

From: Brandon [e-mail redacted]
Sent: Sunday, September 26, 2010 1:04 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: The USPTO can, and should, exclude software from patent eligibility

Dear Sirs,

I am an American. I am proud to be an American. America stands for freedom to the whole world. There have been attacks upon her in the past, but never from inside. Software patents are just that, an attack on America and what she represents. Software patents prevent innovation from common men. Now that computers are near-ubiquitous, it's easier than ever for an individual to create or modify software to perform the specific tasks they want done -- and more important than ever that they be able to do so. But a single software patent can put up an insurmountable, and unjustifiable, legal hurdle for many would-be developers. How many apps in the iTunes store would have to be pulled and the creators fined due to illegitimately enforced software patents owned by companies who had no influence upon their development?

Software Patents stifle competition, which in turn stifles growth. Economists commonly announce that the best way to avoid recessions is to encourage sustainable growth. In fact I remember being taught this in school. Therefore Software Patents are damaging to not only the business in a free-enterprise-based economy, but also to the consumer. America depends upon competition to drive her economy. Growth keeps the competition innovative. One of the wonderful things about America is that an individual citizen can participate in that competition, and spur it on to greater heights. Which stimulates growth, which increases the prosperity of not only the citizen himself, but also everyone else participating in the competition.

The Supreme Court of the United States has never ruled in favor of the patentability of software. Their decision in *Bilski v. Kappos* further demonstrates that they expect the boundaries of patent eligibility to

be drawn more narrowly than they commonly were at the case's outset.

Please, do not further cripple the People of America; abolish software patents.

Brandon Haynes