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From: Davie, James  
Sent: Friday, April 12, 2002 2:18 PM  
To: Rogan, James  
Cc:  
Subject: Federal Register

Director Rogan,  
I would like to comment on the Federal Register Notice of April 9, 2002. On page 17055 the following information is set forth:

### III. Proposed Plan for an Electronic Public Search Facility

#### A. Status of Replacement Electronic Search Systems

The U.S. patent image database contains the complete printed patent of all patents granted from 1790 to date, including bibliographic information, specifications, drawings and claims. Extensive efforts over a number of years have been undertaken to ensure that this database is as complete as possible. As patents issue each week on Tuesday, this database is updated the same day with that week's issue of patents.

The line "The U.S. patent image database contains the complete printed patent of all patents granted from 1790 to date, including bibliographic information, specifications, drawings and claims." Is substantially correct but cannot stand with out explanation. The PTO is doing a fantastic job. We should give our customers all the facts and not overstate our capabilities. The optical file is a fantastic search tool but it cannot be better than what we put into it.

A significant number of the patents granted from 1790 to July 2, 1836 are not in the database and will never be in the database. Drawings for a few of the utility patents have been lost and thus "the complete printed patent of all patents" cannot be made available. Also, I believe that there are situations where some of the data in currently issued patents is not compatible with current OCR capabilities and thus I don't believe that these patents are currently available in the optical file.

The line "Extensive efforts over a number of years have been undertaken to ensure that this database is as complete as possible" would seem to imply that this task has maintained the optical file to include all patents available in the paper file. The paper patent file contains design drawings, which have never been reproduced by the PTO and are not currently in the optical file. These were not disposed of as scheduled and there is a current effort to scan these into the optical file; this task is far from finished. The people responsible for "to ensure that this database is as complete as possible" would have unknowingly allowed the only source of thousands of design patent drawings to be disposed of. It was only through the volunteer efforts of myself, Elizabeth Dougherty, Diane Davie and the fantastic Holly Baynahm that these irreplaceable design drawings have been preserved.

Respectfully Submitted,

Jim Davie