

From: [e-mail redacted] On Behalf Of Brendan Younger
Sent: Monday, September 27, 2010 4:24 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: Software patents should not be allowed

Dear USPTO:

As a computer programmer who has watched with dismay as the number of software patents has grown tremendously in the past two decades, it is clear to me that no software patent should be awarded if it is to be implemented on a general-purpose computing system. As nearly every sophisticated CPU in phones, cars, laptops, TVs, etc. is capable of essentially the same computations (i.e. they are all "Turing-complete") it is hardly novel come up with a different way of computing some result. Unlike in the physical world, there are nearly no limitations placed on the programmer and so any and all algorithms, data structures, and coding techniques may be used at any time. Too many patents have been issued which are obvious to any well-educated programmer as they consist of rearranging well-known techniques.

While the applicant may think their solution is novel, it could just as easily been thought of before them and few would know of the prior art because it would have been compiled and used in a program without any fanfare.

The mere fact that technology companies routinely build up a patent portfolio (implying that they are all doing very novel research, which is laughable) simply to avoid being sued for patent infringement should be enough to convince you that awarding patents on software (which is not constrained by the limitations of the physical world) is restraining innovation.

Brendan Younger