

From: erobinson@riplo.com

Sent: Thursday, December 04, 2003 11:46 AM

To: eReference

Subject: Comments on eReference

I have just received the Notice dated December 1, 2003, downloaded the updated Java Runtime Environment and initially accessed the proposed new eReference system. I have the following two initial comments at this time for your consideration in evaluating the system during the trial period.

(1) Access to private PAIR is, as I understand it, limited to attorneys or individual inventors (see <http://pair.uspto.gov/cgi-bin/final/help.pl#about>, "To access the private PAIR, you must . . . be a registered patent attorney/agent or an Independent Inventor"). Practically, many clients will continue to expect copies of U.S. Patent citations to be provided by the practitioner with the Official Action. Under our current practice (and what is believed to be that of many law firms), when an Official Action is received, it is copied along with the cited references by office staff, a forwarding letter is generated, and the completed copy provided to an attorney for review and signature. Thus, the responsibility for preparing the patent copies lies with the staff. If access to private PAIR cannot be given to staff personnel, then the attorney/agent will be responsible for downloading the cited patents. This is highly inefficient and not cost effective and will likely force users to third party services to obtain patent copies. That is, it is more economical to pay \$5 per patent copy and have a staff member download from the 892 form than to pay an attorney \$350/hour to push buttons under private PAIR. If a solution exists, please let me know. If not, this should be addressed.

(2) While the bandwidth throughput on downloading appears adequate at this time, it is of concern if it will become insufficient as the user load increases. Of more immediate concern was the conversion to PDF process, which took as long or longer than the download. It is unclear if this is due to the machine speed/memory or if it is due to the conversion software itself. This further exacerbates the problem in (1) above.

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