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From: James Fisher [mailto:fisher132@astound.net]

Sent: Thursday, April 27, 2006 7:13 PM

To: AB94Comments

Subject: Independent Inventor comments on proposed rule changes

Attn: John Doll

Commissioner for Patents

Dear Commissioner Doll

I am an independent inventor and invention animation consultant who wishes to voice my concerns over the proposed rule changes. I have been involved in inventing for some years and have many innovative inventions that I believe would help many and be of considerable benefit to US competitiveness.

Unfortunately I have a very limited budget for development and marketing of my invention, having to borrow from equity in my home to support my full-time inventing efforts. I am currently in discussions with a company to produce one of my inventions, but the burden of financing the patenting process is entirely on me and the success of the anticipated negotiations is contingent on me being able to protect the invention.

I understand that the proposed rule changes on continuations will drastically increase my costs for obtaining a patent, while at the same time restricting the protection I pay for. I also understand that the proposed rules will force me to appeal all final rejections rather than filing continuations to give the examiners the additional time they need to better understand my invention. The proposed rules will force me to file additional applications all on the same day to cover my invention and they will force me to file many additional claims in my applications.

If the proposed rules are not enacted, the direct benefit to the US economy and tax revenues will be considerably greater because small inventors like myself will continue to be able to bring innovations to market that result in creating jobs and export revenues. On the other hand, any benefits that the USPTO will gain from these changes will have the effect of throttling much of America's innovation which is heavily dependent on independent inventors.

Instead of changing the continuation rules, I recommend that you continue to increase rate of hiring of examiners and redirect the fees to training,

salaries, and retention. As the examiner force increases, the number of examiners you can hire and train each year will also increase. By your own numbers, the recent increases in examiner hiring has stabilized the time to examine applications. Continuing to hire at the present rate will inevitably drive that time down. Thank you for your consideration of my recommendations.

Sincerely

James Fisher  
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