

From: Dennis Hennen [e-mail redacted]
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To: Bilski_Guidance
Subject: Against Software Patents

I am a computer programmer by profession. I see several reasons why software patents provide no benefits to anyone but big players.

- 1) Software is a mathematical construct and not something in the physical world. Patent laws are intended for physical machines.
- 2) Even if software patents were allowed, the USPTO does not have the resources to properly vet software patents and review for prior art, as has been seen time and again by the silly things they have allowed to be patented.
- 3) Software patents are created defensively and used as a legal tool, not as a tool to protect research and development. The research would continue with or without patents.
- 4) Patent trolls use software patents as a tool to economic gain instead of promoting the good of society.
- 5) Software patents limit innovation in a culture of fear of who may sue you, or being unable to build new ideas because of existing patents on un-patentable ideas.
- 6) The Supreme Court has never issued a ruling supporting software patents, and *Bilski v. Kappos* shows that they expect the patentability of software to be very narrow rather than the broad view the USPTO takes now.

Thank you for considering my comments.

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