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Mr. John B. Owens II  
Chief Information Officer  
US Patent & Trademark Office  
P.O. Box 1450 - Mail Stop 6  
600 Dulany Street, MDE, 7th Floor  
Alexandria VA 22313-1450

RE: USPTO's Data Dissemination Solution; Solicitation Number: SS-PAPT-09-10008

Dear Mr. Owens,

Carl Malamud at Public.Resource.org has alerted me to the USPTO's recent Data Dissemination Solution Solicitation (SS-PAPT-09-10008), and expressed concern about the solution being proposed in the RFI. Having reviewed the RFI, I too have concerns, as detailed below, and echo Mr. Malamud's call for a Vendor Information Meeting on the west coast, similar to the one to be held in Washington DC on September 24th.

The Stanford Libraries have been active on issues of intellectual property for some time, and our Copyright Renewals Database and Fair Use website are two tangible examples of our efforts. More importantly, we see it as our mission to improve access to knowledge and information not just for the Stanford community but for the world. That objective has led to our involvement in projects such as the digitization of the archives of the GATT, Parker on the Web, and Google Book Search, and similarly motivates my interest in your plans for digitization and distribution of the USPTO's archive, a significant national asset.

Your RFI envisions a system of limited free public access to USPTO data, with the sale of value-added bundles of the data by outside vendors. While such a contract may offer an improvement in access over the status quo, restrictions on the bulk use of data will necessarily limit the public's ability to access and manipulate the data, and, I believe, run contrary to President Obama's initiative of transparency. Transparency is much better served when the public has bulk access to the data, and is able to create mash-ups, develop interfaces, and otherwise work with the materials. Also, as this is government data, I believe the public expects that the data should be truly open and fully accessible.

Of course, the costs associated with digitizing, normalizing, archiving and serving such a large data set are not trivial, and I recognize the requirement that the implemented distribution system support those costs. I feel strongly that the creative minds here in Silicon Valley can develop such a solution, and it is for this reason that I hope that a west coast Vendor Information Meeting will be possible. I also hope that any Vendor Information Meeting could be viewable on the Internet, enabling the broadest possible input and discussion.

I would be pleased to provide space here at Stanford for a west coast meeting, and also assist with webcasting the meeting to the public. I hope we can discuss such a possibility. I would be thrilled if Under Secretary Kappos, our

former neighbor in Silicon Valley, were able to join the meeting, and I'd be happy to invite Congressman Honda and other members of Congress who have been instrumental in raising many of these issues.

My thanks for considering this request. I look forward to discussing this issue further.

Sincerely,

A handwritten signature in black ink that reads "Michael A. Keller". The signature is written in a cursive, flowing style.

Michael A. Keller

CC: Senator Dianne Feinstein  
Senator Barbara Boxer  
Congresswoman Anna Eshoo  
Larry Horton, Director, Government and Community Relations  
Lauren Schoenthaler, Office of the General Counsel  
Mark Lemley, Stanford Program in Law, Science & Technology  
Kathy Ku, Stanford Office of Technology Licensing  
Mimi Calter, Assistant University Librarian & Chief of Staff  
Carl Malamud, [Public.Resource.org](http://Public.Resource.org)