From: James Mason [mailto:jcmason@medlencarroll.com]
Sent: Tue 3/21/2006 6:18 PM
To: Clarke, Robert
Cc:
Subject: 71 Fed. Reg. 48 (January 3, 2006)

Under Secretary of Commerce for Intellectual
Property and Director of the United States
Patent and Trademark Office.

Re: Changes To Practice for Continuing Applications, Requests for Continued Examination Practice, and Applications Containing Patentably Indistinct Claims

Hello,

I have read through you proposed changes, and I am quite disappointed that the Secretary of Intellectual Property for the United States feels that it is in his interest to bring forward new rules that would substantially hinder the protection of intellectual property rights in the United States, the life blood of the U.S. economy. Mr. Dudas major arguments focuses on cost of reviewing the extra applications. However, the Applicants pay full price to obtain rights to numerous inventions, and this is a tax advantage to the U.S. Government. It is disheartening that the Director's answer to complaints of long waits for patentability review is to foreclose delayed review of patentable inventions instead of hiring more Patent Examiners. These measures will invariably increase the number of appeals to the Board and increase the number of same date application filings. This will be particular harsh on entities with minimal financial resources for prosecuting patent applications for initial stage technologies particularly University Systems. As technology transfer has been largely successful because of Bayh-Dole Act, these changes will serious undermined these

efforts. The proposed changes are in directed opposition to the purpose set out by Congress of the Bayh-Dole Act.

I respectfully request reconsideration,

James Mason
Registered Patent Attorney