

Subject: FW: Small Claims Patent Court Comments
Date: Friday, August 26, 2022 at 11:07:53 AM Eastern Daylight Time
From: Kazia Nowacki
To: USPTO Study Public Comments
Attachments: image001.png

From: carrie [REDACTED]
Date: Thursday, August 25, 2022 at 8:43 PM
To: ACUS Information <info@acus.gov>
Cc: Kazia Nowacki <knowacki@acus.gov>
Subject: Small Claims Patent Court Comments

Hello and thank you for asking for comments:

I believe that the focus of a small claims patent court should be for **small entities, not small claims**. A believe a small entity should be an individual inventor or business with revenue less than or equal to 100 million in revenue and no more than 100 employees.

I believe that upon request, a small entity should be allowed to pursue their patent claims in a small claims court, **and not** be subjected to an additional separate Patent Trial and Appeals Board (PTAB) trial which could entail **an extra \$500,000.00** or more in added PTAB litigation expenses and time. The small entity *could* choose to pursue litigation in two separate court systems such as small claims court and PTAB if they thought that would be faster or less expensive, but would **have the option** to only litigate in one court system, and would be able to choose the least expensive court system.

Imagine being a small inventor and having to not only finance a law firm for patent litigation which can be extremely expensive in the first place, but also have to come up with **an extra half million dollars** to have a department within the USPTO re-review the patent that the USPTO has already awarded you after paying the USPTO tens of thousands of dollars to award you the patent(s) in the first place. You either have a patent or you don't.

I believe the small entity should be able to ask for damages and an injunction if they so choose and let a jury decide.

Thank you again for asking for suggestions. Please email back if you have any questions.

Carrie
Female Inventor with 11 patents

PS: Or perhaps less than 50 million in revenue and less than 50 employees. Please do something to help small inventors try to license their patents in this country. Please help make the US Patent system strong again, and encourage small inventors to have a reason to continue to innovate and apply for patents. It is already an uphill battle for small inventors. It is already David and Goliath for small inventors to try to assert their patents. Large entities already have a financial advantage and lots of lawyers and that is just the way it is and will be in the future. Please help small inventors to not have to try to fight and pay millions of dollars in two court systems at the same time. Please provide an option for a small claims patent court system for small entities. Please help.

