From: John Button [e-mail redacted]
Sent: Sunday, September 26, 2010 6:57 PM
To: Bilski_Guidance
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Subject: Software Patents

To Whom It May Concern -

I am a 61 year old US citizen that has been making a living through computer and website services for the past 12 years. I have been following computer technology since I first assembled an Altair system back before the beginning.

I have become alarmed at an increase in the use of patent suits over software to prevent individuals from controling their own experiences online and on their own computer, cellphones and other devices.

This must stop! 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
John Button