

We are the current and past Presidents of the Association of Patent Law Firms (APLF), and we write to you in those capacities to express our opposition to the U.S. Patent and Trademark Office Reauthorization Act of-2003. The APLF believes that this legislation, innocuously presented as a fee increase, amounts to a substantial revamping of the United States patent system. The APLF contends that it is improper to push through this significant overhaul of the patent system as a "mere" appropriations bill without study and public debate of its deleterious impact on the U.S. economy. Indeed, we fear that the matter is being handled in the current manner precisely to avoid public discourse and debate on the merits of this new system.

The USPTO's 21st Century Strategic Plan states that it is the result of a thorough top to bottom review of the entire agency and seeks to make the USPTO more market responsive. However, the plan notes that its implementation will require behavioral changes within the USPTO and among users of the patent system. In our view, some of these behavioral changes seem designed to reduce the number of patent applications to be filed and to narrow the scope of subject matter to be patented. The APLF believes that Congress should not mandate such drastic changes until all affected parties have had a chance to be heard. At a minimum, the USPTO should not pursue such changes outside the established format for regulatory changes after permitting public examination and comment. The U.S. companies and individual inventors who will be most impacted have not had a chance to openly present their opinion of this legislation. Until such time as this can happen, and all interested parties have shared their input, we ask that you reject any attempt to mandate "behavioral change" of patent applicants by the smokescreen of a mere appropriations request.

Even for ordinary patent applications, this legislation represents a startlingly huge increase in the fees for practices which are fully condoned by the laws governing U.S. patent practice. The APLF believes that the fee increases are being offered by the USPTO as a way to entice Congress into passing legislation, which would ostensibly provide additional funds for Congress. However, an inspection of the impact of such fees reveals that, far from increasing fees, the result may be to decrease the number of patent applications being filed and to increase the abandonment of pending applications. If so, the plan may have the effect of lowering PTO revenues below today's level. Although Congress may conclude that reducing the workload being asked of the USPTO is a good thing, such conclusion should not be reached lightly. We contend that the proponents of this legislation have not studied the economic impact of such a radical shift in protection of products and ideas.

Initially, the APLF objects to the amount of the new examination fee. Under the current system, the filing fee is \$740 for large companies, and \$370 for small companies and individual inventors. Under the newly proposed system, large companies would pay \$1,550 in filing and

examination fees and small companies would pay \$1,400. This is a 100% increase for large companies and a 300% increase in filing fees for small businesses and independent inventors!!! The USPTO consistently runs in the black under the existing fee structure. Thus, this increase is far out of line with what is fair, or what is needed to update and to continue to run the USPTO. No purpose is served by increasing the filing fees 100-300%. The overall increase in fees will likely be much greater once other charges are imposed during prosecution. This will almost certainly negatively impact the number of patent applications filed, which will lead to a decrease in fees collected by the USPTO, and less protection for the inventions of the American people.

Further, the plan proposed charges for additional claims (i.e., claims beyond an arbitrarily defined standard number of claims) are excessive and in some cases ludicrous. For example, U.S. Patent No. 6,400,595, recently issued to Micron Technologies on June 6, 2002, covers computer memory, contains 374 claims, and cost approximately \$8,000 in additional PTO surcharge fees under the current rules. Under the newly proposed fee legislation, this fee would jump to *OVER \$47 BILLION*. We recognize that 374 is a large number of claims, and the USPTO has an understandable desire to lower the number of patents with large numbers of claims. But the proposed legislation goes too far. Even had this patent only had 200 claims, the additional fees would have totaled over \$20 million. The APLF opposes these fees as unreasonable, unfair, and ill advised. Ironically, these fees proposed by the plan represent an approach that is directly contrary to the "market" based approach that the plan purports to adopt.

The proposed fee legislation will also add new penalties for filing a patent application that is related to earlier patents or applications. Such penalty will be either in the form of fees for multiple continuation/divisional applications, or in the form of a fine for pursuing "patentably indistinct" claims. The fine (i.e., starting at \$10,680 and rising rapidly thereafter) would be levied if an examiner determines that an application claim is patentably indistinct from a pending application of an issued patent. As written, the patentably indistinct standard is not defined, and the fine may well apply to rejections for a wide variety of reasons. It should be noted that a patentably indistinct claim does not mean that the claim covers the same invention as the other claim; but rather, that the two claims appear similar in scope. At a minimum, such fines will result in a great increase in the number of appeals by applicants who contest the fine, and there is no suggestion that this aspect of the plan has been carefully considered. The APLF believes that Congress should not allow the USPTO to prevent inventors from obtaining the full scope of patent protection afforded them by Congress through the use of prohibitive fee legislation.

Moreover, this fee proposal is retroactive, thereby applying to all applications pending as of October 1, 2002. These applications were filed under the current practice, which permits such close claim language, and Congress has set up a process to handle the patentably indistinct claim (the terminal disclaimer).

It is also the position of the APLF that this legislation may well have a chilling effect on the overall U.S. economy. We contend that a healthy patent system has been an important factor in the economic engine that has brought jobs and prosperity to the United States. If the cost of obtaining patents is increased overnight by 100-300% or more, businesses will be forced to seek

and obtain fewer patents, thereby opening themselves up to unscrupulous competitors. The APLF feels strongly that the proposed fee legislation will undermine America's competitive advantages, at a time when we can least afford it.

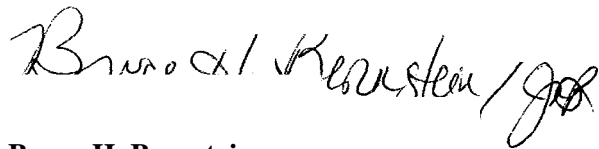
Finally, the APLF notes that a USPTO fee increase has already been proposed and was published in the Federal Register Vol. 67, No. 88, pp. 30634-30637 on May 7, 2002. The APLF believes that this legislation is eminently more appropriate for an appropriations bill and is more than fair.

The APLF believes that Congress should research the DRAMATIC impact this proposal will have on U.S. companies and on the U.S. economy before DECIDING WHETHER TO ENACT such a radical overhaul of the patent system. We therefore ask you to please join us in opposing the U.S. Patent and Trademark Office Reauthorization Act of 2003, as currently proposed.

Thank you for your time and consideration.

Handwritten signature of Dan Boehnen in cursive, followed by a large stylized 'B'.

Dan Boehnen
Current President, Association of Patent Law Firms

Handwritten signature of Bruce H. Bernstein in cursive, followed by a large stylized 'B'.

Bruce H. Bernstein
Past President, Association of Patent Law Firms



US006400595B1

(12) **United States Patent**
Keeth et al.

(10) **Patent No.:** **US 6,400,595 B1**
(45) **Date of Patent:** **Jun. 4, 2002**

(54) **256 MEG DYNAMIC ACCESS MEMORY**

(75) Inventors: **Brent Keeth; Layne G. Bunker**, both of Boise; **Scott J. Derner**, Meridian, all of ID (US)

(73) Assignee: **Micron Technology, Inc.**, Boise, ID (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **09/620,606**

(22) Filed: **Jul. 20, 2000**

Related U.S. Application Data

(62) Division of application No. 08/916,692, filed on Aug. 22, 1997.

(60) Provisional application No. 60/050,929, filed on May 30, 1997.

(51) **Int. Cl.**⁷ **G11C 5/02**

(52) **U.S. Cl.** **365/51; 365/226**

(58) **Field of Search** **365/226, 51, 230.03, 365/63**

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,970,725 A	11/1990	McEnroe et al.	371/15.1
5,155,704 A	10/1992	Walther et al.	365/201
5,159,273 A	10/1992	Wright et al.	324/537
5,212,440 A	5/1993	Waller	323/313
5,231,605 A	7/1993	Lee	365/201
5,266,821 A	11/1993	Chern et al.	257/312
5,373,227 A	12/1994	Keeth	323/313
5,379,263 A	1/1995	Ogawa et al.	365/230.04
5,481,179 A	1/1996	Keeth	323/315
5,519,360 A	5/1996	Keeth	331/57
5,526,253 A	6/1996	Duley	363/59
5,526,364 A	6/1996	Roohparvar	365/230.03
5,552,739 A	9/1996	Keeth et al.	327/538
5,557,579 A	9/1996	Raad et al.	365/226
5,574,697 A	* 11/1996	Manning	365/226

5,604,710 A	*	2/1997	Tomishima et al.	365/230.03
5,657,284 A	*	8/1997	Beffa	365/201
5,767,735 A		6/1998	Javanifard et al.	327/536
5,838,627 A		11/1998	Tomishima et al.	365/230.03
5,954,804 A	*	9/1999	Farmwald et al.	710/36
5,960,455 A	*	9/1999	Bauman	711/120
6,043,118 A		3/2000	Suwanai et al.	438/253
6,115,279 A	*	9/2000	Kitsukawa et al.	365/63

FOREIGN PATENT DOCUMENTS

JP 404006694 * 1/1992 G11C/11/407

OTHER PUBLICATIONS

Betty Prince, "Semiconductor Memories", 1983, Wiley&Son, 2nd edition, pp. 160 and 161.*
Sugibayashi Et AL., "A 30-ns 256-Mb DRAM with a Multidivided Array Structure," IEEE Journal of Solid-State Circuits, vol. 28, (No. 11), (Nov., 1993).

(List continued on next page.)

Primary Examiner—David Nelms

Assistant Examiner—M. Tran

(74) *Attorney, Agent, or Firm*—Thorp Reed & Armstrong LLP

ABSTRACT

A 256 Meg dynamic random access memory is comprised of a plurality of cells organized into individual arrays, with the arrays being organized into 32 Meg array blocks, which are organized into 64 Meg quadrants. A power bus is provided which minimizes routing of externally supplied voltages, completely rings each of the array blocks, and provides gridded power distribution within each of the array blocks. A plurality of voltage supplies provide the voltages needed in the array and in the peripheral circuits. The power supplies are organized to match their power output to the power demand and to maintain a desired ratio of power production capability and decoupling capacitance. Sense amplifiers are positioned between adjacent rows in the individual arrays while row decoders are positioned between adjacent columns in the individual arrays. A powerup sequence circuit is provided to control the powerup of the chip.

374 Claims, 367 Drawing Sheets

