

From: John W Palmieri [e-mail redacted]
Sent: Monday, September 27, 2010 1:09 AM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: My thoughts on software patents

Dear USPTO Representative:

I am a United States citizen.

As a full-time programmer I have always looked at my work as a creative process. I gather ideas, mix in my own thoughts and perspiration, and out comes code. I enjoy that process immensely.

There are times when I create something completely new. I just built an inventory management system that has given my company a huge competitive advantage. Another coder I work with created a mechanism for handling the wildly divergent requirements of our partners. Another still has coded an incredible tool-chain that makes our processes almost friction-less. All of these are new and patentable -- and we are in the process of implementing more and more such works every day.

But if we are to understand our current patent system, we should be stopping and patenting each of these works. We should slow down and get our code patented so some troll is unable to sue us for building our business and being successful - potentially sue us for the fundamental, to the web, act of clicking a button (see Amazon's one-click patent).

The patent system, as currently conceived, belongs to widgets -- to protect those who spend huge sums to build something new so they can recoup their investments and potentially make a profit before others commoditize that widget into oblivion.

Building software is wholly different -- we create new "widgets" and destroy old ones virtually every release cycle (for us three times per month). We innovate, evaluate, and move forward with the "widget" that works best, leaving the the also-rans buried in our revision control system.

The moment we stop, the moment we take one of the four of us building our technology and make him patent a piece of software, we fall behind. In the end, all of the developers would be writing up patent applications, and turning our patent system into a morass and causing our business to fail.

Please stop software patents.

Thank you for your attention.

Sincerely,
John W. Palmieri
4664 Del Moreno Drive, Woodland Hills, CA 91364 USA Mobile : (+1) 818-564-6543
eMail: [e-mail redacted]