

## Kostelnik, Summer

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**From:** Yuan, Arthur <ayuan@jmls.edu>  
**Sent:** Wednesday, March 06, 2013 3:47 PM  
**To:** IP Policy  
**Subject:** Patent Small Claims

I think the discussion of patent small claims should start with a first discussion of case filing fee for a patent case in a federal district court. I would suggest considering to modify the filing fee structure to one that is proportionate to the damages sought by the plaintiff. In other words, it's a sliding scale of filing fees for the plaintiff. With this proposal, this make potential patent asserting plaintiff be conscious about filing. Of course, there will likely be reduction of court filing fees collected by the federal courts from filers due to this proposal. However, the economy of scale will likely compensate the loss of federal court revenue to an increase in the filing fee for the patent small claims court, whose filing fees would be a flat fee. The additional funding to the federal district courts through the sliding scale filing fee structure will greatly enhance the much needed help with additional staff or equipment used during a complex patent litigation.



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