

From: David Carlton [e-mail redacted]
Sent: Monday, September 27, 2010 12:12 AM
To: Bilski_Guidance
Subject: software patents

I am writing to encourage you to limit the granting of software patents as much as possible while remaining consistent with applicable court rulings. The Constitution allows patents to be granted "to promote the progress of science and useful arts"; I work as a professional programmer (and was a professional mathematician before that), and I have never seen a software patent used in such a way as to promote the progress of developing software. Software patents have, in my experience, only been used to attempt to prevent or impose a tax on software development; and the field is rife with over-general patents that were granted despite reams of prior art. In the current state of affairs, it is far too easy to write software based on ideas that are in the air, only to be hit with a patent infringement lawsuit years later: in such an atmosphere, I simply don't see any way in which patents are promoting the progress of the art or science or programming.

--

David Carlton
[e-mail redacted]