

From: Paul Hastings
To: [PTABNPR2018](#)
Subject: Comments on Docket No. PTO-P-2018-0036
Date: Friday, June 29, 2018 6:21:24 PM

Dear Sir/Madam:

I strongly support, and urge the adoption of, the proposed rule regarding Claim Construction Standard used in PTAB AIA Trial Proceedings, as published in the Federal Register at 83 Fed. Reg. 21221 on May 9, 2018.

Strong, reliable and enforceable patent laws are the drivers of America's biotechnology innovation ecosystem. The uncertainty that has been created by differing claim construction standards within IPR proceedings and federal courts threatens new investment in our economy and, with it, the jobs and industries of the future.

The unintended consequences of these inconsistent patent adjudication systems have caused much concern among innovative, intellectual property-reliant companies that are helping to drive this nation's economic growth. Rather than being a cheaper substitute for expensive district court litigation, the IPR proceedings have produced more litigation, not less, and have perpetuated disputes rather than resolving them sooner.

The damage done to the U.S. patent system in the by the use of broadest reasonable claim interpretation has been a deterrent to American innovation. The sooner you change the better. We commend the USPTO for its proposed rule and hope that it will be promulgated as soon as possible.

Regards,
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