

From: lawrence pope
Sent: Thursday, April 21, 2011 4:05 PM
To: regulatory_review_comments
Subject: Docket # PTO-P-2011-0017, FR 56:15981

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I write in response to the above referenced Federal Register Notice seeking comment on the United States Patent and Trademark Office (USPTO) "Improving Regulation and Regulatory Review". I note that the solicitation is to aid it in responding to the President's Executive Order 13563.

I write as a patent practitioner with over thirty seven years experience in representing inventors and other clients before the USPTO, as a quite active member of various patent bar associations, who has aided those associations in responding to USPTO Notices including rules proposals and as an individual who has numerous times himself personally responded to USPTO rules proposals and who has testified at rules proposal hearings.

In my opinion the USPTO has over the years made some outstanding outreach efforts to those who appear before it and, in the last few years, made some particularly notable outreach efforts. I strongly commend those efforts at full and fair communications.

Nonetheless, I must strongly object to the failure of the USPTO to fully and fairly adhere to the statutory and regulatory procedures which govern Federal Agencies which promulgate and administer regulations and procedures which govern the interaction of the public with them. In particular, I object to the failure to provide the sixty day period within which to provide comments to the above referenced Notice as mandated by Executive Order 13563. This order provides at 76 FR 3821-3822 for "a comment period that should generally be at least 60 days."

I have learned colleagues with whom I have consulted who have detailed comments on the failure of the USPTO to adhere to the appropriate and relevant statutory and regulatory procedures. I ask that the USPTO by public notice extend the comment period to the full 60 day period recited in Section 2 of Executive Order 13563 as appropriate to allow public participation so that these detailed comments can be made available to the USPTO along with any other comments that the public may have given an adequate comment period.

Lawrence Pope
Patent Attorney