

-----Original Message-----

From: ron ronde [mailto:patentcalifornia@yahoo.com]

Sent: Wednesday, May 03, 2006 4:09 PM

To: AB93Comments

Cc: AB94Comments

Subject: Proposed rule changes; comments

John Doll
Commissioner for Patents

RE: Proposed rule changes

Dear Commissioner Doll,

I am an engineer, an independent inventor, and a practicing patent attorney. I also help other independent inventors at a local inventors support organization. It is called the "Inventors Alliance".

The Inventors Alliance meets once a month, both in Silicon Valley and Sacramento. The membership is approximately 2,500. Participation at meetings is very active and is typically 100 - 350 in Silicon Valley and 30-60 in Sacramento.

The president of Inventors Alliance, Andrew Krauss, and I recently made a presentation to a meeting of Inventors Alliance regarding the proposed rules changes. The response to the proposed rule changes was overwhelmingly negative. Andrew Krause asked me to forward the opinions of the members and representative emails to you. Those emails are attached, as well as compiled in a single document file..

Sincerely

Ron Rohde
Reg. No. 45050

16180 Jasmine Way
Los Gatos, CA 95032

May 3, 2006

Mail Stop Comments? Patents,
Commissioner for Patents,
P.O. Box 1450,
Alexandria, VA, 22313?1450,

RE: Continuation practice

Dear Commissioner Doll:

I am an independent inventor and product developer located in Silicon Valley. I used to derive money from independent consulting contracts, but H-1B employees have virtually eliminated that source. My funds come from loans, a mortgage, and my wife's earnings. I have a very limited budget for development and marketing of my invention. All of my patent costs, not to mention the cost of development tools, come out of my very limited budget. Then there are the costs of feeding me, housing me and clothing me, etc., which must come from somewhere. The same interests that decline to hire me to invent due to age (which can happen at an age as low as age 30), also conspire to have the government biased in their favor, despite their claims of being capitalist.

I understand that the proposed rule changes on continuations would drastically increase my costs for obtaining a patent, while at the same time restricting the protection I pay for.

I understand that the proposed rules would force me to appeal all final rejections rather than filing continuations to give the examiners the additional time the need to better understand my invention.

I understand that the proposed rules would force me to file additional applications all on the same day to cover my invention

I understand that the proposed rules would force me to file many additional claims in my applications

I want you to understand that the propose rules may result in abandonment of any inventions.

I want you to understand that the proposed rules would shift the cost benefits analysis to the benefit of a few well funded inventors. In effect, the USPTO would be conspiring with those inventors to constrain trade.

I further want you to understand that any retroactive actions would go against the spirit of the U. S. legal system because they would have the effect of ex-post-facto law. While I read complaints that U.S. citizens do not produce enough patents, at the same time constraining regulations such as this one, are being proposed to further reduce the production of U.S. patents.

From my cost-benefits analysis, I cite a recent patent auction in New York City, where only a few patents had any commercial value. Indeed, one famous, well funded Silicon Valley lab, headed by famous inventor Lee Felsenstein, had a business model of inventing and spinning-off companies or licensing patents. That lab closed its doors, never to be heard of again. The average benefit to me of any patent is therefore low and these proposed regulations would raise the costs of patents. I invite you to consider at what point I would find patents to be bad investments, or perhaps take my talents somewhere they would be appreciated.

Rather than the changing the continuation rules, I recommend that you continue to increase the 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 would also increase. By your own numbers, the recent increase 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,
Byron L. Hale
Chief Technology Officer,
Effective Information, LLC

16180 Jasmine Way
Los Gatos, CA 95032

May 3, 2006

Mail Stop Comments?Patents,
Commissioner for Patents,
P.O. Box 1450,
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RE: Proposed rule changes on claims examination

Dear Commissioner Doll:

I am an independent inventor and product developer located in Silicon Valley. I used to derive money from independent consulting contracts, but H-1B employees have virtually eliminated that source. before that I invented things as an employee of Silicon Valley companies. Some of the same businesses that have brought the H-1Bs are pushing the proposed regulations, to their advantage and my disadvantage.

I won my state science talent search and was a semifinalist in the National Science Talent Search when graduating from high school. I received a 10 year award from my graduate department shortly after receiving an M.S. degree. My high school physics teacher wrote to tell me that I had tied with one other student for best in her teaching career. That student became an astronaut. Yet, the proposed changes could make inventing in the U.S. unsavory to me. My daughter can't understand why I didn't become a grocery clerk. Is it the American dream to go from promising scientific talent to grocery clerk?

My funds come from loans, a mortgage, and my wife?s earnings. In addition, my daughter is at the university and that costs us tens of thousands of dollars a year. I have a very limited budget for development and marketing of my invention. All of my patent costs, not to mention the cost of development tools, come out of my very limited budget. Then there are the costs of feeding me, housing me and clothing me, etc., which must come from somewhere if I am to invest in a patent.

I understand that the proposed rules changes on continuations and claims examinations would drastically increase my costs for obtaining a patent, while at the same time restricting the protection I would pay for.

I understand that the proposed rules would force me to file additional claims in my applications.

I understand that even though I paid for twenty claims to be examined,

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I want you to understand that the proposed rules would take money away from my budget for development of my invention. The proposed rules would take money away from marketing. The proposed rules would take money away from my net worth. The proposed rules would increase my debt load. The proposed rules would decrease the number of inventions I would be able to bring to the public.

The proposed changes decrease the value to me of any patent absolutely, as well as relative to any end benefits. This is because the proposed changes would place me in a disadvantageous position in any business negotiations, due to an increased financial burden.

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I understand that the proposed rules changes on continuations and claims examinations will drastically increase my costs for obtaining a patent, while at the same time restricting the protection I pay for. I understand this will drastically reduce my ability to protect myself from big business concerns and laboratories that I directly compete with for patents.

I fear I will start the Patent process and then due to lack of funds my patent will be "stolen" by someone with much deeper pockets than I could ever hope for.

I 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.

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*Michael D. Strathman
Thin Film Analysis, Inc.
5150 Shadow Estates
San Jose, CA 95135
Ph: 408-238-6351 Fax: 408-238-3466
michael@tfainc.com www.tfainc.com*

John Doll
Commissioner for Patent

Re: Continuation practice and Proposed rule changes on claims examination

Dear Commissioner Doll:

I am an inventor and a business owner. Bringing new products to market that require patent protection could easily be prohibitive for me if I have to handle these higher costs.

But moreso, it doesn't seem to me that these rules are in the best interests of the United States. They don't seem to help the United States stay competitive in the global marketplace. They seem like they will drastically limit who will be capable of bringing inventions to fruition or simply to light given the higher costs and more costs up front. I think it's very important to find a solution that keeps the current rules intact.

Sincerely,

Laura Mappin
Independent Inventor

John Doll
Commissioner for Patents

RE: Proposed rule changes on claims examination

Dear Commissioner Doll,

I am an independent inventor and a mechanical engineer/product developer. My funds come from savings and mortgage debts. I have a very limited budget for development and marketing of my invention. All of my patent costs come out of my limited budget. My budget has been further limited by the fact I lost my job three years ago and I decided to pursue my lifelong dream of inventing and licensing my inventions. Presently I have only months of finances before I tap into my home equity variable interest rate loan. I understand that the proposed rule changes on claims examination will drastically increase my costs for obtaining a patent, while at the same time restricting the protection I pay for.

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I want you to understand that the proposed rules will deplete funds for marketing, development, and patent protections.

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Sincerely

Maher Kavar
Independent Inventor

John Doll
Commissioner for Patent
RE: Continuation practice

Dear Commissioner Doll:

I am an independent inventor and a mechanical engineer. My funds come from limited savings which I am also living on since I lost my job due to a massive lay off three years ago. I have decided to stop looking for work and create my own job by inventing and licensing my inventions. I have a very limited budget for development and marketing of my invention. In about 4 months I will no longer have the enough funds to live on except to use my home equity variable interest rate loan. All of my patent costs come out of this limited budget.

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I want you to understand that the proposed rules will reduce the protection from foreign infringements because of rising budget cost and also may lead me to abandon some patents altogether.

Rather than 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
Maher Kavar
Independent Inventor

James Stavoe
151 Barton Circle
Schaumburg, IL 60194

May 2, 2006

Mr. Jonathan Doll
Commissioner for Patent
USPTO

RE: Proposed Rules change
Continuation Rules

Dear Commissioner Doll:

As an American, a private industry Product Developer and Inventor I am very concerned about the rules changes being considered by the USPTO.

As an independent inventor it can be a tremendous personal drain to develop and fund product development. I believe that many of my products can contribute to the American consumer and economy. However, with the increased cost and limitations that this rules change would create, will disincentify innovation in America.

My personal opinion is that the USPTO should be helping Americans innovate and bring products to market. That goal will help America, Americans and strengthen America's place in the world. Again, I believe this proposed rule change will work against that end. I understand that the propose rules will result not only adversely affect me, but will also adversely affect others as some novel invention will most likely be abandon or not pursued. In either event the bureaucracy will prevent the market from determining the value of my innovations.

Rather than the changing the continuation rules, I would strongly urge that you address the real problem which is the shortage of examiners. Redirecting the fees paid to the USPTO towards training, salaries and retention will go a long way towards correcting this problem and providing improved service.

Thank you in advance for your consideration and for supporting the efforts of the American Invention Machine... the independent inventor.

Sincerely,

James Stavoe
Independent Inventor

Dear Commissioner Doll,

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Sincerely

Nancy Haws,
Independent Inventor

John Doll
Commissioner for Patents

RE: Proposed rule changes on claims examination
Dear Commissioner Doll,

I am an independent inventor whose husband has severe health problems. My funds come from a loan on our home. I have a very limited budget for development and marketing of my invention. All of my patent costs come out of my limited budget.

I understand that the proposed rule changes on claims examination will drastically increase my costs for obtaining a patent, while at the same time restricting the protection I pay for.

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I understand that the proposed rule will force me to file many additional applications all on the same day to cover my invention.

I understand that the proposed rules will result in *the possibility that I may not be able to raise enough money to follow through with our invention, and we may have to abandon it.*

I want you to understand that the proposed rules will *put us into a devastating financial hardship which could very well stop our invention and product development because of the additional costs.*

Rather than the 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.

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Independent Inventor

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Commissioner for Patent

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I understand that the proposed rules will result in *the possibility that I will not be able to bring our invention to maturity, because we will not have the funds to continue.*

I want you to understand that the proposed rules may, quite literally, mean that our invention may not be patented because of *what effect the additional costs will have on our invention and product development.*

Rather than 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
Nancy Haws

Independent Inventor

I am Richard Breneman, independent inventor with Inventors Alliance. I strongly disagree with the new rules regarding patent claims and such. I feel that America was built on independent inventors like myself and feel that we are being cheated and stripped of our constitutional rights as independent inventors. Your new rules will favor large corporations and hurt us small inventors who are essential to this country.

Richard Breneman
PO Box 591
San Bruno, CA. 94066

16180 Jasmine Way
Los Gatos, CA 95032

May 3, 2006

Mail Stop Comments?Patents,
Commissioner for Patents,
P.O. Box 1450,
Alexandria, VA, 22313?1450,

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The proposed changes decrease the value to me of any patent absolutely, as well as relative to any end benefits. This is because the proposed changes would place me in a disadvantageous position in any business negotiations, due to an increased financial burden.

Rather than the changing the claims examination 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 would also increase. By your own numbers, the recent increase 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,
Byron L. Hale
Chief Technology Officer,
Effective Information, LLC

**JAMES STAVOE
151 BARTON CIRCLE
SCHAUMBURG, IL 60194**

MAY 2, 2006

**MR. JONATHAN DOLL
COMMISSIONER FOR PATENT
USPTO**

**RE: PROPOSED RULES CHANGE
CONTINUATION RULES**

DEAR COMMISSIONER DOLL:

AS AN AMERICAN, A PRIVATE INDUSTRY PRODUCT DEVELOPER AND INVENTOR I AM VERY CONCERNED ABOUT THE RULES CHANGES BEING CONSIDERED BY THE USPTO.

AS AN INDEPENDENT INVENTOR IT CAN BE A TREMENDOUS PERSONAL DRAIN TO DEVELOP AND FUND PRODUCT DEVELOPMENT. I BELIEVE THAT MANY OF MY PRODUCTS CAN CONTRIBUTE TO THE AMERICAN CONSUMER AND ECONOMY. HOWEVER, WITH THE INCREASED COST AND LIMITATIONS THAT THIS RULES CHANGE WOULD CREATE, WILL DISINCENTIFY INNOVATION IN AMERICA.

MY PERSONAL OPINION IS THAT THE USPTO SHOULD BE HELPING AMERICANS INNOVATE AND BRING PRODUCTS TO MARKET. THAT GOAL WILL HELP AMERICA, AMERICANS AND STRENGTHEN AMERICA'S PLACE IN THE WORLD. AGAIN, I BELIEVE THIS PROPOSED RULE CHANGE WILL WORK AGAINST THAT END.

I UNDERSTAND THAT THE PROPOSED RULES WILL RESULT NOT ONLY ADVERSELY AFFECT ME, BUT WILL ALSO ADVERSELY AFFECT OTHERS AS SOME NOVEL INVENTION WILL MOST LIKELY BE ABANDONED OR NOT PURSUED. IN EITHER EVENT THE BUREAUCRACY WILL PREVENT THE MARKET FROM DETERMINING THE VALUE OF MY INNOVATIONS.

RATHER THAN CHANGING THE CONTINUATION RULES, I WOULD STRONGLY URGE THAT YOU ADDRESS THE REAL PROBLEM WHICH IS THE SHORTAGE OF EXAMINERS. REDIRECTING THE FEES PAID TO THE USPTO TOWARDS TRAINING, SALARIES AND RETENTION WILL GO A LONG WAY TOWARDS CORRECTING THIS PROBLEM AND PROVIDING IMPROVED SERVICE.

THANK YOU IN ADVANCE FOR YOUR CONSIDERATION AND FOR SUPPORTING THE EFFORTS OF THE AMERICAN INVENTION MACHINE... THE INDEPENDENT INVENTOR.

SINCERELY,

**JAMES STAVOE
INDEPENDENT INVENTOR**

John Doll
Commissioner for Patents

RE: Proposed rule changes on claims examination

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I want you to understand that the proposed rules will deplete funds for marketing, development, and patent protections.

Rather than the 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

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I want you to understand that the proposed rules will ***put us into a devastating financial hardship which could very well stop our invention and product development because of the additional costs.***

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I understand that the proposed rules will force me to file many additional claims in my applications

I understand that the proposed rules will result in ***the possibility that I will not be able to bring our invention to maturity, because we will not have the funds to continue.***

I want you to understand that the proposed rules may, quite literally, mean that our invention may not be patented because of ***what effect the additional costs will have on our invention and product development.***

Rather than the 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
Nancy Haws

Independent Inventor

I am Richard Breneman, independent inventor with Inventors Alliance. I strongly disagree with the new rules regarding patent claims and such. I feel that America was built on independent inventors like myself and feel that we are being cheated and stripped of our constitutional rights as independent inventors. Your new rules will favor large corporations and hurt us small inventors who are essential to this country.

Richard Breneman
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