

Attn: Mr. Ronald Hack
Acting Chief Information Officer
USPTO
Washington, DC 20231

Dear Mr. Hack:

This is in regard to the "Notice of Request for Comments on Development of a Plan To Remove the Patent and Trademark Classified Paper Files From the Public Search Facilities" appearing at 66 Fed. Reg. 45012

I am a solo IP practitioner in St. Paul MN, concentrating on chemical patent practice. My personal views are set out below.

I commend the USPTO on its efforts to make text and image versions of its paper files available both at the USPTO and over the Internet. I use the USPTO's Internet-accessible searchable text files relatively frequently. I use the Internet-accessible image files only infrequently, for reasons explained below. When on business at the USPTO, I sometimes use the classified paper files in the public search room. I also often use electronic (PDF) copies of patents stored on my network server, and frequently use paper copies of patents stored in my prosecution files.

Paper is still the best way to address certain questions in a hurry. However, when I can do so, I like to have electronic copies of patents, and prefer to send electronic rather than paper patent copies to my clients. My clients feel the same way. This makes it important to be able to get electronic copies quickly and easily. Because I have a chemical practice, I have to rely on images rather than ASCII text.

In connection with the USPTO's decisionmaking regarding its paper patent collection, it should consider the shortcomings of its current Internet-accessible image file collection. The image file collection could be improved in two important respects. First, images must at present be downloaded one page at a time. I usually have my Paralegal do this when we need copies of an older patent that is not available from a third party provider. Doing so takes a great deal of time, and the resulting collection of images has to be somehow concatenated (e.g. by scanning) if one wants to reassemble the original document in an electronic form. It would be much more convenient if the entire patent image could be downloaded as one document rather than as individual pages.

Second, at present a TIFF viewer is required in order to see downloaded images. Most of my clients do not have an appropriate TIFF viewer installed on their computers. I recognize that the USPTO might like to avoid using proprietary solutions. However, the Adobe Acrobat PDF format is widely used by lawyers and their clients, enables relatively easy viewing and retransmission of compact multiple page images, and would be a much more useful solution than the current TIFF format.

A number of third party providers including MicroPatent and ReedFax provide electronic patent copies in easily downloaded multiple-page

formats including PDF files. I use both of these third party services, because they are much more convenient than the currently-available image files provided by the USPTO. I do so even though the service providers charge for downloading images of these otherwise freely-available public documents.

In my view, the USPTO should provide images of patents, patent applications, file histories and other non-copyrighted documents in a multi-page, widely-used format such as the PDF format. This would be much more user-friendly than the current system, and would be an appropriate measure to take in view of the USPTO's plan to remove the classified paper files from the public search room.

Thank you for considering this submission.

Best regards,

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