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Mail Stop Comments – Patents
Commissioner for Patent
P.O. Box 1450
Alexandria VA 22313-1450

Attn Robert A. Clarke

Ref: proposed rules of January 3, 2006, 71 Fed. Reg. #1, p. 62

Dear Mr Clarke,

I am opposed to limiting the number continuations that can be filed. While there have been some notable abuses of the continuation system, the possibility of future abuse of that sort has been eliminated by the law that limits patent term to 20 years from the date of filing. It is legitimate for applicants to be able to re-craft claims over a period of time as the commercial and prior art situations are better understood. Limiting the number of continuations would unfairly limit applicants' rights.

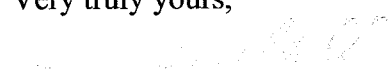
I am also opposed to the number of rule changes that have been coming down the pike in recent years. The minor improvements that may be achieved by these changes are not justified in light of the detriments that come from any change, and the burden on practitioners to keep track of the constant flood of verbiage that is coming out of the PTO. The PTO seems not to be conscious that it is many people generating all this material, while each individual practitioner is supposed to be responsible for keeping track of all of it. My experience is that Examiners are having a hard time following it as well.

It appears that there may be people whose job it is to change the regulations and that these people cannot justify their existence unless they *do* change the regulations. Can't their job performance criteria be changed instead, so that they can be considered to be doing their job, without issuing these reams of paper that others are expected to study?

It also appears that many of these regulations are based on the assumption that applicants should do more work, while constantly paying higher fees – and that the PTO should have to do less work for applicants, while building fancy new quarters and computer systems and issuing multiple notices of non-compliance for failure of applicants to follow the constantly changing regulations.

All of this energy could better be spent on improving the quality of examination and creating more humane, less bureaucratic treatment of applicants and practitioners.

Very truly yours,



Anne E. Barschall

