

From: Brian Owens
Sent: Wednesday, March 12, 2008 11:28 AM
To: Markush.Comments
Subject: Alternative Claims Notice of Proposed Rule Making – Markush

John Dudas or other USPTO representative:

I do not believe as a patent practitioner I support the rule change as proposed. I believe that any Markush group in excess of between five to ten elements should be charged an additional fee. Make the fee commensurate with the time spent by the Examiner to examine the elements. Making the applicant file additional continuation or divisional applications will only unnecessarily increase the overall costs and create more complexity. Many of the electrical applications that I draft utilize a small markush group to explain the best modes of practicing the invention. These best modes are not a laundry list, but rather an exact group of approximately 3 to five elements.

In addition, please consider opening a satellite patent office in Dallas, Denver, Salt Lake, or other population centers with a high education of educated professionals and a lower cost of living. That would solve many of the problems that the patent office faces with regard to retention and hiring new examiners. I believe that is half the problem of the backlog of applications and we could disregard the many proposed changes to patent law that will fundamentally weaken patent protection, invention, and business in the United States. This is a practice already practiced by the Federal Reserver and other federal entities with great success. Thank you for listening to my comments.

Sincerely,

Brian Owens

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