

Comments on U.S. Patent Small Claims Court

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Subject: Comment on U.S. Small Claims Patent Court

Comment:

1. Patents are property. We need an Article III court with an independent judge and jury to adjudicate disputes. We need a jury trial within 9 months and limits on motion practice. Litigation cost and risk that impacts survival of an enterprise should be a factor in favor of the movant for a preliminary or permanent injunction. Appeals must be limited to clear errors, and should be heard by the regional circuit.
2. The consultancy group should be expanded or revised such that a majority of members are inventors with significant experience developing, commercializing, licensing, and litigating patented technologies.