

From: Scott Frotman
To: [PTABNPR2018](#)
Subject: Comments on Docket No. PTO-P-2018-0036
Date: Friday, June 29, 2018 9:28:32 AM

Dear Sir/Madam,

I write to express my strong support for adoption of the proposed rule to change claim construction standards used in PTAB AIA Trial Proceedings, as published in the Federal Register at 83 Fed. Reg. 21221 on May 9, 2018.

Innovative biotechnology companies rely upon the strength and reliability of their patents, and a fair and predictable system for adjudicating their validity. The implementation of this rule would be an important step towards more balance and fairness in the Inter Partes Reviews (IPR) system.

Multiple flaws within the IPR process undermine the longstanding and carefully-balanced procedures laid out by the highly successful Hatch-Waxman Act. Harmonizing the claim construction standard in IPR and related proceedings with the standard that is being used by federal courts in patent litigation will advance the goals of the America Invents Act (AIA) while reducing litigation expense and gamesmanship of the system.

Adoption of this rule is needed for a multitude of reasons, including beginning the restoration of our patent system to global preeminence, encouraging innovation, and fulfillment of the spirit and original purpose underlying the AIA.

Regards,
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