

# PUBLIC SUBMISSION

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**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-2020-0055-0432

Comment from Jason Miller

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## Submitter Information

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## General Comment

Patents should never be set in stone and should always be subject to legal scrutiny and re-evaluation of their validity. It is too difficult to perfectly validate a patent application at issuance time and therefore we should never allow one to be allowed to go without re-evaluation in the future, as more data and details come to light.

Patent trolls would otherwise use this ability to "sneak" in a new patent, with minimal scrutiny due to the fact that patents can't be monitored by every possible affected party at all times. When a patent holder then attempts to "enforce" their patent the patent SHOULD still be easily/legally subjected to full evaluation of its validity. If that previously issued patent is found to be invalid it should be able to be invalidated.