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From: John Janning [mailto:Janning@compuserve.com]

Sent: Monday, January 09, 2006 11:48 AM

To: AB93Comments

Subject: Changes

As a holder of 57 issued U.S. Patents - with many pending - I agree 100% that changes need to be made to the USPTO examining process. BUT - before that, changes need to be made elsewhere. Too many "experts" think they have the right answer when it comes to "first-to-invent". We NEED "first-to-file" desperately!!!!!!!!!!!!!!!!!!!!!!

What's the connection? A big one! I'm not sure I can get it all in one e-mail.

Basically, in a "first-to-file" system, an inventor can take his/her invention to a manufacturer the next day after filing - without fear of 'cheating' on the part of the manufacturer. By 'cheating', I mean the "back-dating" of paperwork to 'show' when the invention was invented.

I have products on the consumer market - I KNOW what I'm talking about. If you think for a minute that unscrupulous manufacturers wouldn't do this, I have a piece of land on the moon that I'd like to sell you. (I have been a victim of fraud. I won in the end but it gets unnecessarily costly. Going to court is not fun).

The nonsense statements by so-called "experts" saying that the "first-to-invent" system does not favor the little guy is hogwash!!!! It absolutely favors the small independent. I AM a small independent.

Several years ago, when there was all the rage about "first-to-file" and Inventor's Digest magazine wrote a story that 26 (or so) Nobel Laureates favored the "first-to-invent" system over "first-to-file", I gave a talk to a local Inventor's Group on the benefits of both. when I finished my presentation, the entire group changed their (brainwashed) minds and saw the light that "first-to-file"

was in their best interest.

As for CIP's; continuations; divisions; etc., I agree - AND - I am one who uses those for all I can get out of them. RCE's is another thing. I understand that an Examiner gets paid extra when an RCE is filed. One of my recent patents came about as a result of an RCE - where AS SOON AS the RCE was filed, the Examiner allowed the patent. That is baloney!!!!!!!

We need an expedited patent procedure where a patent can issue in 15 months or less. Such a patent would be limited to 5 claims; its specification limited to 1200 words; drawings limited to four. The filing fee for such would be \$1000 for small entity and \$3000 for large entity. (This favors the small independent).

In ALL pricing by the USPTO, the large entity fee should be THREE times the small entity fee. This is a step to discourage large entities from their present tactics of "covering the moon" (aka CYA).

I could go on and on . . .

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