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Open Source America's Operating System

"It's Not Just A Good Idea—It's The Law!"

November 7, 2009

Congressman Michael Honda
U.S. House of Representatives
1713 Longworth HOB
Washington, DC 20515

Dear Congressman Honda:

I am writing to provide you an update on dissemination of the U.S. Patent databases. I'm pleased to inform you that a broad-based coalition of parties has formed to help provide the public immediate bulk access to Patent databases. Public.Resource.Org is working with 3 partners to provide access to this information:

- Intellectual Ventures is providing a large archive of patent data, including full text of grants, applications, assignments, and class code data. We are expecting their disk drive this week.
- Google will copy data in the Public Patent Application Information Retrieval (PAIR) system and donate the data for all to use. The U.S. Patent Office has indicated **intent to provide approval** for Google to perform this crawl of the Patent Office database.
- The Internet Archive has agreed to provide an additional public repository of this constitutionally-mandated database.

The Patent Office is continuing to move forward on their **Request for Information** for which applications are due November 16. Public.Resource.Org has concerns about this RFI process and we believe more fundamental reforms are needed in how the U.S. Patent Office provides internal and external Information Technology (IT) services.

With over 600 people employed in IT and hundreds of millions of dollars in resources invested, we believe the U.S. Patent Office could do a much better job without resorting to legally questionable tactics such as those envisioned in the RFI, in particular the trade of a large donation of computer equipment to the government in return for exclusive early access to patent filings. Such a procurement strategy does not seem to be agreement with either the letter or the spirit of the provisions of Article I, Section 8 of the U.S. Constitution.

Thank you again for your continued leadership on this important issue.

Sincerely yours,

Carl Malamud
President & CEO
Public.Resource.Org