

**From:** Bernard Nagelvoort  
**Sent:** Sunday, March 3, 2019 4:59 PM  
**To:** Eligibility2019  
**Subject:** 2019 Revised Patent Subject Matter Eligibility Guidance

I write in support of the 2019 Revised Patent Subject Matter – Eligibility Guidance.”

I have long held strong beliefs in language in the US Constitution, in this instance, Clause 8 under Section 8 of the Powers of Congress, language related to Copyrights and Patents.

My experience in recent years relates to the Patent and Trade Mark Office and its interpretation of the American Invents Act (AIA) with respect to patents approved/disapproved by this Agency in the course of its administrative processes related to this Act.

It is my contention that substantial evidence exists indicating the Agency assumed the responsibility of the Federal Court system in evaluating issued patents with a predisposition to invalidate such patents to a dramatically higher degree than determined by the otherwise responsible judiciary system. It is my further contention that such determinations substantially undermined the economic wellbeing of this Nation by discouraging legitimate invention.

Related to this contention is a firm belief that the patent review process established under AIA by the Patent and Trade Mark Office unduly undermined legitimate patents through the administrative process of selecting “judges” thus changing in a substantial way such determinations of patent legitimacy otherwise subject to well-established judicial processes.

Sincerely,

Bernard C. Nagelvoort

Former Administrative and Legislative Assistant to Member of Congress and House Committee Staff Member