

From: Jim Kahn [e-mail redacted]
Sent: Sunday, September 26, 2010 8:22 PM
To: Bilski_Guidance
Cc: [e-mail redacted]
Subject: Bilski Guidance comment

Dear Public Officials;

I use software everyday. Some data files as time goes on are no longer accessible, because their formats were protected under federal law, and the company that created the format no longer markets programs that read and work with earlier formats used by their programs. For instance Microsoft Word and Excel files from the 1980's.(Excel Ver 1 in 1982 was for the Macintosh computer only. MS-DOS was supported in Ver 2.05 and Microsoft Word came out in 1983) Microsoft has released the binary file format for Excel, but not for Word files. Other companies have not been forthcoming or are no longer in business. However the formats of their programs' files are protected. Also companies often have taken things done in another context such as a common business method, which is prior art, and implemented it in software and received patents for it. This even other people had already done so, had not considered it worthy of patenting.

I believe that software patents that do not involve physical hardware should be implemented as narrowly as possible, companies still have other methods of protecting their intellectual property and their expression of it. A person for instance having written a love song should not have a lock and collect money on anybody singing about love with different lyrics and melodies. Programmers and companies they work for should not be able to lock up similar wide areas.

Respectfully Yours
Jim Kahn
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