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Subject: Software patents stifle innovation

Imagine if novelists could patent plot, character arc, or sentence structure. While it would decrease the number of crappy Harry Potter ripoffs, it surely would've kept the original from even being published in the first place. What publisher would want to take on the risk of being sued by Rowling's influences? While the "innovation" of that book series is I'm sure debatable, such patents would quite obviously restrict literary innovation. The same is true of software patents.

I'm an independent web developer living in Maine, currently growing restaurant software with local chefs I used to cook with and planning to launch a startup next year. The worry of getting sued for patent infringement is significant, and the protection I'd get from patenting my own work is immaterial. Patents don't protect the upstarts: if I were granted a patent, felt that Microsoft then infringed on it, and I filed suit against them, they would crush me in a counter-suit. They have more patents than the U.S. has nukes.

Copyright and trademarks provide adequate protection for developers, just as they do for novelists.

Thank you,

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