

Subject: U.S. Patent Small Claims Court Study

Date: Monday, August 29, 2022 at 2:25:00 PM Eastern Daylight Time

From: Mark Loen

To: Kazia Nowacki

I would like to lend my support for the concept of the US Patent and Small Claims Court Study.

I have one client that worked in the field of automobiles and developed some patents that are needed in the aftermarket business. I helped him file five patent applications and he received three issued patents: 2 Design and 1 utility.

Unfortunately for him, the adapting fixtures for the profitable aftermarket were copied by a large automaker. He talked to a number of patent attorneys and they all presented a large bill. In spite of a great effort, he could not find a single attorney that would take the case on contingency fees. His business was restrained from achieving the success he wanted. It is clear to me that he has a strong case and his voice needed to be heard.

The last time I spoke with him he was frustrated that he had valid patents, but the current system would not support his valid patents, and he could not obtain the help he needed to get his day in court. As a practical matter, the financial side of making a case was too much for him to bear.

I wonder how many others have had a similar experience, and just suffer in silence. My client has a story to tell, but who will listen?

Please consider carefully how much the pendulum has swung in favor of large companies and how much the American dream for small inventors has dimmed.

I am a patent agent, and my help is badly needed among startups and small businesses that cannot afford typical Patent Attorney fees. I am particularly sensitive to this issue and that is why I am writing this email.

Thank you for listening,

Mark Loen

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