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From: Blaise Mouttet [mailto:blaisemouttet@yahoo.com]

Sent: Wednesday, February 15, 2006 7:13 PM

To: Strategic Planning1; AB93Comments

Subject: Comments on proposed change of continuation practice

While I agree that changes need to be made in current continuation practice in order to provide timely public notice of claimed subject matter I disagree that limiting the number of continuations is the correct solution. This may particularly harm small independent inventors and result in the unintended consequence of producing a reluctance in providing a full disclosure when filing patent applications.

Up until about a year ago I was a Patent Examiner in group 2800 (AU 2853 to be exact) and currently I am a Patent Agent. In a few months (after the one year 35 USC 4 bar has expired) I plan on filing a few patents on inventions that I have been working on. The applications I plan on filing, while each revolving around a singular inventive device, include several patentable aspects that are independently useful and which I see as being worthy of independent and distinct patent applications. Being of limited means I can only afford to file one base application covering the device, however at a future time I hope to file the additional applications covering other aspects such as two independent and distinct means of manufacturing the device, five independent and distinct uses of the device, and a few independent and distinct peripheral devices useful in combination with the main device. Under the proposed rule change for continuations, I would be hesitant to provide a full disclosure detailing the different means of manufacture, uses, etc. since I would be limited to only one of these inventions as a basis of my single continuation. I would also be hesitant to approach industry with my invention since they may independently recognize the alternate manufacturing methods and uses by reading my base application and file their own applications. Thus if the proposed changes to continuation practice were in effect today they would create both a reluctance in full disclosure and a reluctance to consult with industry for independent inventors of limited means such as myself.

I suggest that a better solution would be to create a time limit such as two years from initial filing during which time as many continuations may be filed as desired. This would allow for adequate public notice of claimed subject matter within a reasonable amount of time without unduly limiting the options of independent inventors such as myself.

Blaise Mouttet

Feb. 15, 2006