



An Open Letter to Jeff Bezos

February 28, 2000

We are writing to request that Amazon stop all attempts to enforce the patent that it has been granted on "one click ordering" (Patent number 5,960,411). It is our belief that this patent was granted without adequate review of prior art, and further, that even were it ultimately found valid, such broad patents serve only to hold back further innovation.

One-Click ordering is a clever marketing slogan. However, your patent fails to meet even the most rudimentary tests for novelty and non-obviousness to an expert in the field. The fundamental technology on which Amazon's one-click implementation is based is the use of "cookies", a small amount of data placed on client computers to add state and session management capabilities to the World Wide Web, which was introduced in 1994 into Netscape Navigator by Lou Montulli, Marc Andreessen, and others, at the urging of none other than Vint Cerf. The technique had been deployed on thousands of sites well in advance of your 1997 patent application.

We believe that the rapid innovation on the World Wide Web and Internet platform that has created so much new value for the public (as well as for Amazon and its shareholders) will be choked off if companies take the short-sighted route of filing patents on commonly accepted and obvious techniques in an attempt to keep competitors from using them. Ill-advised patents and other attempts to limit the use of web technology for private advantage have put the whole software development and standards process into a precarious state.

We understand that you may feel a need to file such patents for defensive purposes, to keep unscrupulous squatters from keeping you from doing business on the web, but if you use these patents offensively, as you have done in obtaining an injunction against Barnes & Noble's use of one-click ordering, you are striking a blow against continued innovation in the medium that has proven so successful for you.

Given that you've now also received a patent on your Affiliates program (patent number 6,029,141), as well as several other critical patents relating to e-commerce, we urgently request that you clarify your intentions with regard to software patents, and avoid any attempts to limit the further development of internet commerce on the basis of the patents you have already been awarded.

Tim O'Reilly

10,000 Signatures Recorded!

Editor's Note: A huge thanks to all who signed this petition. We decided to stop taking new signatures when we reached 10,000, which we did on Friday at 3:02 p.m. WCT. But the situation has not been resolved yet. As a result of the tremendous outpouring of support, Amazon.com founder and CEO Jeff Bezos called Tim O'Reilly. Please proceed to Tim's article titled [My Conversation with Jeff Bezos](#) in which Tim provides an update of the situation and asks for *your* suggestions of how best to proceed.

To view the 10,000 signatures and the thousands of thoughtful, often impassioned, comments, click [here](#).

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