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Sent: Monday, September 20, 2010 12:59 PM

To: HumanitarianProgram

Subject: Attn: Joni Y Chang; Docket No. PTO-P-2010-0066; Comments re Incentivizing Humanitarian Technologies

Sir:

Responsive to the Request for Comments in the Federal Register (75FR57261), I find the explanation for the proposed "fast-track" reexamination program to be inadequate. By statute, the USPTO is already required to conduct "all" reexamination proceedings "with special dispatch within the Office" (35 USC 305; cf. 35USC 314(c)). The proposed notice indicates that the proposed "fast-track" reexaminations for certain qualifying technologies would be given the "highest priority" and that the USPTO would "accelerate" the time periods that the USPTO takes to handle actions for these particular reexamination proceedings. The USPTO's explanation for the proposed "fast-track" program fails to distinguish that program from the "special dispatch" handling that is mandated by law for all reexamination proceedings. The alleged need for fast-tracking evidences that the USPTO is possibly already in violation of law for the reexamination proceedings currently being conducted, and that all of such proceedings could be given a higher priority than under present USPTO policy. The fast-track proposal should be abandoned.

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The views contained herein are entirely my own, and not necessarily those of Schneck & Schneck nor of any of our clients.