

# PUBLIC SUBMISSION

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**Docket:** PTO-C-2020-0055

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-2020-0055-0612

Comment from Nicholas Pizarro Jr

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## Submitter Information

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## General Comment

While the protection of patent holders from multiple and frivolous requests for AIA Trials is important, a far bigger problem is of small companies and individuals being sued by shell companies holding clearly frivolous and invalid patents whose main purpose is extortion.

AIA Trials seem to be the only reasonable way to invalidate such nuisance patents. Even then, the cost of getting a nuisance patent invalidated is ridiculous. Until the patent system is reformed, any ruling by the PTO that makes it more difficult for small companies and individuals to protect themselves from such patents should be deferred, even if that places more burden on patent holders.

The request for comments from the PTO makes no mention of how their proposed regulations affects people and small companies being trolled using the patent system. Unless the proposed regulations explicitly protect those affected, they should not be implemented.