Cambia
enabling innovation

G301, Queensland University of Technology
2 George St,
Brisbane 4000
Australia
T: +61 7 3138 4419 F: +61 7 3138 4405

Mr David Kappos
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office (USPTO)
P.O. Box 1450
Alexandria, VA 22313-1450
USA

November 1, 2010

Dear David,

I am writing to commend and congratulate the USPTO for its exceptional and wholly successful initiative to make comprehensive, timely and highest-quality text and data from US Patent Applications and Grants available to the public, in bulk and at no charge.

We also applaud the remarkable progress towards providing other critical data, such as PAIR, Assignment data and Petitions.

The public spirit and professionalism exemplified by these efforts admirably reflect the aspirations and intentions of the Open Government Directive.

It also reflects very well on your partner in this effort, Google, and its willingness and capability to host this bulk data without favor or fee, and to work with USPTO to overcome technical challenges.

In times of economic and environmental crisis, creating a more efficient, productive, transparent and inclusive innovation system is of paramount importance.

The fundamental and legitimate driver of the patent system is to advance the public good. This is served by balancing the *responsibility* to explicitly share the teachings of inventions with the public, with the limited *right* to exclude others, determined by a judicious and careful examination by the USPTO. Responsibility must always go hand-in-hand with rights.

While *rights* are overseen by administrative procedure, the courts, and by competition and antitrust law, the *responsibility* side of the equation has often languished.

We recognize the unprecedented pressures under which the USPTO operates caused by the number, the volume and the scientific, technical, informational, business and legal complexity of the patent applications and patents it must administer. We understand how this overwhelming load has made it difficult to meet the full spectrum of responsibilities and expectations to your own or to the public's desired standard.

Now to its great credit, the USPTO has made a great leap towards ensuring that the teachings of US Patent Applications and Grants are shared effectively and openly.

This in turn will yield great dividends in engaging the public to use these disclosures to enable social and economic progress, and in so doing, finding the value and honing the role of the USPTO in innovation.

If we are to be an engaged and democratic society, the ball is now in our court. Together we need to make the innovation system more efficient, effective and fair.

Cambia is a globally operating non-profit that has worked for over two decades to change the demographics of innovation, to broaden the scope and diversity of problem solvers and the problems solved, and to enable informed decisions around science- and technology-enabled innovation.

We have done this through CambiaLabs, which has designed, developed and delivered biological enabling technologies with extensive use of the patent system; Patent Lens, which for over a decade has provided free, open full text search and analysis of patents worldwide, and shed light on their meaning in open patent landscapes; and through BIOS (Biological Innovation for Open Society, *aka* Biological Open Source), which explores new cooperative tools, norms and legal instruments for increasing efficiency in life sciences-enabled innovation through improved sharing and distribution of pre-competitive platforms.

In 2009, with funding from the Bill & Melinda Gates Foundation and The Lemelson Foundation, we and our colleagues at the Queensland University of Technology began work to integrate these lessons through creation of an open, global facility called the Initiative for Open Innovation (IOI), to promote and enable public 'Innovation Cartography'. The IOI benefits from contributions from an extraordinary International Advisory Council, which we would be honored for you to join.

IOI strives to make the innovation system more efficient, transparent, inclusive and fair. We want to enable more people to make better decisions, informed by evidence, but guided by imagination.

We want to enable 'cartography' of the innovation landscape, so navigation through from idea to product or service and back again can rapidly and affordably produce new value to society.

Like cartography of the physical world, which for millennia guided trade and commerce, these open and public tools will allow us to minimize avoidable risks and uncertainty, create new partnerships and explore and navigate new trajectories to use inventions and ideas for public benefit.

The core of this open global facility will hinge on the world's patent information, and the gold standard for that inventive literature corpus is from the USPTO. This data serves as an entry point for innovation intelligence and cartography when integrated with global science and technology literature, business, regulatory and standards data. This will in turn provide a growing public resource for visualization and navigation of the innovation space.

Your actions in going the full distance in providing such high quality and comprehensive data to the public in a form that lends itself to such a global vision, is extraordinarily laudable and shows the highest levels of governmental integrity.

I commend your team for its exemplary public service,

Sincerely,



Richard A. Jefferson PhD
Director, Initiative for Open Innovation (IOI) | Chief Executive, Cambia
Professor of Science, Technology & Law, Queensland University of Technology (QUT)
G301, 2 George St, Brisbane 4001 QLD, Australia
+1 510 229 0977 (cell in USA)
+61 419 499 753 (mobile) +61 7 3138 4419 (work) +61 7 3138 4405 (fax)
www.cambia.org | www.patentlens.net | www.openinnovation.org | www.bios.net
e: r.jefferson@cambia.org