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Sent: Wednesday, February 20, 2019 12:41 PM

To: Eligibility2019

Subject: Do not accept offensive guidelines on subject matter eligibility from Docket No. PTO-P-2018-0053

The guidance in RFC, Doc #PTO-P-2018-0053 subverts US law and encourages examiners to relentlessly grant (or: resume the wrong practice of granting) invalid, abstract patents. Patents that implausibly claim basic ideas or improperly extend prior protected ideas into application not known by the applicant (meaning: they are not defensible as one's eligible original ideas) must be denied in every instance.

The USPTO's function is to apply the intent of legislation and court rulings, and certainly to follow Supreme Court holdings, in the granting of originality protections to proven applications of new ideas.

Proposed revisions to the Patent Subject Matter Eligibility Guidance do not follow the mandate of the USPTO to approve only applications with new, well-defined, specific, original ideas of limited scope and breadth. Specifically, they are substantially in defiance of recent SCOTUS guidance that ensures examiners apply the Supreme Court's Alice v. CLS Bank decision against favoring application of abstract prior art to software possibilities.

Personally, I demand the USPTO not to adopt the guidance on subject matter eligibility set forth in the Request for Comments, Docket No. PTO-P-2018-0053.

The new guidance also ignores the thousands of decisions in which courts or jury trial courts have rejected claims as ineligible for patent protection, whether due to lack of originality or absence of specificity or application.

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February 20, 2019