the ways that matter most.

You know it is a pitiful situation when grasping how to actually **use** a computer is so difficult that many people do not bother. Is this same situation present with watching TV, movie, or driving your car? No. And if it were, it would **still** not be anywhere near as bad as it currently is.

This is why we need to halt software patents, before they ultimately halt progress of our nation. They are like a plague that is seeping into the roots of our country.

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