Dear Sirs,

For many years the U.K. has refused to Patent any Graphical User Interface programme that improves the performance or accessibility of the user and hardware on the basis that the underlying Operating System effectively exists to support different GUI's and methodologies. As a consequence, user interface techniques pioneered and released in Europe are frequently adopted in the USA and are frequently provided with Patent protection.

Apple Corporation has taken full advantage of this and Patents have been granted to them despite the fact that GUI advancement and development had taken place many years earlier by Xerox at their Xerox Parc operations and by companies in Europe utilising and exploiting the developments created by Xerox.

This dichotomy of action causes major problems for non-USA companies and is effectively a barrier to free trade that is not in keeping with international agreements, and which are promoted primarily by the USA and Europe.

It is also true to say that the developers of underlying operating systems created them for the benefit of all software developers as they have never sought to claim that simplifying processes by others via the use of their operating system should deliver them with the Patents by default.

In my personal opinion and that of many associates within the software development industry, the priority should be to establish a common ground between countries for the granting of Patents. This common ground should recognise that the creators of hardware Operating Systems make possible the development of other software through the adoption of their work.

With best regards

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