From: bill robertson [e-mail redacted]
Sent: Saturday, September 25, 2010 10:54 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: Stop Software Patents!

To whom it may concern, patenting software hurts innovation and interferes with formation of small businesses based on software ideas.
 Individuals who have the knowledge necessary to create innovative software that could become the basis of a successful business, do not bother to start business, because they lack the resources necessary to defend themselves against the patent system which is stacked against the little guy.

To make matters worse, software patents are frequently granted for ideas that are either obvious, or things that are outright ridiculous, For example, patent 7139761 (http://www.google.com/patents?id=Ay99AAAAEBAJ&dq=7139761), patents software that associates information with multiple categories. Which, in effect, is what nearly all software does, and somehow, beyond all belief, the patent was granted. If the USPTO can grant a software patent on something this common, then how could anybody ever start something new, and base their living on a product which could end up being a target for frivolous lawsuits?

I mention this, because I have come to this conclusion on several occasions when considering ideas for new businesses.

I would also like to quote the Free Software on this matter...

>   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,
Bill Robertson