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Subject: Software Patents

As a long time hobbyist computer programmer, I have found software patents to be a ridiculous idea. It doesn't foster innovation - it never did. The innovation happened anyway, not **because** of software patents, but **in spite** of it. Only the biggest companies could afford patents and they were often so broadly worded as to apply to every similar application.

Innovative software ideas are dreamed up, implemented and often antiquated at a rate never before seen in any market. The market doesn't need them, and in fact they damage the market by making it costly for the newest developers to do business.

Patents should never cover software only. That's not to say that software cannot be a part of a patent, as a claim but only when it is incidental to an invention that is eligible for patent protection. A good example are many patents held by Siemens, Rockwell Automation and other various industrial automation companies. Their patents are for physical devices eligible for patenting, but incidental to the devices is software that enables such a system to function.

Finally, I would like to point out the irony of the Bilski decision. USPTO relies on a patented image compression algorithm for the Patent Full Text & Image Database, making it difficult to view patent images. There are few plug-ins available to view the content because of these software patents. If software patents are invalidated, we might finally get decent plug-ins for viewing the patent images.

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