

**From:** davidp [mailto:cec@dls.net]  
**Sent:** Tuesday, April 04, 2006 7:59 PM  
**To:** AB94Comments; mcmanus@patntit.com  
**Subject:** proposed rule change - NO THANKS!

To: USPTO  
From: David R. Pacholok

The PTO-proposed rule changes necessitating a world-wide search for prior art for any application containing more than ten (10) claims can only be termed UNFAIR and FINANCIALLY DEVASTATING to the small inventor. Yesterday, I could obtain a patent for \$5000.00 or so, and currently have more than 25 patents. Now my patent agent and my patent attorney are quoting me MORE THAN \$20,000.00 unless I can accept 10 claims which are insufficient to describe even the simplest art! I am a small inventor and run two small engineering and manufacturing companies and cannot afford a QUADRUPLING (OR MORE) OF PATENT COSTS!

My partner Thomas Gough and I currently have a pending patent for which no first office action has been received; it has 22 proposed claims and we paid our filing fees IN GOOD FAITH on that basis. Are we now only allowed only 10 unless we find a big bag of money?! The RETROACTIVE clause in this proposed action is nothing short of a VIOLATION OF A CONTRACT: We paid for 22 claims and can now only receive 10 unless we can pay 4X as much \$\$\$\$ for generation and submission of patentability summaries which were not required when we filed!

Of course \$20,000 or even \$100,000 for a patent is no trouble for the BIG CORPORATIONS who can spend legal DOLLARS more easily than we (the private inventors) can spend pennies! Their lawyers will continue to churn out patents (including abusive ones) unabated!

I have already lost one patent (for a device to stop cars fleeing from police) to Jaycor, Inc. in an interference proceeding some 10 years ago; I spent \$45,000, ran out of money; they spent over \$400,000 in legal fees... They have yet to bring this life-saving product to market! Currently, at Induction Innovations two of our patents are being flagrantly infringed upon... our hands are tied because we (the little guys) don't have 1.5 MILLION DOLLARS to bring and complete a suit! Is this the sort of "freedom and justice for all" Americans are to expect from the our patent system?

IS THE PLAN HERE TO FARTHER TILT THE PATENT PLAYING FIELD IN FAVOR OF RICH AND POWERFUL CORPORATIONS? IS THIS WHAT I PAY TAXES FOR???

A SOLUTION\*\*\*\*\*  
TO REALLY WANT TO MAKE IT FAIR AND ELIMINATE ABUSIVE PATENTS WITH 100'S OF CLAIMS (SO YOUR EXAMINERS CAN ACTUALLY EXAMINE THE 2 TO 3 PATENTS PER WEEK THAT IS EXPECTED OF THEM); HERE'S MY SOLUTION : 20 CLAIMS FOR EVERYBODY, NO EXCEPTIONS, NO PATENTABILITY SUMMARY, UNCHANGABLE BY ANY AMOUNT OF LEGAL \$\$\$ OR MANIPULATION!

Sincerely,  
David R. Pacholok  
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