

From: Dale Schultz
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To: SoftwareRoundtable2013
Subject: comments on software patents

Main comment: I urge the USPO to completely cease issuing all software patents.

Software is a generic technology that even transcends the different programming languages. What software does is provide a mechanism for bits of information to be arranged in numerous ways and can be executed by one or more computers. These permutations of bits are all conceivable ahead of time. Thus any new piece of software does not constitute something that only the programmer could have conceived. What is produced is just one of the many permutations of executable code. Software patents are like patenting different bowls of alphabet soup, each bowl is different yet they are all the same thing.

Let the people who create new ideas and software code reap their benefit through being the first to market their software and compete with others based on being first and having a better implementation.

The recent practice of using software patents as a tool to stifle creativity and competition no longer serves the people of the world, it has the opposite effect of allowing big companies to fight legal battles to the detriment of the industry and the software that people want to use.

I am the inventor of a number of software patents myself. The whole game is one in which you lose if you don't play and we all lose when everyone plays.

Dale Schultz