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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-2020-0055-0427

Comment from James McDowall

Submitter Information

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General Comment

The Inter Partes Review is a vital mechanism to ensure fair and proper patent use. Any patent that is valid and holds up against the patent test should not need to be concerned about this quality gate if it is valid. This mechanism stops the many frivolous patent trolls and frivolous law suits which have already cost many businesses due to what are very morally dubious behavior of hovering up patents to then sue legitimate businesses. The Inter Partes review has to be protected to enable protection for legitimate business owners from dubious patent practices. The US government should be using a 'common sense' approach in protecting US businesses from such practices and support this sensible and pro business mechanism.