

From: Dan'l Danehy-Oakes [e-mail redacted]
Sent: Monday, September 27, 2010 5:16 PM
To: Bilski_Guidance
Subject: in re Bilski

Sirs,

It appears clear to me, as a professional working in the software industry, that the current system of patents and copyrights is badly broken. While you obviously cannot fix everything, you have the opportunity right now to make a significant improvement in the patent system.

The idea that software, which is mathematics, can be patented is prima facie absurd. A particular implementation may perhaps be copyrighted, but an algorithm is (or should be) as much in the public domain as a theorem.

Further, patents for software are anti-competitive and slow the growth of American business. Allowing different implementations of a given algorithm to compete in an open marketplace can only benefit business and consumers, though it would come at the expense of some individual businesses which currently attempt to use software patents to enforce virtual monopolies in their areas of concern. Their loss would be America's gain.

Finally, in a global marketplace, US patents are essentially unenforceable. To maintain software patents is essentially to give a huge advantage to overseas software pirates.

For all these reasons, I recommend that you put an end to the practice of patenting software.

Sincerely,

--

Dan'l Danehy-Oakes