

From: ken
To: [PTABNPR2018](#)
Subject: Director Iancu Proposed Rule Changes
Date: Sunday, July 8, 2018 2:31:28 PM

Director Iancu,

As the saying goes, “a house divided against itself cannot stand”. Our current Patent System is just such a “house divided”. Simply put, patents should be reviewed by the same standard as found to be fitting in the Federal District Courts and/or the ITC.

Our Patent System is self destructing before our very eyes. Example, the District Court determines that the “Phillips standard” is appropriate for a particular case and if further litigation takes place, the next agency is free to chose another standard, such as “BRI”.

The country certainly is not benefiting from such a system. I cannot say the same for China, or American “Legal Man”. We must be the laughing stock of the world when it comes to Patents. Its about time to begin the process of cleaning up this SWAMP.

Claim construction is another case of “a house divided”. How can any reasonably intelligent person justify using a Federal District Court determined claim construction such as a broad interpretation of an issue and then allow another Court or Agency to then choose a narrow interpretation for the identical issue? Again the only advantage of such outrageous behavior is to BOOST billable HOURS for a certain profession.

We commoners elect government personnel to office with the understanding that said personnel are going to look out for our Cities, States, and Country as appropriate. The Patent Office rarely takes center stage in our news media, which at this point in time is sad, being how much our Patent System has deteriorated over the last decade.

When I, one of the “tax paying” commoners learns that patent infringement cases in places like Germany and China take mere months to settle BUT, in the United States such infringement cases can drag on for close to a decade, due to our Congress and their close friends who in many cases include highly paid lobbyists, it sort of gets my attention.

Sorry for the rant, but folks, isn't it time to say, "enough is enough" and straighten out this mess. It is irrelevant to debate how this came about or who's fault it is or was. This has become a National Security issue in many instances.

Thanks,

Howard K. Kreier Jr

Denver, North Carolina