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Request for Comments on Discretion to Institute Trials Before the Patent Trial and Appeal Board

Comment On: PTO-C-2020-0055-0001

Discretion to Institute Trials Before the Patent Trial and Appeal Board

Document: PTO-C-2020-0055-0645

Comment from Michael Giangobbe

Submitter Information

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General Comment

I oppose the U.S. Patent and Trademark Offices proposed regulations change (PTO-C-2020-0055) regarding Inter Partes review ("IPR"). As the Patent Trial and Appeal Board ("PTAB") has increasingly denied IPR petitions, many invalid, over reaching, and low quality patents remain in force. Far from helping our nation's innovators and businesses economically, these patents have only led to a growing industry of "patent trolls" with abusive and costly litigation to unduly enrich themselves. The PTO must have an open, free, and consistent process for citizens to seek redress on appeal of invalid patents that should not have been issued in the first place. IPR serves that role, These proposed regulation changes are a step in the wrong direction.