From: Jeff Silverman
Sent: Saturday, January 12, 2013 4:01 PM
To: SoftwareRoundtable2013
Subject: I am opposed to software patents in general

People,

I am opposed to software patents in general. My experience in reading software patents is that in many cases, the USPTO issued patents that were invalid, because the patents covered existing prior art that the USPTO was unaware of. For example, patent 5386570 for a two pass compiler was issued January 31st 1995. However, the UCSD Pascal compiler, which came out in the late 1970s and was widely available on the Apple II computer, used a two pass compiler. The reason, if I may reconstruct the USPTOs reasoning, is that the USPTO was unaware of the prior art because the prior art wasn't in its database.

I believe that there is relatively innovative in today's software environment. Most of the things that are touted as new are really things that are rehashes of existing technology. For example, Microsoft sharepoint is really just another content management system, and it has bee deliberately crippled by being tied to the Microsoft operating system.

What is new and innovative are the vectors that the Bad Guys are using to attack systems. I do not foresee criminals using the USPTO to protect their illegal methods. It is in the enlightened self interest of all parties to publish the techniques used to stop these criminals. By way of analogy, you wouldn't want your local police department to patent a new and novel technique for dealing with ordinary crime, would you?

The malware protection products can compete with one another on the basis of ease-of-use features, security of the security software, and breath of operating systems that they run on. However, using patent protection to protect the detection techniques should be public domain.

Thank you

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