From: [e-mail redacted] **On Behalf Of** Joseph Christian Blossom
Sent: Saturday, September 25, 2010 9:30 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: Bilski v. Kappos

To whom it may concern,

As a recent graduate of Michigan State University from the Computer Science program, it saddens me deeply when I hear that there are patents granted for pieces of software that are so general. Given the number of lines of code written on a daily basis, its near impossible to prove that company or person who is filing the patent was the originator of the idea for the patent. On top of that, I also graduated with a degree in economics, specializing in the economics of Intellectual Property. Over all, it has been proven over and over that wide scope patents deeply cut into ingenuity and inventiveness of an industry as a whole.

Software patents hurt individuals by taking away our ability to control the devices that now exert such strong 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.

Thank You,

Joe Blossom