

- **"Will Patents Kill IT Innovation?"**  
**NewsFactor Network (04/15/03); Brockmeier, Joe**

One of the most vocal critics of the U.S. Patent and Trademark Office is open-source consultant Bruce Perens, who says that allowances to patent "anything under the sun that is made by man," as decreed by the Supreme Court in 1980, could become a serious detriment to IT. "In such a young field as computer science, patents do tremendous harm by blocking the major mechanism of innovation--building on the ideas of others," he explains. Perens notes that companies that cannot afford the litigation costs of a patent infringement suit are especially vulnerable, while the free and open-source software movement could be seriously hindered if patents are integrated with industry standards. Software patents are the biggest sore point for the IT industry--Perens questions whether such patents should be allowed to exist in the first place, and observes that the United States stands out for being a poor implementer of such patents. Chuck Mulloy of Intel says that IT companies are concerned with the acquisition of patents by companies or individuals for the sake of generating revenue rather than spurring innovation. Resolving the patent problem is a tough proposition, because many experts are skeptical that such a problem exists, or disagree on the nature of the problem. "We'd like some legislation for patent reform that says if you're going to assert a patent, you should be using it...to be able to enjoin the production of products, seek fees or whatever," Mulloy explains. Perens says patent reforms stand a greater chance of being passed if lobbyists can make free software "ubiquitous in the world economy."

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