

BAD MEDICINE: ECONOMIC DISADVANTAGE AND CLAIM LIMITATION IN AN AILING PATENT OFFICE

TABLE OF CONTENTS

I.	INTRODUCTION	344
II.	BACKGROUND	347
	A. NUTS AND BOLTS OF OBTAINING A PATENT	347
	B. AGENCY IN DISTRESS: CURING AN AILING PATENT OFFICE	349
	C. 37 C.F.R. 1.75(B) AND THE CLAIM LIMITATION RULE CHANGES ...	352
	1. <i>Provisions of the Final Rules</i>	353
	2. <i>Policy Behind the Changes</i>	356
	D. EFFECT OF CLAIM NUMBER ON PATENT VALUE AND IMPORTANCE	357
III.	ANALYSIS	359
	A. APPROPRIATE APPROACH OR ABUSE OF AUTHORITY: A PRACTICAL AND STRATEGIC ANALYSIS	360
	B. APPROPRIATE APPROACH OR ABUSE OF AUTHORITY: AN ECONOMIC ANALYSIS	361
	C. DISPARATE IMPACT ON AREAS UNIQUELY VITAL TO THE AMERICAN ECONOMY	363
	D. ALTERNATIVES TO THE NEW CLAIM RULES	364
IV.	CONCLUSION	366