

From: ihor nakonecznyj
To: [PTABNPR2018](#)
Subject: My thoughts on PTAB
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Dear Director Iancu,

I am a father, investor and very concerned citizen. My son wants to study Biomedical Engineering. He has some ideas about developing and patenting fuel cells implanted in the body and using blood glucose for fuel. He has visions of patenting the system and making lots of money.

I gave him the example of VernetX. VernetX developed a secure communication system and patented it. Even licensed it to Microsoft. But Apple, decided that, no, we will just use it without paying. VernetX has won three court cases and is yet to see a penny. Apple has used the new PTAB BRI rules, lax enforcement of PTAB policies, huge bank account to drive the inventors almost to bankruptcy.

I told him, "if your invention is good, a big corporation will simply steal it. Do you have millions to fight this in court? Better to just get a job, regular paycheck and forget about inventing things. The days of the lone inventor have been destroyed by big business and PTAB".

He is still persevering albeit with much less enthusiasm as he sees the abuse being perpetrated by so called "judges" in PTAB.

The implementation of the PTAB under the American Inventors Act is crushing and paralyzing innovation in our great country. Our great and brilliant inventors have had to spend millions of dollars and excessive amounts of time to defend their patents because the PTAB is using a different and somewhat arbitrary standard (BRI) to determine the validity of their patents. Why this change after all these years? Why was the AIA created and who was it to benefit - the small inventor or the "efficient infringers"?

How confusing it is to have the Article 3 courts use one standard (Phillips) and the PTAB use another (BRI). Being excited about your innovation, and then to go through this divided and confusing process to keep your patents alive, stifles future innovation. An inventor's dream is to hopefully license and finally get paid for his/her innovation.

If an Article 3 court has validated the patents, then it is confusing and wrong to have those patents deemed invalid by the PTAB.

Please Director Iancu, quickly fix this travesty and don't allow the current patents already adjudicated by an Article 3 court to be invalidated by the PTAB. Do not let random parties file for review. Let's establish rules and procedures to protect the inventor and then enforce them.

I pray you do the right thing, quickly.

Thank you

Ihor T. Nakonecznyj