From: John Wyatt [e-mail redacted]
Sent: Saturday, September 25, 2010 3:05 AM
To: Bilski_Guidance
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Subject: Bilski

Software patents are a threat to the US software industry. They prevent the free exchange of ideas that lead to the development of radically competitive software products that make billions of dollars and employ hundreds of thousands of American workers. Unlike other products, software depends on the 'implementation' of many small ideas-not a singular idea-which is already protected by copyright. The rapid pace that these many small ideas can be shared, built upon and implemented in software makes software patent-free locales such as Canada and the Eurpoean Union far more competitive then the modern day United States and is a likely future destination of young software developers like myself. Such legal restrictions become a tax on software business and the courts benefiting a small group of attorneys. I urge the USPTO to keep the United States competitive-to keep America a leader in software-by following the Supreme Court's ruling by eliminating all software patents.

Further explanation is given by the Free Software Foundation.
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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.
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http://www.fsf.org/news/uspto-bilski-guidance

More proof of the tax nature of software patents.
http://www.techdirt.com/articles/20100924/02132911143/vast-majority-of-software-patents-in-lawsuits-lose.shtml