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Sent: Thursday, February 09, 2012 7:48 PM
To: aia_implementation
Subject: Micro-entity (Before Proposed Rules)

The proposed AIA fee schedule raises small entity fees beyond the reach of most independent inventors. For example, I filed one patent application from which the Examiner broke out three Divisionals. The small entity 11.5 yr maintenance fees for these four patents, which originated from one filing, will be \$15,200, if fees are implemented as proposed. This is a 61% increase over what was already a very steep fee. I will not be able to pay \$15,200 to maintain my patents. We independent inventors will have to scramble for cover under micro entity status, but the existing definition is overly restrictive. I, and many other independent inventors, invented a product for my employer. My employer retained all rights to earnings from my idea. Should independent inventors who, over their lives, have invented four or more products for the companies where they worked have their future patent fees doubled even though they have never made a penny off of their earlier inventions? What of inventors who have had to let earlier patents go public because they could not afford draconian maintenance fees? Their ideas are now in the public domain. Should they also have their future patent fees doubled just because high fees made them give up earlier inventions? Finally, specifying a fixed gross income micro-entity limitation, instead of a taxable income figure, is highly prejudicial against small business people, inventors with many dependents, and people who live in high-cost-of-living portions of the country. I urge Congress and the USPTO to either broaden the micro entity definition, or reduce the proposed small entity fees.