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PATENT AND
TRADEMARK LAW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

via facsimile
(703)308-2840

Re: Comments regarding Proposed Patent Office Plans
To Cease Supplying Copies of cited U.S.
Patent References with Office Actions

Sir:

I am writing to express my extreme opposition to the proposed plan of the U.S. Patent Office to cease supplying copies of U.S. patent references with office actions and in its place, make available to an applicant access to such cited references electronically (i.e. by way of the internet).

If you don't get a lot of comments in opposition to this plan from patent attorneys who routinely counsel independent inventors (e.g. applicants of modest "means"), it's only because they haven't heard about or received your Notice (dated 12/1/03) outlining this plan.

This plan is a bad plan which offers no advantage at all to applicants, and instead, places an undue burden on applicants to obtain copies of references that they used to be provided as a matter of course.

The providing of cited U.S. patent references is a valuable service, since it enables an applicant to quickly ascertain the position of the Patent Office regarding an application. For an applicant to access cited U.S. patent references through the internet for review in "hard copy" form (in accordance with the proposed plan), the applicant must perform time-consuming steps which, in my opinion, could dissuade an applicant from taking full advantage of the patent laws to obtain rights to which he may be entitled. Furthermore, what is an applicant to do if he does not have access to the internet? Is the patent application process to become only for the wealthy or those who are "computer literate"?

For the sake of patent applicants who do not possess the means or wherewithal to retrieve patent references electronically, the Patent Office should not cease supplying copies of cited U.S. patent references with office actions.

Respectfully submitted,
Michael E. McKee
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