

Comments on proposed patent fees

From: Steve Cahill <steven.j.cahill@gmail.com>  
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Subject: Comments on proposed patent fees

Attn: Michelle Picard,

The changes in patent fees that the USPTO is proposing as of Sept. 6, 2012 will likely have a negative impact on many businesses. Despite the proposed reductions in the filing, search, and issue fees and the proposed elimination of the publication fee, the increases that the USPTO is proposing for patent examination fees, RCE fees, extra claims fees, extra independent claims fees, appeal fees, and maintenance fees will result in a substantial increase in the total cost of filing, prosecuting, and maintaining most patents. These fee increases are coming only one year after the USPTO increased most of its fees by 15% in 2011, and then increased fees again in Oct. 2012.

Some companies may have to divert money away from technology research and development (R&D) to cover the cost of these proposed increases in patent fees in order to ensure patent protection for their important inventions. A diversion of resources from R&D to USPTO patent fees would have a negative impact on innovation and on job creation within America's technology sector, particularly for large entities which have to pay the highest USPTO fees. Therefore, I propose that the total USPTO fees for filing, prosecuting, and maintaining a patent be held constant at their current level, and that the fees for extra claims remain constant, until the consumer price index (CPI) justifies another increase.

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