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From: Roger Kennedy [mailto:roger.kennedy@oracle.com]

Sent: Wednesday, May 03, 2006 2:19 PM

To: Clarke, Robert; Pavlovic,Dejan; AB93Comments

Subject: Comments on Proposed Rule Changes

Please find attached Oracle Corporation's comments on the proposed rule changes regarding continuations and claim limits. Please contact me if you have any questions or problems with the document. Thanks.

Roger

May 1st, 2006

Via email: AB93Comments@uspto.gov

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

Re: United States Patent & Trademark Office Notice of Proposed Rule Changes Entitled “Changes to Practice for the Examination of Claims in Patent Applications”

Dear Commissioner:

These comments are made on behalf of Oracle Corporation (“Oracle”) in support of the Patent Office’s proposed rule changes regarding claims and continuation practices before the Patent office. Oracle’s business is information—how to manage it, use it, share it, protect it. For nearly three decades, Oracle, the world’s largest enterprise software company, has provided the software and services that enable organizations to get the most up-to-date and accurate information from their business systems. As such Oracle is a major customer of the Patent Office and has paid millions of dollars in fees to the Patent Office over the past few years.

Oracle applauds these initial steps taken by the Patent Office to curb abuse of the patent process, improve the quality of examinations, and shorten the pendency of pending patent applications. Oracle would point to the submissions of Micron Technology, Inc. and Intel Corporation as pertinent background information on the current problems and issues confronting the patent system. While Oracle wholeheartedly supports the Patent Office’s current proposed changes, it would encourage the Patent Office to continue seeking better practices and policies to improve both the quality and efficiency of the patent process.

In addition, we believe that the Patent Office must have sufficient resources to perform its critical role in administering the patent system. As you know, for years, the Patent Office was denied these resources as patent and trademark fees paid to the Patent Office were diverted to unrelated government agencies and activities. Congress and the current Administration are to be commended for fully funding the Patent Office during the current fiscal year; however, fee diversion from prior years has left the Patent Office with an enormous backlog, outdated technology and a general incapability to proceed with restructuring efforts. Oracle supports further legislative efforts to give the Patent

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Office authority to raise its fees as well as grant statutory assurance that those fees will not be diverted to unrelated programs.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Kennedy', with a long horizontal flourish extending to the right.

Roger P. Kennedy
Chief Patent Counsel