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Subject: Software patents threaten entrepreneurs

I am a permanent resident and an aspiring software entrepreneur. United States obviously provides an excellent environment for entrepreneur. However software patents and the litigious environment that is fosters undermine this advantages. The biggest fear for me as software entrepreneur is the risk of patent litigation.

The original idea of patent has been turned on its head; rather than protect the lone inventor, it is used by the incumbent, with its portfolio and legal muscle, to crush him. Worse, the system is abused by patent trolls to blackmail smaller companies which cannot afford expensive legal defense.

Free software and cloud services brings the cost of early-stage software startups to that of living expenses of the developers. We do not have the capital investment that needs to be protected by patent. Beside, most early-stage startups could not afford the cost to acquire patents. Furthermore, getting a few patents offers no defense against the portfolio amassed by the incumbent giants and 'non-practicing entities'. From the perspective a software entrepreneur, software patents represent only threats and liabilities.

The risk of software litigation is the only reason why I contemplate setting up my startup in a less litigious country. Please do not let software patents undermine the entrepreneurs' paradise.