

By Priority Mail 9405830109355027047765  
and by email

Kathi Vidal, Director  
USPTO  
P O Box 1450  
Alexandria, VA 22313-1450

September 30, 2023

Dear Director Vidal:

By now you have received the letter dated yesterday from *One Hundred Seventy-Eight Members of the Patent Center Listserv*, asking for indefinite postponement of the shutdown of Private PAIR and EFS-Web, currently announced for November 8, 2023. Today's letter is intended to be helpful to you and your colleagues at the USPTO in our shared goal of eventually bringing Patent Center to a state where it will be tolerable to the patent community for Private PAIR and EFS-Web to be shut down.

As you know, the Patent Center listserv is a community of several hundred users of the Patent Center system. As you know, we maintain a Patent Center trouble ticket and feature request list at <https://patentcenter-tickets.oppedahl.com/>.

We are aware that the trouble ticket list presently lists some ninety open trouble tickets for Patent Center as well as some sixty-eight resolved trouble tickets. The progress of the USPTO in fixing the sixty-eight bugs represented by the sixty-eight resolved trouble tickets has been very slow, averaging only about two bugs fixed per month, on average. We share what we imagine to be your concern that at such a rate, it might take some years for the USPTO to fix the ninety Patent Center bugs that are represented by the ninety open trouble tickets.

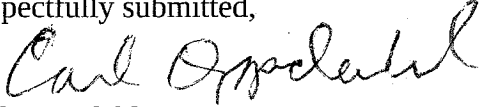
With this in mind, we have tried our best to prioritize some of the outstanding Patent Center trouble tickets. We have marked about fifteen of them as "HPT" meaning "high priority ticket". We invite you to join us in what we hope could be an amicable way to work together on our shared goal of eventually bringing Patent Center to a state where it will be tolerable to the patent community for Private PAIR and EFS-Web to be shut down. Here is what we propose:

- We understand the USPTO's desire to shut down Private PAIR and EFS-Web, replacing them with Patent Center. As we made clear to you in yesterday's letter, however, we believe that Patent Center is not yet at a stage where the older systems can be shut down.
- We are providing to you our current list of high-priority bugs that we think must be fixed before the shutdown of Private PAIR and EFS-Web. This list may change as additional high-priority bugs are discovered, some of which may exist today but have not been discovered, and some of which may be created by the USPTO inadvertently as the USPTO continues to update Patent Center.
- We welcome your agreement that you will publish when USPTO believes it has fixed any of the bugs on the Patentcenter bug list, cited by ticket number, including the bugs that we have denoted as "high priority". We commit to you that for each such published citation of a fixed trouble ticket, we will let USPTO know promptly if we disagree that the bug has been fixed.

- We will continue to report other lower-priority bugs as they are discovered, and we expect that the USPTO will continue to work to resolve them, but we are prepared for the prospect that they may not be fixed before the shutdown of EFS-Web and Private PAIR.
- We also count on the USPTO eventually to commence work on the more than forty feature requests that are outstanding.

We look forward to your agreement on this approach for the USPTO and our Patent Center listserv community to work together toward our shared goal of eventually bringing Patent Center to a state where it will be tolerable to the patent community for Private PAIR and EFS-Web to be shut down.

Respectfully submitted,



Carl Oppedahl  
for the Patent Center listserv