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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte NICOLE PIERRETTE DWYER,
NICHOLAS ANTHONY GRIFFIN,
MICHAEL ALAN VIGUE, and ERIC CAMPBELL

Appeal 2016-002377[1]
Application 13/833,602
Technology Center 3600

Before: MURRIEL E. CRAWFORD, MICHAEL W. KIM, and PHILIP J. HOFFMANN, *Administrative Patent Judges*.

CRAWFORD, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is an appeal from the Final Rejection of claims 1, 3–5, 7–12, and 14–17. We have jurisdiction to review the case under 35 U.S.C. §§ 134 & 6.

The invention relates generally to receiving clearing information for implementing a funds transfer. Spec. 1, ll. 5–7.

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[1] The Appellants identify Bottomline Technologies, Inc. as the real party in interest. Appeal Br. 2.

Claim 1 is illustrative:

> 1. A global electronic funds payment system for receiving clearing information for implementing a funds transfer, the clearing information comprising required information for performing the funds transfer, the system comprising:
>
> a processor configured to generate a user interface for accepting clearing information, the user interface including clearing information fields, each clearing information field configured to accept clearing information;
>
> a network interface operatively coupled to the processor and configured to provide the user interface to a user and receive the clearing information from the user, wherein the clearing information includes a selected clearing method;
>
> a database operatively coupled to the processor and encoded to a non-transitory computer readable medium, the database including at least one clearing information rule defining a relationship between at least one of the clearing information fields and the clearing information received from the user, wherein the at least one clearing information rule includes a selected clearing method rule specifying the addition of at least one specified clearing information field to the user interface for accepting the clearing information required to perform the funds transfer according to the selected clearing method;
>
> the processor further configured to analyze the clearing information received from the user in relation to the at least one clearing information field by applying the at least one clearing information rule, and based thereon dynamically update another of the clearing information fields, wherein the processor applies the selected clearing information rule, resulting in the addition of the at least one specified clearing information field to the user interface for accepting the clearing information required to perform the funds transfer according to the selected clearing method; and
>
> the network interface further configured to provide the dynamically updated user interface to the user and receive further clearing information.

Claims 1, 3–5, 7–12, and 14–17 are rejected under 35 U.S.C. § 101 as reciting non-statutory subject matter in the form of an abstract idea.

Claims 1, 5, 7–11, and 14–17 are rejected under pre-AIA 35 U.S.C. § 103(a) as unpatentable over Nathan (US 7,716,590 B1, issued May 11, 2010) and Barbara (US 2002/0016769 A1, published Feb. 7, 2002).

Claims 3 and 4 are rejected under pre-AIA 35 U.S.C. § 103(a) as unpatentable over Nathan and Barbara, and further in view of D'Angelo (US 2011/0302485 A1, published Dec. 8. 2011).

Claim 12 is rejected under pre-AIA 35 U.S.C. § 103(a) as unpatentable over Nathan and Barbara, and further in view of Official Notice.

We REVERSE.

ANALYSIS

Patentable Subject Matter Rejection

We are persuaded by the Appellants' argument that the claimed invention is not a fundamental economic practice, or a method of organizing human activity, as asserted by the Examiner[2], and is not unpatentable "especially considering that generating a composite web page was found to be patent eligible subject matter." Appeal Br. 16–18; *see also* Appeal Br. 4–16, Reply Br. 2–3.

[2] The Examiner finds the claims "are directed to the abstract idea of generating a user interface for accepting clearing information which is a part of a financial transaction that is a fundamental economic practice." Final Act. 6. The Examiner also finds the "claims, with [their] rule based tasks for processing a payment, are similar to generating rule based tasks for processing an insurance claim which is a certain method of organizing human activity." Answer 7.

We interpret claim 1 as being directed to generating and delivering a dynamic user interface. The claim recites generating a user interface, then applying rules to selections made by a user to dynamically add at least one "field" to the user interface. A "user interface" is not explicitly defined by the Appellants' Specification. A user interface could, broadly, encompass a paper form to fill out. However, the claim recites that, using a "processor," "a user interface [is] displayed to the user, a web page, a frame of a web page, an applet, an HTML form, or any other suitable means for receiving user-entered information." Spec. 6 ll. 18–21.

Thus, although the Specification and claims do not specifically limit the processor and user interface to be computer-based, because a field is dynamically added to a form, we construe the claim as being computer-based. These claims stand apart because they do not merely recite the performance of some business practice known from the pre-Internet world along with the requirement to perform it. Instead, we are persuaded that the claimed solution is necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks. *See DDR Holdings, LLC v. Hotels.com, L.P.*, 113 F.3d 1245, 1257 (Fed. Cir. 2014). In particular, the claims address the problem of having a user interface that can adapt to a wide variety of information needs for a diverse set of financial transactions. *See* Spec. 1 ll. 10–25.

For these reasons, we reverse the rejection of claims 1, 3–5, 7–12, and 14–17 under 35 U.S.C. § 101.

Obviousness Rejection of Claims 1, 5, 7–11, and 14–17

We are persuaded by the Appellants' arguments[3] that Nathan does not disclose the addition of a field when applying a rule based on a user selection, because Nathan instead merely updates a field, rather than adding it. Reply Br. 3; *see also* Appeal Br. 19–31.

Claim 1 recites applying rules associated with a user selection that results in "the addition of the at least one specified clearing information field" to the user interface. The Appellants' Specification provides an example where the user's selection of "CA-EFT" as a transfer method, in the field visible in Appellants' Figure 2A, leads to the addition of CA-EFT-specific fields, as shown in Figure 2B. Spec. 8 ll. 6–16.

In rejecting this language, the Examiner relies on Nathan, column 3 lines 15–24, 54–62 (Final Act. 9–11), column 1 lines 42–54, column 2 lines 13–23, and column 3 lines 40–67 (Answer 10–13). Nathan, referring to Figure 2, discloses the presence of state and city fields on a user interface:

> Parent web browser contains state selection field **204** and city selection field **206**. State selection field **204** and city selection field **206** are part of a distributed web application that is running on client **102** and server **106** across network **100**. In the embodiment of the present invention illustrated in FIG. **2**, state selection field **204** and city selection field **206** are dropdown select boxes.

[3] The Appellants assert that claims 1, 3–5, 7–12 and 14–17 are all rejected over Barbara, Nathan, and D'Angelo. Appeal Br. 19. In the Final Rejection and Examiner's Answer, the Examiner is unambiguous in relying on D'Angelo only for the rejection of claims 3 and 4. Final Act. 7, 26, 29; *see also* Answer 2, 9. Therefore, we conclude the Appellants' assertion about D'Angelo relative to claim 1 is an error.

Nathan col. 3 ll. 18–24. Nathan further discloses that once a user selects a state, from the list of states, in the state field,

> child web browser **202** receives a list of cities from server **106** that correspond to the state selected in state selection field **204** (step **310**). Once this list of cities has been received, child web browser **202** uses the list of cities to update city selection field **206** in parent web browser **200** (step 312).

Id. ll. 57–62.

Nathan explicitly states that the city field already is present in the form, and that adding data to it only serves to "update" the field, and not add a field. However, the Examiner reasons that, because Nathan says radio buttons could be used instead of drop-down lists, and because a hidden child browser updates the parent browser, each city field added using a radio button style presentation, would itself be the addition of a new field. Answer 10–11. We do not agree with the Examiner's reasoning.

The term "field" is not defined by the Appellants' Specification, so we rely on the ordinary and customary meaning, which is a "space, as on an online form or request for information, that accepts the input of text." THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE (last retrieved on September 12, 2017, at https://ahdictionary.com/word/search.html?id=F5107100). Therefore, adding data to a hidden child browser doesn't add a field, because information there cannot be input by a user. Further, merely adding data in the form of selectable radio buttons, with associated text data for each city name, does not significantly alter the method disclosed in Nathan: updating an existing field with data, based on the selection of a state by the user, by inserting city names in a drop-down list that is the city field.

We find that Nathan discloses adding a list of city names into a drop-down field, and describes it as an "update" to the existing city field. Nathan col. 3, ll. 57–62. We discern no substantive difference between updating a drop-down list, and instead associating the same city names with radio buttons for selection. That is, inserting a selectable list of names associated with radio buttons, as part of an existing "city" field, does not add a field, when inserting the same list, in the same field, using a drop-down technique, is merely updating but not adding.

The Examiner has not adequately supported the obviousness of the technique of adding a field to an on-line form based on a user selection in another field. For this reason, we will not sustain the rejection of claim 1 under 35 U.S.C. § 103(a), nor of its dependent claims 5, 7–11, and 14–17, rejected along with claim 1.

Obviousness Rejection of Claims 3 and 4

Claims 3 and 4 each depend ultimately from independent claim 1. The Examiner has rejected these claims in view of Nathan, Barbara and further in view of D'Angelo. In our view, the Examiner has not established on the record that D'Angelo remedies the shortcomings in the combination of Nathan and Barbara, as applied to claim 1.

We find that D'Angelo is directed to "dynamically updating web content" for delivery to a web browser. D'Angelo ¶ 20. D'Angelo discloses receiving a request for an update of a displayed web page *from a browser* (*Id.* ¶ 71), *the server* determining which components of the web page have been updated (*Id.* ¶ 72), then sending instructions to the browser to "insert a dependent component that is dependent upon an impacted component" (*Id.*

¶ 77). Although the disclosed "component" may be considered a "clearing information field," as claimed, D'Angelo does not disclose "analyz[ing] the clearing information received *from the user* in relation to the at least one clearing information field by applying the at least one clearing information rule . . . resulting in the *addition* of the at least one specified clearing information field to the user interface for accepting the clearing information required," as claimed (emphasis added). First, there is no disclosure that the clearing information received from the user is analyzed and results in a change to the clearing information field. In addition, updating a web page with a "component" does not teach the claimed step of adding a field based on the application of a rule, because the only information received in D'Angelo is a request for an update. There is no disclosure that a field is added.

For this reason, we do not sustain the rejection of claims 3 and 4 under 35 U.S.C. § 103(a).

Obviousness Rejection of Claim 12

The Examiner has not established on the record that Official Notice remedy the shortcomings in the combination of Nathan and Barbara, as applied to claim 1. For this reason, we do not sustain the rejection of claim 12 under 35 U.S.C. § 103(a).

DECISION

We reverse the rejection under 35 U.S.C. § 101.

We reverse the rejections under 35 U.S.C. § 103(a).

REVERSED