

From: [e-mail redacted] **On Behalf Of** Mark Hochstein
Sent: Saturday, September 25, 2010 10:29 PM
To: Bilski_Guidance
Subject: Please stop the insanity

I am a big fan of patents. I believe that patents when properly awarded help encourage innovation by rewarding creativity. However, the way some patents are being awarded today, particularly software patents is not encouraging innovation. It is, in fact, inhibiting innovation. Software is unique in that it is a set of instructions from a limited vocabulary ordered to achieve a specific goal. That means that software is a process. Unlike the difficulty involved with re-inventing a machine to do a task in a completely different way, with software it's not difficult at all to find a different way to order the commands to achieve the same goal - to change the process but still have the same outcome. I have been a programmer for 25 years. To me, the very concept of being able to patent software is ludicrous. It's like trying to patent a sentence or a paragraph of even a book. It can't or at least, shouldn't, be done. Copyright, possibly, patent absolutely not.

The patent system is clearly broken. I know that your office has only the best of intentions. Technology is a very fast moving industry, but hopefully when you look back on the mess that the current system has created you will see the wisdom is going back to the notion that hardware innovations are what patents are about, not the nebulous world of software and system methodology.

Sincerely,
Mark Hochstein