

From: Mike Mazza
To: [PTABNPR2018](#)
Subject: Comments on PTAB Rules
Date: Friday, June 29, 2018 9:55:29 AM

Dear Sir/Madame:

- I am a registered patent attorney (Reg. No. 34,092), and write to request that the PTAB:
1. Jettison the Broadest Reasonable Interpretation (BRI) of claim construction, and apply the Phillips (i.e., correct) claim construction for issued patents.
 2. Take into account prior claim constructions from prior proceedings at the PTAB or district court.

As to 1), I am currently involved in an IPR and corresponding district court patent litigation, and I can tell you from personal experience how difficult it is to have to deal, simultaneously, with two different claim construction interpretation standards in the different forums. Preparing witnesses is very difficult, as is making arguments in the different forums, knowing that my opponent is looking to use against me what I say in one forum, in the other. The situation is untenable, and this proposal makes sense.

As to 2), why not? It can only make the PTAB a more-informed panel.

Thanks, Mike Mazza

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