



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 20, 2016

Mr. Tom L. Pierson
6110 Cullen Blvd.
Houston, TX 77021

Dear Mr. Pierson:

Thank you for your letter addressed to USPTO's Commissioner for Patents about the results of the inter partes review (IPR) proceeding involving your patent number RE44815 and your thoughts on the fairness of IPR proceedings in general.

The post-grant review proceedings, established by Congress pursuant to the Leahy-Smith America Invents Act of 2011, are intended to provide faster, lower-cost alternatives to district court litigation in challenging the validity of issued patents. The PTAB Judges take very seriously their responsibility to carefully follow applicable statutory and case law and base their determinations on a thorough analysis of the arguments and evidence provided by the parties through their counsel. That thorough analysis is reflected in the 51-page final written decision issued in the subject IPR.

We are committed to working with our stakeholders to ensure that the PTAB proceedings are as effective and fair as possible. We will consider your letter as we continue to review and propose improvements and refinements to those proceedings based on the input we receive from our stakeholders. As part of our continuing outreach, we encourage submissions with recommendations for improvements at <https://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/suggestion-box>.

Again, thank you for sharing your thoughts with us.

Sincerely,

A handwritten signature in blue ink, which appears to read "Dana Robert Colarulli", is written over a horizontal line.

Dana Robert Colarulli
Director, Office of Governmental Affairs