

PUBLIC SUBMISSION

As of: 11/19/20 2:40 PM
Received: November 15, 2020
Status: Posted
Posted: November 17, 2020
Tracking No. 1k4-9k3w-zdmd
Comments Due: December 03, 2020
Submission Type: API

Docket: PTO-C-2020-0055

Request for Comments on Discretion to Institute Trials Before the Patent Trial and Appeal Board

Comment On: PTO-C-2020-0055-0001

Discretion to Institute Trials Before the Patent Trial and Appeal Board

Document: PTO-C-2020-0055-0304

Comment from Will Bradley.

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General Comment

I urge you to not make changes to PTAB trials. I am a software developer and my industry is plagued by "patent troll" companies whose sole existence is to extort others for making obvious, common-sense improvements.

For example, a common trend lately is to patent processes by which an obvious thing gets done, except on a mobile device, or "in the cloud." That's not innovation, that's just copy-pasting a common activity into a new context. Spreadsheets have been a common computing task since before I was born, there's nothing particularly novel about editing spreadsheets on a phone or "in the cloud" and yet so many people are itching to "rent-see" by patenting such things while contributing next to nothing in return: indeed, a huge amount of wasted effort and outsourcing/offshoring in my industry is solely oriented around avoiding patent infringement over commonsense things. It's a drain on the industry and on the American economy.

If we're going to be competitive, we need the freedom to create without ridiculous patents that should've never been granted... we need the ability to challenge bad patents before they get weaponized against us.