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To: Bilski_Guidance
Subject: Guidance for Software Patents

As a software developer of 20 years, it is my opinion that software patents should be severely limited for the following reasons:

- * It is an intractable task to prove that a code base conflicts with no active software patents.

- * In my experience many software patents either (a) are obvious (b) make such broad claims as to be easily infringed by accident.

- * Software requires little capital, and much of the technical innovation in the U.S. comes from undercapitalized companies that cannot afford to defend themselves against well-capitalized patent litigators. It is very easy to amass a portfolio of patents with broad claims that could be used to aggressively prosecute a competitor in any software domain.

The proliferation of overbroad software patents has a chilling effect on innovation, and the USPTO should curtail this by raising the bar for software patent eligibility.

Regards,

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