# Article information:

Is the U.S. Patent System Out of Date?: CQR
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# Article summary:

1. The U.S. patent system, established in 1790, is facing challenges in keeping up with emerging technologies such as computer software.

2. The Patent and Trademark Office has difficulty finding and retaining qualified examiners, resulting in long delays in processing patent applications and the issuance of unworthy patents.

3. The uncertainties caused by the patent system's difficulties have had an effect on the competitiveness of U.S. companies, as they face higher capital costs and are less inclined to allow others access to information about developing products and processes.

# Article rating:

Appears moderately imbalanced: The article provides some useful information, but is missing several important points or pieces of evidence that would be required to present the discussed topics in a balanced and reliable way. You are encouraged to seek a more balanced perspective on the presented issues by exploring the provided research topics and looking at different information sources.

# Article analysis:

The article Is the U.S. Patent System Out of Date? from CQ Researcher provides a comprehensive overview of the U.S. patent system, its history, and current challenges. However, the article has some potential biases and limitations that need to be considered.

One-sided reporting is evident in the article's discussion of software patents. The author presents arguments both for and against software patents but gives more space to those who favor them. For example, while Mitch Kapor's criticism of software patents is briefly mentioned, Sue Morgan's argument in favor of such patents is given more attention. This one-sidedness may reflect a bias towards the interests of patent lawyers and companies that benefit from software patents.

The article also lacks evidence to support some claims made about the patent system's problems. For instance, it states that there are concerns about invalid patents being issued but does not provide any examples or data to back up this claim. Similarly, it suggests that delays in processing patent applications are due to staffing problems caused by competition with private companies but does not provide any evidence for this assertion.

Moreover, the article overlooks some important points of consideration regarding the patent system's impact on innovation and competition. For example, it does not discuss how patent trolls (companies that acquire patents solely for litigation purposes) can stifle innovation by threatening legal action against legitimate inventors and businesses. Additionally, it does not explore how patent thickets (overlapping patents on similar technologies) can create barriers to entry for new competitors and limit consumer choice.

The article also contains promotional content for the American Intellectual Property Law Association (AIPLA), which is presented as an authoritative source on patent law without any critical analysis or disclosure of potential conflicts of interest. The AIPLA's executive director is quoted as saying that more than any other system it does reward the inventor, but this statement is not supported by any evidence or counterarguments.

Finally, while possible risks associated with contested patents are noted in the article, such as higher capital costs for companies and uncertainty about patent applications' status, these risks are not explored in depth or presented equally alongside potential benefits of the patent system.

In conclusion, while Is the U.S. Patent System Out of Date? provides a useful overview of the U.S. patent system's history and challenges, its potential biases towards certain interests and lack of critical analysis regarding some issues limit its usefulness as a comprehensive resource on this topic.

# Topics for further research:

* Patent trolls and their impact on innovation and competition
* Patent thickets and their effect on new competitors and consumer choice
* Examples of invalid patents being issued by the U.S. Patent Office
* Evidence for delays in processing patent applications due to staffing problems
* Potential conflicts of interest within the American Intellectual Property Law Association
* Risks and benefits of the U.S. patent system for inventors and companies

# Report location:

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