From: Steve Arnold [e-mail redacted]
Sent: Saturday, September 25, 2010 3:26 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: Follow the Supreme Court guidance and stop software patents

Hello:

As a free software developer and educator, I am generally against
the application of patents to software, especially when it's an
obvious attempt to restrict someone else's freedom.

Software patents hurt individuals and society by taking away our
ability to control the devices that now exert such incredible
influence on our personal freedoms, including how we interact with
each other. Now that computers are near-ubiquitous, it's easier
than ever for an individual to create or modify software to perform
the specific tasks they want done -- and more important than ever
that they be able to do so. But a single software patent can put up
an insurmountable, and unjustifiable, legal hurdle for many
would-be developers.

The Supreme Court of the United States has never ruled in favor of
the patentability of software. Their decision in Bilski v. Kappos
further demonstrates that they expect the boundaries of patent
eligibility to be drawn more narrowly than they commonly were at
the case's outset. The primary point of the decision is that the
machine-or-transformation test should not be the sole test for
drawing those boundaries. The USPTO can, and should, exclude
software from patent eligibility on other legal grounds: because
software consists only of mathematics, which is not patentable, and
the combination of such software with a general-purpose computer is
obvious.

Please support individual freedoms, the public good, and listen to
both the Court's decision and the people (including the Free
Software Foundation, GNU.org, etc). Stop issuing software patents
now.

Thank you.

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