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Sent: Saturday, September 25, 2010 8:51 PM
To: Bilski_Guidance
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Subject: USPTO should not grant software patents.

I am independent software developer. As such I feel it is important that the USPTO should take this opportunity to issue new guidelines that exclude software from patentability.

Software patents do not promote innovation. Software patents only serve to hurt small software developers like me.

There are many reasons why software patents are not serving a productive purpose in our economy. But the bottom-line is that software patents are useful predominantly as a negotiation tool between huge corporations with huge legal resources at their disposal. Software patents serve no purpose and are not feasible for small or independent software developers. The cost and time required to successfully file for and receive a patent on a software invention are often out of reach of small software companies and individuals. And there is mounting evidence that even after being granted software patents can very often not effectively be used to protect a software invention. In these regards software patents stand in stark contrast to other intellectual property protections available to US businesses and individuals such as US trademark protections. Thus software patents effectively do not provide equal protection to all US citizens.

The US software development industry is made of a complex economy of various types of businesses of many different sizes and efficiencies. Because of the inequities of the software patenting system, the current US software patenting process puts the health of the US software development industry at risk.

- Richard Lawler
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