

Alliance for American Innovation

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Director
The United States Patent and Trademark Office
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Washington, D.C., 20231
Attention: Mr. Jon T. Santamauro

Gentlemen:

The Federal Register Notice of March 19, 2001 is of concern to the Alliance For American Innovation. The questions asked about harmonization need thorough study and thoughtful answers by Americans because the Patent and Trademark Office above all government agencies is a primary agency to all Americans. Many of us were taught in school about the Patent Office and that if we had an idea we could apply for a patent. The Patent and Trademark Office should be available to all Americans. The notice in the Federal Register is inadequate for the many people whose lives are touched by the Patent Office.

The Alliance For American Innovation is an organization of independent inventors and small business entities. We want to be on record that the proposed harmonization is not in the best interest of the United States, which also includes the uniform treatment with other countries of patent applications. The United States system should remain intact and not become a negotiated composite of other countries systems.

On the "issues for public comment" again we repeat in favor of "first to invent". A first to file system should not be considered for several reasons. We believe the inventor and writer should be rewarded for their work and not someone who happens to file an application at the Patent Office. That is a fundamental promise in the Constitution to inventors and writers and it makes the United States unique from other countries in how we treat such gifted people. After 200 years we should not reverse our basic intellectual property law.

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1. As to priority of invention, the United States has created a patent system which has rewarded the inventor for his efforts. We prefer the American system and do not want to change this basic concept of patent law.
2. We want the law of the United State and do not want to limit patents to technical fields. We do not want to exclude business methods patents.
3. The U.S. system requirements are superior and there is no advantage in changing the system. We prefer the old style it is clearer.
4. The U.S. system is preferred to narrowing the field for patents obtained. The United States system is better in this field.
5. We prefer the American patent system and apparently many Europeans also do because they are filing in the United States because of broad patent protection. We want to keep the American practice.
6. There is no advantage in changing the American patent system. We want to keep this provision.
7. There is nothing wrong with the United States system. We want to keep the Hilmer rule.
8. We prefer the U.S. system. There is no advantage to another system which is not better than ours.
9. We insist on retention of the grace period because it gives inventors the opportunity to be better informed if there is any value in his invention in the marketplace.
10. We want to stay in the United States. The United States demands geographical restrictions be kept and any change to remove the restriction will make the system more costly and hurt the little guy.
11. We prefer the United States system.

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12. This would make the patent system more costly. There is no advantage in choosing another system to the preferred United States system.

13. We prefer the United States systems because it is broader and has more beneficial results for inventors.

14. We prefer the United States system. It is simpler and more understandable for inventors.

15. The United States patent system is better because it is clear as to what the results are.

16. We need the Doctrine of Equivalents. We think the Festo decision is too restrictive and should not be part of the Doctrine.

17. Absolutely, the filing must be in the name of the inventor. The credit goes to the period who does the work.

Sincerely yours,



Steven Michael Shore
President