'Sequenced Patent Examination' can't Fix the USPTO's (& CAFC's) § 101 Errors.

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On March 23, 2021, IP WATCHDOG reported to its US patenting community by Logan Murr about an in all brisk letter, titled "**Tillis and Cotton Urge Hirshfeld to Adopt Pilot Program to Address 'Inherently Vague and Subjective' Eligibility Analyses"**. The two Senators by this letter ask Drew Hirshfeld – the present Director of the USPTO – to direct its examiners "*to apply a sequenced approach to patent examination*" for resolving the § 101 patent eligibility ('**PE**') dilemma torturing the US National Patent System ('**NPS**').[1.a)]

This mail comments on this letter's Sequenced Patent Examination ('**SPE**'), as it cannot eliminate this nightmare of PE-problem for patenting Emerging Technology Claimed Inventions ('**ETCIs'**).[b)]

By contrast, the Senators have been unintentionally deceived by their hearings of 'prior PTO officials' about the PE-problem: They claimed that this SPE – semantically identical to the unfortunate just referred to USPTO examination procedure – would unfold, in future PE examinations, with the USPTO's examiners a metamorphosis to rationality, i.e. to consistency & predictability.[c)]

All in all: The Supreme Court's SPL-framework enables by AI scientizing/mathematizing the US SPL[586,596]. In[622/II.] is mathematically proven – on 02.03.21 sent to you as FSTP-Email – that the PE-problem is pre-SPL-framework rationally uniquely insolvable. For details see[621] that you received on 14.04.21.

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[1].a **Upfront**: These patenting experts could not familiarize the Senators with the US Substantive Patent Law's ('SPL's') reinterpretation by the Supreme Court – for thus saving R&D based US creativity as a future source of wealth of the US society – that requires perceiving SPL's and ETCIs' embodied AI[586] and for their notional refinement a paradigm shift. The reason being that the international patent community and its experts, notoriously suffer from the – in Cognition Theory famous – '**paradigm shift paralyze**'.

Otherwise both Senators would have asked the USPTO's Director accordingly. Then this comment on SPL were obsolete.

The Senators explicitly expressed in this letter that their patenting experts hope that the suggested new Sequenced Patent Examination ('SPE') would improve the quality of the USPTO's PE-decisions.

In relaxed mPhys[622ftn4.b)] reasoning, this hope may seem reasonable. Yet, in mRat analysis of SPE, it proves to be error prone[b)]: Namely, in any exact science – US SPL, as required by the Supreme Court to be interpreted, is of rationality, i.e. is an exact science[622ftn1.d)] – a statement about a problem therein is uniquely solvable only if it rests on provably or axiomatically correct truths therein, i.e. is of Rat. As this is not the case with ETCIs' SPE[622ftn1.d], it is mPhys

And definitively: The correctness of this informal statement is mathematically proven to hold in[622/II.].

.b For a '**CTCI**, **Classic Technology Claimed Invention**' the 'ETCI-kind of preciseness requirement' hardly exists, as the latter specification usually needs no mPhys[622/III.] property – while it is indispensable in any ETCI prior to its being PE tested[622 / III.iii)].

The Senators' letter thus reflects the CAFC's & USPTO's deficient perception of the Supreme Court's intention: To adjust the SPL to the patenting needs of PE ETCIs – i.e. to the needs of the sole class of technical areas, the innovations of which guarantee US society's wealth. By contrast, the Supreme Court's minimal/elementary notional refinement of classic SPL not only ●enables the mathematication/scientification of 35 USC §§ 101/102/103/112 US/SPL, i.e. US/SPL, and of all PE ETCIs, but in turn also amazingly ●increases the modellability & productivity of all such ETCIs[622/III.vi.&vii.] – by the Supreme Court induced unique PE-Test of vastly automatically supported draftability/executability.

.c This letter does not mention, what the CAFC's federal judges think about the expectation that this 0-semantics SPE performs its above metamorphosis with USPTO examiners also with CAFC decisions – being another illusionary hope.

Partial Reference-List of FSTP-Emails The complete Ref List on *www.FSTP-expert-system.com*.

[586] S. Schindler: "AI-testing an ETCI Warrants Much Better Information than its PE-Test…". publ. 09.01.2020[7]
[596] S. Schindler: "AI Facilitates Testing ∀ ETCI for PE & PA — Aut. or AI-Theorem", publ. 10.03.2020
[619] S. Schindler: "The Meaning of Any ETCI's 'Appl.', 'Inventive Con.', & their Scientif.", publ. 12.05.2020
[621] S. Schindler: "Patent Business –Before Shake-up", publ. 14.04. 2021[7]
[622] S. Schindler: "The CAFC's ETCI Precedents is of MetaPhysical SPL ", publ. 02.03.2021[7].
[626] S. Schindler: "FSTPtech Basics in COVID-19ETCIs", to be publ. by the end of Q2/2021.