

From: Nickol aus Leggett [REDACTED]
Sent: Friday, August 05, 2011 11:49 AM
To: ai a_implementation
Subject: BPAI - Post Grant Review (PGR), 35 U.S.C. 321-329

Before the

United States Patent and Trademark Office

United States Department of Commerce

Alexandria, VA 22313

To Michael P. Tierney, Administrative Patent Judge, Board of Patent Appeals and Interferences

Comments from Nickol aus E. Leggett, independent inventor, on Post Grant Review (PGR), 35 U.S.C. 321-329

My background

I am an individual independent inventor holding three U.S. Patents. My latest patent is a wireless bus for computers and other digital devices (U.S. Patent # 6,771,935). I am also a certified electronics technician (ISCET and iNARTE) and an Extra Class amateur radio operator (call sign N3NL). I have a Master of Arts degree in Political Science from the Johns Hopkins University (June 1970). In addition, I am a professional technical writer.

My experience in amateur radio and electronics enabled me to invent a wireless bus for computers and other digital machines (U.S. Patent # 6,771,935). In addition, I have worked on other technical advances such as defining a "lighthouse protocol" for enhancing radio communications in the microwave frequency bands. I am also the inventor of a microwave-based insect killing system for greenhouse incoming air flows (unpatented).

Proposed Public-Access Monitoring of Post Grant Review Activity

Many independent inventors are concerned about the possible impacts of the Post Grant Review (PGR) feature of the new patent law. They see some large corporations using the PGR system to force legitimate new patents into the public domain. This strategy would use the superior resources of the corporation to overwhelm whatever defenses the independent inventor could put up. As a result of this, valid patents would be invalidated due to the difference in the economic strengths of the independent inventors versus certain large corporations. I share this concern.

Unfortunately, Congress is deciding to go ahead with PGR and the United States Patent and Trademark Office (USPTO) will be obligated to implement it.

However, the USPTO does have the authority to closely monitor the PGR activity and report this information to the public. I am proposing that the USPTO establish a public data base that reports the results of all the PGR cases. This data base should include the names and corporate affiliations of the parties involved, references to the patents involved, and online links to any written judgments of the administrative patent judges.

This public data base of PGR activity would allow members of the

public, such as me, to determine the identity of the corporations challenging newly issued patents and to determine if any "patent busting" strategies are being employed. This open-government approach would help to deter any misuse of the PGR system. Public monitoring of the activity should be assisted by displaying a continuously updated table or tables summarizing the PGR activity and decisions.

Respectfully submitted,

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August 5, 2011

Appendix A

Some of my document references are listed below:

United States Patent 6,771,935, Wireless Bus August 3, 2004

United States Patent 3,280,929 Ground-Effect Machine October 25, 1966

United States Patent 3,280,930 Ground-Effect Vehicle October 25, 1966

"Demonstration and Development of Amateur Radio Applications of Natural Vacuum Electronics"; Nikolaus E. Leggett, N3NL - 22nd AMSAT Space Symposium and Annual Meeting October 8-10, 2004 in Arlington, Virginia

"A 'Lighthouse' Protocol for Random Microwave Contacts", Nikolaus E. Leggett, N3NL, QEX The Experimenter's Exchange - Technical Notes July/August 2004 - American Radio Relay League, Newington, CT.

I am an author, with my wife Judith F. Leggett, of numerous peer-reviewed papers on controlled-environment agriculture. Judith is an agricultural expert. We presented these papers at space engineering conferences.

I have submitted over 200 regulatory documents in rule making dockets at the Federal Communications Commission. These documents of mine are accessible online on the Internet at the FCC Electronic Comment Filing System (ECFS). In addition, I have filed regulatory comments at the EPA, FAA, and the TSA. These comments are accessible on the Regulations.gov website.