From:
Sent: Friday, February 19, 2010 9:25 AM
To: patent_quality_comments
Subject: an idea for peer review

Greetings,

I wanted to ask if anyone at the USPTO has spoken to Black Duck Software
about what we can offer to improve the peer review process.

We collect open source code into a KnowledgeBase and then create and
maintain metadata about that code. We currently have 40 or 50 billion lines
of code from 4,600 internet sites, 230,000+ projects consisting of over one
billion files.

First, we are publishing that code on a free web site called Koders.com. I
happen to lead the team that produces that sight. I would be happy to
arrange a training course on how to best use that sight for peer reviewers.

Second, we have a catalog of open source projects that allows users to
search for projects - that is a commercial product called Code Center.

Third, we have a commercial product called Protex which will find a snippet
of code (using fuzzy match technology) in any code base.

I would think these would be useful capabilities to extend to the USPTO or
to your network of reviewers. I would be happy to discuss any of these
(free or commercial) offerings in order to help your initiative.

Thanks,

Eran Strod
Director of Product Marketing
Black Duck Software, Inc.
265 Winter Street, North Entrance
Waltham, MA 02451
(w) 781-810-1816
(c) 781-249-8915

In a Federal Register notice published on December 9, 2009, the USPTO is
seeking feedback on its patent quality initiatives and seeking suggestions
on new activities that may improve patent quality. Specifically, the USPTO
wishes to focus on improving the process for obtaining the best prior art,
preparation of the initial application, and examination and prosecution of
the application. The USPTO is focused on both methods for improving patent
quality and metrics on how to measure that improvement within the context of
the existing statutory and regulatory scheme. One of the existing pilot
programs on which the USPTO is seeking feedback in this context is Peer-to-
Patent. If you have participated in Peer-to-Patent as an applicant, patent

attorney/agent, or peer reviewer, this is the ideal time in which to share your views of the program. Please be constructive and specific in your praise or criticism of the program (simply saying "It's great" or "It doesn't work" with no further commentary is not terribly useful). Comments should be provided electronically and should be sent to patent_quality_comments@uspto.gov. Comments should include the following information: (1) The name and affiliation of the individual responding; and (2) an indication of whether comments offered represent views of the respondent's organization or are the respondent's personal views. Please note that your comments will be a part of the public record, so you should not include any personal contact information in the comments that you do not wish shared with the public.