

**Horner, Linda**

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**From:** Brusca, John  
**Sent:** Monday, November 15, 2010 3:49 PM  
**To:** BPAI Rules  
**Subject:** comment on proposed rule change

I am an examiner in Technology Center 1600.

In the past the BPAI has issued decisions that are so brief that it is not possible to determine what argument or arguments the BPAI found to be persuasive. I have seen decisions in which, after recapitulation of selected passages from the appeal brief and the examiner's answer, the BPAI stated "we agree with the appellants" without significant explanation of what arguments the BPAI either agreed with or disagreed with. One function of the BPAI is to determine precedent that applicants and examiners may use in future prosecution. Without an adequate explanation by the BPAI of their reasoning in reaching their decision, there is little to be learned from reading the decision.

I believe it would be beneficial to applicants and examiners if the BPAI were required by rule to state with particularity their reasoning in reaching a decision, and to state which arguments of the examiner and appellants were persuasive and which arguments were not persuasive.

1/18/2011