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**Patent Trolls**

**Introduction**

Companies along with the individuals are involved in a constant battle to shield their inventions from being replicated and misused (Chan and Fawcett). Because of the relentless "fight," most enterprises would go to extraordinary lengths to trademark their inventions, which invariably leads to "patent wars" among several biggest tech corporations and individuals of today. Patent wars have a significant impact on computing technology. Since it is prone to abuse, hinders every company's progress in its technologies, as well as the existing patents, become obsolete in particular. While numerous people love the present innovative advances, there has been a lot of debate about whether Congress will amend the existing patent laws.

Patent trolls, often recognized as a non-practicing enterprise or non-producing enterprise, are among the greatest challenge of the patent wars (McDonough III). NPEs never use patents to manufacture a commodity, but rather use patents to earn profits from many other corporations attempting to create a commodity that violates the patent. A patent troll is not a new concept, instead, it has been existing for at least a millennium. A great instance is George B. Selden, who produced a licensing agreement for a one-cylinder turbocharger and afterward in 1879, submitted a patent to use it in a vehicle. In 1895, he received a patent for the concept of an automobile (Pohlmann and Opitz). In the year 1899, William Whitney acquired Selden's patent for ten thousand dollars including five percent of a revenue profit. Both of them would indeed automatically send terminate-and-desist instructions to automotive companies despite the fact that no one among them was initially making any kind of vehicles. Selden was probably selling a notion rather than a brand. Several might assume that as grabbing innovative technologies captive until someone continues to pay resources to bring the vision to life. This fundamentally hampers and perhaps prevents the advancement of many other technologies that are encompassed by a certain trademark, although there are minor variations (Pohlmann and Opitz).

**Discussion**

So how is an occurrence that took place more than a decade earlier have any significance to a modern technology that we now have? A response being, those similar incidents are still somewhat regularly happening until this day. The patent firm called Lodsys sued numerous programmers of Apple apps in the year 2011 (Chan and Fawcett). The primary objective of Lodsys to exist is not to develop something new, but rather to take legal action against those who generate something that descends inside their patent protection. Throughout this particular instance, its programmers are threatening to sue for a patent that incorporates how this application consumption works. A corporation matches accurately with the interpretation of a patent troll and is visualized as George B. Selden's advanced projection on vehicles and his intellectual property. Generally, big corporations impede the development of new innovations through imposing limits on the patent which can be too obscure that can deter programmers from producing products in or similar to the domain shielded by trademarks for fear of litigation (McDonough III).

How unclear certain patents are is a prevalent issue about how computing technology is threatened by patent wars. Does the license protect just the coding path used to compose the program, or does it encompass what the technology does irrespective of how this is programmed? Does such a patent encompass just the play and its possessions on a computer game, or does it still affect the entire genre? These issues arise because of the unclear existence of certain patents and how they never explain what has been protected by the patent. Ambiguous licenses might intimidate other corporations or individuals who, through fear of litigation, are attempting to create new inventions since not every corporation or individual seems to have the resources and ability to go for court. It sometimes contributes to corporations that own the patents being the first ones that advance in their industry, resulting in little ingenuity and flexibility and perhaps even preventing advances in technology at occasions (Chan and Fawcett). There is also no point in educating patent lawyers who make patents as unclear as conceivable. You can, however, make it wider by trying to make the patent clearer. It often enables the patent proprietor to assert entirely irrelevant goods and these concepts breach the patents.

**Conclusion**

It is suspected that the patent system, once designed to improve R&D opportunities while encouraging more invention, is already becoming too much of an obstacle than an opportunity for entrepreneurship. A well-known incidence is Apple prosecuting Samsung for Apple's patent for display, symbol, application layout. Each of these licenses makes it virtually difficult for the other firms to compete on the demand for phones and tablets. A retail business attempting to join the marketplace for phones and tablets is almost disastrous for the firm. Chances are that some other firms, like Apple, Samsung or maybe even IBM, can withdraw the market position as well as try to intimidate them to denounce and hold them accountable whether the small firm doesn't quite advertise to them. That's harmful to the industry of portable devices and may reflect in bad terms towards the entire market of computing innovation. The possible explanation is that, it is harmful not only because it hinders entrepreneurship but it also hinders competitive advantage.

The government should amend the patent rights in order to eliminate the patent trolls so that a business or individual has to demonstrate that they have been actually utilizing the patent in a specified period (Pohlmann and Opitz). The government already took measures earlier in 2015 to tackle NPEs. Unless the patent proprietors end up losing their suit, the current legislation might necessitate the subsidiary to conceal the attorney fees of the adversary. It thus, in effect, would render pest prosecutions more costly as well as put increased risk to NPEs that perpetually intimidate others because of allegations of the violation.

**Works Cited**

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