

From: Marsha Turner
Sent: Tuesday, March 5, 2019 4:02 PM
To: Eligibility2019
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Subject: Fwd: Patent Infringement case between Strikeforce Technologies vs. Secure Authority

Sent: Tue, Mar 5, 2019 3:45 pm
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March 5, 2019

The Honorable Andrei Iancu
Director of the United States Patent and Trademark Office

RE: Eligibility2019@USPTO

Director Iancu:

I would like to thank you for your initiative to resolve the 101 mayhem. Your subject matter eligibility guidance will help with most of the 101 problems if interpreted and implemented properly by the examiners and PTAB judges. Therefore, the highest risk to your subject matter eligibility guidance is the interpretation and implementation by the examiners and PTAB judges. The following are suggestions on how to further improve the guidance and how to ensure its correct interpretation and implementation

I wholeheartedly support your effort to resolve the 101 ambiguity and mayhem that currently exists within our courts. I am currently following a patent infringement case between Strikeforce Technologies vs Secure Authority, in which the appeal decision handed down by the Federal Court of appeals was made in support of Secure Authority, declaring "Affirmed", under Rule 36. The judges apparently could not even be bothered to provide an explanation to their decision, and instead applied the court's "bypass" Rule 36, allowing them to simply move it out of their court, in complete disregard to precedence set by SCOTUS and USPTO rulings!

I personally feel that the 3 judge panel failed to completely understand the patented technology, and legal precedence in the underlying issues within the infringement lawsuit, and therefore sought to escape such embarrassment by simply using the Rule 36 available to them! We must seek complete and undeniable clarification within the powers of SCOTUS and USPTO, to correct this issue, and prevent such in the future! We totally support your effort!

Thank you again for your effort, and for taking the time to solicit feedback on the issues.

Respectfully,

Marsha Turner Rochow
[address redacted]