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Changes to the Claim Construction Standard for Interpreting Claims in Trial Proceedings Before the Patent Trial and Appeal Board

Comment On: PTO-P-2018-0036-0001

Changes to the Claim Construction Standard for Interpreting Claims in Trial Proceedings Before the Patent Trial and Appeal Board

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Comment on FR Doc # 2018-09821

Submitter Information

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General Comment

To Whom It May Concern:

I strongly support the adoption of the proposed rule change to the Claims Construction Standard for Interpreting Claims in Trial Proceedings before the PTAB as presented in your May 3, 2018 notice.

In April of this year, USPTO Director Andrei Iancu delivered his first major policy speech. He said emphatically that in order for the Trump Administration do deliver on the mission to created sustained economic growth, the U.S. patent system cannot continue, and will not continue, down the same path.

He stated,

At my swearing-in, I remarked that through the doors of the U.S. Patent and Trademark Office comes our future. And indeed, it does, and it always did. We must celebrate that. From Thomas Edison to the Wright Brothers, from Stanley Cohen and Herbert Boyer to Steve Jobs, American inventors have fueled the imagination of our people for generations. We are a pioneering people who overcome large obstacles in order to realize our dreams and create prosperity. Inventors help make dreams reality, and American invention changes the world. Indeed, with American patents, humans made light, began to fly, treated disease, and enabled instant communications across the globe from tiny devices in our pockets.

His comments had quite an impact on me because I am the son of a great American scientist and inventor. My father, Dr. Walter B. LaBerge, after returning from WWII and earning his PhD in Physics at Notre Dame accepted his first job with the Navy at China Lake, California. That was the beginning of a long career which included co-inventing the Sidewinder missile, building Houston Mission Control Center, serving multiple Presidential appointments at the Pentagon and NATO, and as Sr. VP at Lockheed running their research labs. You see, he was a part of that generation that Tom Brokaw called The

Greatest Generation who believed they could do anything, and they did.

He was also a friend of Tom McKnew who was the Vice President of the National Geographic Society who, at a young age, watched Orville Wright test flying the Wright Brothers flier that became U.S. Military Aircraft Number 1 at Fort Myer, Virginia in 1908.

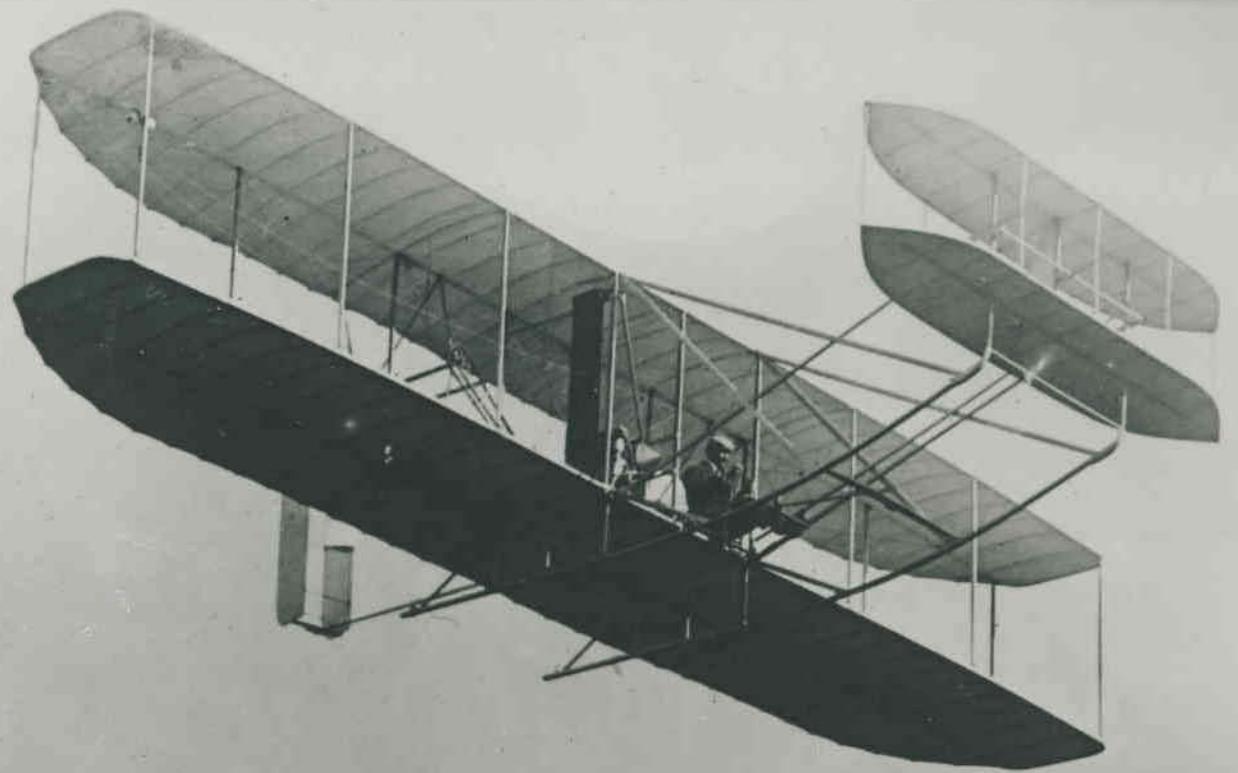
We have come a long way in just 110 years, but only through the hard work of scientists, engineers and innovators who were supported by a strong patent system. Since it was introduced, the AIA, and specifically BRI, has done catastrophic harm to the patent system and needs to be corrected. I urge you to adopt the proposed rule changes.

Sincerely,

Philip LaBerge

Attachments

WrightFlyer



To
Hon. Walter La Berge
Orville Wright test flying the Wright Brothers
"Flyer" that became U.S. Military aircraft number one.
Ft. Myer, Virginia 1908-1909

Tom McKeen
I was there.

