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Request for Comments on Discretion to Institute Trials Before the Patent Trial and Appeal Board

Comment On: PTO-C-2020-0055-0001

Discretion to Institute Trials Before the Patent Trial and Appeal Board

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Comment from Anonymous Anonymous

Submitter Information

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General Comment

It would be absolutely unconscionable to reduce the scope or applicability of inter partes review, as currently proposed, which is a key defense of small inventors against patent trolls who have subverted the system. Many non-inventive patents have been issued in error, and those so-called "inventors" may go on to sue legitimate inventors whose work actually predated their formal but illegitimate filing. This is an inherent weakness of the first-to-file system. To limit the inter partes review process would make a mockery of the entire patent system, and would empower patent "scam artists," rather than ensuring a fair and legally sound system.