Attached please find comments submitted on behalf of ClaimMaster Software LLP in response to the USPTO's Request for Comments on Enhancements in the Quality of Patents, published in the Federal Register, Vol 74, No. 235, December 2009.

Sincerely,
Dmitry Brant
www.patentclaimmaster.com

March 8, 2010

These comments are submitted on behalf of ClaimMaster Software LLP in response to the USPTO's Request for Comments on Enhancements in the Quality of Patents, published in the Federal Register, Vol 74, No. 235, December 2009.

Substantively improving patent quality is a difficult task. However, at a minimum, the patents issued from the USPTO must be free from the obvious errors and inconsistencies that directly reduce their value. These errors include problems such as wrong claim numbering/dependencies, missing antecedents, inconsistent numbering of terms in the specification and figures, as well as the use of claim terms missing support in the specification. Many of the above errors contribute to problems during patent litigation and also reflect poorly on the overall quality of the work produced by the Office.

The good news is that it is possible to reliably catch most of the patent drafting errors using software. Patent examiners should take advantage of the patent quality assurance software, such as ClaimMaster (http://www.patentclaimmaster.com), which directly improves patent quality by pinpointing various errors in patent documents, while also simplifying claim analysis for the Examiners. ClaimMaster integrates directly with all versions of Microsoft Word, making it easy to use within the internal PTO system (see attached brochure). There also exist a number of other similar tools available on the market and the Office should consider and evaluate such tools, also soliciting the experience of the public with these tools as part of the evaluation process. Stopping the obvious typographical and logical errors in patents is the first, and probably the easiest step to objectively improving the quality of the issued patents.

Sincerely,

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Patent ClaimMaster™ Software

Automated Quality Assurance and Analysis for Patent Documents

ClaimMaster™ is a Microsoft Word add-in that helps improve quality of patent documents. Our software catches many types of problems in patents, applications, and the USPTO correspondence. The software also streamlines claim review and analysis.

Quality Assurance Features

• **Identify Errors in Claims** - catch various mistakes in claims, such as incorrect claim dependencies, wrong status indicators, incorrect or redundant amendments, claim syntax errors, indefinite expressions, expressions potentially limiting or expanding claim scope, and much more.

• **Find Missing Antecedents** - find missing or ambiguous antecedent references in claims.

• **Identify Inconsistent Element Numbers** - quickly detect inconsistent use of element numbers in the patent specification. Pinpoint numbering inconsistencies between specification and drawings (coming soon).

• **Find Claim Terms Missing Support** - identify claim terms missing support in the specification. Quickly generate tables with citations to places where each claim term appears in the specification.

Analysis Features

• **Compare Claims and Generate Charts** - need to figure out distinctions between similar clams? Use "Compare Claims" feature, which visually pinpoints the differences between multiple claims or claim sets. You can also instantaneously generate claim charts.

• **View Claim Hierarchies** -view, sort, and print claim hierarchies that are visually annotated with lots of useful information about the claims. Identify similar claim sets