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

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Discretion to Institute Trials Before the Patent Trial and Appeal Board

Document: PTO-C-2020-0055-0370

Comment from John Aiken

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General Comment

As an inventor, patent holder, and someone with multiple patent applications pending, I have a vested interest in the actions and procedures of the USPTO's PTAB. Also, as President of the Pittsburgh Inventors Club, I also have the interest of members in mind. Thus, I believe that regulations regarding the PTAB should favor objective analysis and eschew subjectivity, balancing, weighing, holistic viewing, and individual discretion. The decision-making should be procedural based on clear rules. I would like to see us small independent inventors have the opportunity to offer rebuttals to PTAB rulings.