Dear US Patent Office Official,

This is in response to the call for comments on the issue of modifying current patent guidelines and regulations.

I strongly feel that patents should NOT be issued for software. Software is a creative work similar to books and music and as such are protected by current copyright law.

Software concepts, such as software to address a certain application, is similar to writing a book about a certain subject. Both specific works are currently protected by copyright law but issuing a patent on a specific application domain is similar to issuing a patent on a subject domain of books. In both cases, patents would highly discourage continued work in these areas stifling innovation, the very activity patents are designed to encourage.

As a software developer and college educator, I have seen first-hand the negative effects of software patents. In the area of course management software, the US patent 6,988,138 issued to Blackboard Corporation in 2006 has highly discouraged any additional work (much of it open-source and non-profit) in the area of course management software and potentially invalidating already existing independently created works. As an additional side effect, this patent has also resulted in monopolistic practices by Blackboard, Inc. and lack of consumer choice.

Thank you for your time and consideration in this matter. Please feel free to contact me if you would like further details on my thoughts on software patents.

Sincerely,

John R. Deal Jr.
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