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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-2020-0055-0615

Comment from Irving Turner

Submitter Information

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General Comment

Inter Partes Review is necessary right that should not be left to the discretion of the director.

Small and large patent holders should have the right to be challenged especially in areas/ domains such as technology which are rapidly changing. For example I saw an example where a large company was trying to lay claim to a 300 year math technique claiming novelty of invention. The same math taught middle school children in America. Before that patent trolls with no participation in industry laid claim to commercial processes for marketing and promotion that were easily considered common practice in the early 1900's. Troll has a vague patent claim in area of marketing industry that was tenuous at best and the patent application and grant were submitted long after the common practice. America patent office, like many of her institutions should be a process where small and large participants should get a fair and equal review. Inter Partes Review at "discretion" smacks of lobbying of litigious trolls feeding off the innovations of hard working Americans and their ingenuity. The inter Partes review process should be easier and transparent to prevent bogus violation claims.

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