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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-2020-0055-0635

Comment from Anonymous Anonymous

Submitter Information

Name: Anonymous Anonymous

General Comment

I oppose this legislation and any legislation that limits the ability to invalidate frivolous patents, exploited by patent trolls to legally extort money from legitimate individuals and corporations. It is apparent that the U.S. Patent Office is unable to avoid granting frivolous patents, and therefore it's essential that all methods to invalidate frivolous patents must be maintained.

Quoting Austin Meyer, inventor of the software 'X-Plane':

"Overturning that frivolous patent was the only way that I could defend myself from their (the patent troll's) claims. This review of a patent to see if it should have been granted in the first place is called Inter Partes Review. That avenue of defense is about to be taken away in some cases.

The U.S. Government is intent on severely limiting the process of Inter Partes reviews. If that happens, it would take away peoples' right to prove their innocence when sued by a Patent Troll."

I have had first-hand experience with a patent troll using a frivolous patent for extortion. Defending against patent trolls is expensive and time-consuming, and is made necessary by the errors of the patent office. Means to correct these errors must be maintained.