

From: iplaw@walkerandjocke.com
Sent: Thursday, January 15, 2004 12:09 PM
To: eReference
Subject: E-Patent Reference

Electronic Business Center (EBC)
U.S. Patent and Trademark Office

Re: Notice of Office Plan to Cease Supplying Copies Of Cited U.S. Patent
References With Office Actions

Dear Sirs,

I encourage the U.S. Patent and Trademark Office to continue to supply
paper copies of cited U.S. Patent references with Office Actions.

I have personally tested the Pilot program for accessing U.S. Patent
references through the PAIR system. The Pilot program successfully
downloaded the references, although the process is exceptionally time
consuming even with a broadband connection. As with other electronic
access through the USPTO system, I expect that the process will be even
slower during times of peak use and, at times, not available at all.

In addition, the .pdf version of the patents available for download does
not provide one of the primary benefits of most electronic text files,
that of searchable text. In all likelihood, were I inclined to use an
electronic version of a reference rather than a paper one I would still
need to download an additional copy with searchable text.

As a practical matter, I and most other practitioners and applicants
will continue to rely on paper versions of the U.S. references in order
to respond to office actions, thus the reduction in paper usage by the
suggested change in practice is likely to be minimal. As between the
practitioner and the USPTO, the USPTO is far more efficient at printing
copies of the references. If cost is a driving factor, rather than
shift the physical burden of printing those copies, and create the risk
that an electronic failure might render references completely
unavailable when needed, it might be more appropriate for the USPTO to
charge a modest fee per reference it provides.

Respectfully,

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