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I believe that the USPTO requirement of 37 C.F.R. § 1.16(u) creating a \$400 surcharge for filing a patent application in PDF form rather than DOCX should not be approved as it creates unwarranted burden on the public and in general, is bad policy that is harmful to patent applicants. The PTO claims that its cost savings are \$3.15 per application. At my billing rate (which is below industry averages for a patent practitioner), that is less than one minute of my time. If I file in DOCX, I will need to double-check the accuracy of the DOCX to PDF conversion done by the PTO, which uses a different tool than I have available on my own computer. This check alone would typically take more than 2 hours of my time, which in itself would cost my clients more than the \$400 surcharge, vastly exceeding the \$3.15 cost savings claimed by the PTO.

I am very hesitant to use DOCX filing as I have personally attempted to file one application using DOCX but the PTO conversion had an error that I fortunately discovered during my review of the USPTO PDF file before I submitted the application. This caused me to abort the DOCX filing and go back to the PDF generated by my own tools which I have been using for years and I have learned to trust. The risk is just too great for me to consider filing using DOCX at this time without a true WYSIWYG file format like PDF to fall back on if the PTO generated PDF file is different than what I thought it would be when I filed the DOCX.

This issue has been brought to the USPTO's attention repeatedly, including a letter (submitted herewith) signed by 73 patent practitioners (including myself) that was submitted during the USPTO comment period. It is my belief that the USPTO did not give fair consideration to the issues raised in that letter and that its characterization of those comments was disingenuous.

I feel very strongly about this and fervently hope that the \$400 surcharge for filing a patent application created in 37 C.F.R. § 1.16(u) is not approved due to the burden it creates for the public.