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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte RAHIER RAHMAN and CARSON JUNGINGER

Appeal 2016-004367¹
Application 14/095,806²
Technology Center 3600

Before BIBHU R. MOHANTY, TARA L. HUTCHINGS, and
ALYSSA A. FINAMORE, *Administrative Patent Judges*.

HUTCHINGS, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants appeal under 35 U.S.C. § 134 from the Examiner’s decision rejecting claims 24–31 under 35 U.S.C. § 101. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

¹ Our Decision references Appellants’ Appeal Brief (“App. Br.,” filed Sept. 8, 2015) and Reply Brief (“Reply Br.,” filed Mar. 21, 2016), the Examiner’s Answer (“Ans.,” mailed Jan. 21, 2016), and Non-Final Office Action (“Non-Final Act.,” mailed Apr. 7, 2015).

² Appellants identify “Pangea Universal Holdings, Inc.” as the real party in interest. App. Br. 2.

CLAIMED INVENTION

Appellants' invention relates to "providing funds transfer over an existing retail payment system using a money transfer platform (MTP)." Spec. ¶ 3.

Claim 24, reproduced below, is the sole independent claim on appeal, and is illustrative of the subject matter on appeal.

24. A method, comprising:

receiving, at a payment network, a request for an electronic funds transfer, the request including an automatic identification and data capture (AIDC) code with a transfer amount from a point-of-sale system (POS) where the transfer amount, a transferor, a transferee, and a specific transfer transaction were previously validated by a money transfer platform (MTP) transfer service, wherein the AIDC code has been previously generated by the MTP transfer service and comprises a particular product identifier and a unique transfer identifier, and wherein the payment network and the MTP transfer service are different entities;

transmitting the AIDC code and the transfer amount from the payment network to the MTP transfer service;

receiving, at the payment network, an activation response from the MTP transfer service, the activation response generated in connection with the MTP transfer service performing the following:

validating, by a computer, the identified transfer transaction;

activating the transfer transaction; and

alerting the transferee uniquely identified by the unique transfer identifier of the electronic funds transfer by initiating display of an alert on a physical display device; and

routing the activation response from the payment network to the POS, the POS initiating display of the activation response on a different physical display device.

REJECTION³

Claims 24–31 are rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter.

ANALYSIS

In applying the framework set out in *Alice*, and as the first step of that analysis, the Examiner determines that the claims generally are “directed to electronic funds transfer,” which the Examiner finds is a fundamental economic practice and thus, an abstract idea. Non-Final Act. 3. In the Answer, the Examiner more specifically finds that the claims are directed to “providing funds transfer over an existing retail payment system using a money transfer platform.”⁴ Ans. 2. The Examiner finds that this concept is “similar to the basic concept of mitigating settlement risk found to be an abstract idea by the [C]ourt[] [in *Alice*].” Ans. 3 (citing *Alice Corp. Pty. Ltd. v. CLS Bank Int’l*, 134 S. Ct. 2347, 2355 (2014)). And the Examiner determines that the claims do not include additional elements that are sufficient to amount to significantly more than the abstract idea. *Id.* Specifically, the Examiner finds that the claims recite generic computer components that perform well-understood, routine, and conventional computer functions (e.g., receiving data, transmitting data, etc.). *Id.* at 3–4.

Appellants dispute that the claims are similar to the concept of mitigating settlement risk. Reply Br. 2. Specifically, Appellants charge the

³ The rejection of claims 24–31 under 35 U.S.C. § 112, first paragraph, has been withdrawn. Ans. 2.

⁴ “An abstract idea can generally be described at different levels of abstraction.” *Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1240 (Fed. Cir. 2016).

Examiner with making a “conclusory allegation with no supporting evidence;” not “provid[ing] a written claim-by-claim comparison of Appellants’ claims and the claims at issue in *Alice* in order to prove a similarity,” and determining the claim is patent-ineligible “simply because it is drawn to electronic funds transfer” or because it is classified within the 3600 technology center. *Id.* at 2–3. Appellants further argue that the Examiner fails to provide “specific and supporting evidence,” thereby “pervert[ing]” “the normal give-and-take of the shifting burdens in patent prosecutions,” which “does not constitute due process, under United States patent law.” *Id.* at 7. None of these arguments apprise us of Examiner error.

As an initial matter, we find nothing in *Alice* that requires the Office to identify supporting evidence or to provide a written claim-by-claim comparison with claims previously determined by the courts to be abstract to establish a rejection under § 101. Nor are we aware of other controlling authority that imposes such a requirement. Instead, the USPTO carries its procedural burden of establishing a prima facie case when its rejection satisfies the requirements of 35 U.S.C. § 132 by notifying the applicant of the reasons for rejection, “together with such information and references as may be useful in judging of the propriety of continuing the prosecution of [the] application.” *See In re Jung*, 637 F.3d 1356, 1362 (Fed. Cir. 2011) (quoting 35 U.S.C. § 132). Here, in rejecting the pending claims under § 101, the Examiner analyzed the claims using the *Alice* two-step framework. The Examiner, thus, set forth the statutory basis of the rejection in a sufficiently articulate and informative manner as to meet the notice requirement of § 132.

Appellants do not contend here that the § 101 rejection was not understood or that the Examiner otherwise failed to comply with the notice requirements of § 132. And for all the criticism of a lack of evidentiary support, Appellants put forward no rebuttal evidence to demonstrate that the claimed subject matter is patent-eligible.

Here, claim 24 recites a method reciting the steps of: (1) receiving a request for an electronic funds transfer, including an AIDC code and a transfer amount; (2) transmitting the AIDC code and transfer amount to the MTP transfer service; and (3) receiving an activation response from the MTP transfer service, where the activation response is generated in connection with the MTP transfer service performing the following steps: (a) validating the identified transfer transaction, (b) activating the transfer transaction, and (c) alerting the transferee of the electronic funds transfer, and (4) routing the activating response.

In recounting the state of the art in the Background section of the Specification, Appellants acknowledge that EFTs “ha[ve] been widely available for many years.” Spec. ¶ 2. According to Appellants, the problem facing conventional EFT is that “bank-operated electronic funds transfer is very expensive,” and also requires senders and receivers to have bank accounts. *Id.*; *see also id.* ¶ 5. Because of these conditions “underbanked people often find it challenging or even impossible to transfer a small amount of money to another person at a low cost.” *Id.* ¶ 2. Appellants illustrate this difficulty by explaining that family and friends send money to the underbanked through money transfer services, such as Western Union, or by mailing pre-paid cards, but desire “an inexpensive and quick way of sending funds electronically.” *Id.* ¶ 5. Appellants’ solution to this problem

is a method “for providing funds transfer over an existing retail payment system using a money transfer platform (MTP).” *Id.* ¶ 3; *see also id.* ¶ 6 (describing that a “mobile-phone based national and international funds transfer using a MTP is [] desirable — where the MTP takes advantages of the existing retail payment systems to provide money transfer services to the underbanked”).

Considering the claim language in light of the problem and solution described in Appellants’ Specification, the heart of the invention lies in providing electronic funds transfer. *See Intellectual Ventures I LLC v. Erie Indemnity Co.*, 850 F.3d 1315, 1328 (Fed. Cir. 2017) (“[T]he heart of the claimed invention lies in creating and using an index to search for and retrieve data . . . an abstract concept.”). As such, we are not persuaded that the Examiner erred in finding that claim 24 is directed to funds transfers. Like the risk hedging in *Bilski* and the intermediated settlement in *Alice*, electronic funds transfers are “a fundamental economic practice long prevalent in our system of commerce.” *See Alice*, 134 S. Ct. at 2356 (citing *Bilski*, 561 U.S. 593, 611 (2010)). As such, providing electronic funds transfer, like risk hedging and intermediated settlement, is “an ‘abstract idea’ beyond the scope of § 101.” *Id.*

Unlike the claims found non-abstract in prior cases, the claims here do not recite an improvement to a particular computer technology. *See, e.g., McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299, 1314–15 (Fed. Cir. 2016) (finding claims not abstract because they “focused on a specific asserted improvement in computer animation”). Instead, Appellants’ claims address a business problem in which transferees and transferors require a bank account to transfer funds. Appellants assert that

claim 24 “improves the technical field of electronic funds transfer, particularly in that neither the transferor nor transferee require a bank account.” App. Br. 8. Yet, the solution Appellants describe relates to an improvement to the business or economic practice for effecting electronic funds transfers. *See* Spec. ¶ 3 (“The present disclosure relates to computer-implemented methods . . . for providing funds transfer over an existing retail payment system.”).

Stated another way, Appellants’ claims relate to the performance of certain financial transactions. Our reviewing court has explained that “the mere formation and manipulation of economic relations” and “the performance of certain financial transactions” have been held to involve abstract ideas. *Content Extraction & Transmission LLC v. Wells Fargo Bank, Nat. Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014); *see also Ultramercial, Inc. v. Hulu, LLC*, 772 F.3d 709, 716 (Fed. Cir. 2014) (finding computer-implemented system for “using advertising as a currency [on] the Internet” to be ineligible); *buySAFE, Inc. v. Google, Inc.*, 765 F.3d 1350, 1352, 1355 (Fed. Cir. 2014) (finding computer-implemented system for guaranteeing performance of an online transaction to be ineligible), and *CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366, 1370 (Fed. Cir. 2011) (finding computer-implemented system for “verifying the validity of a credit card transaction over the Internet” to be ineligible).

Although there is no definitive rule to determine what constitutes an abstract idea, the Federal Circuit has explained that “both [it] and the Supreme Court have found it sufficient to compare claims at issue to those claims already found to be directed to an abstract idea in previous cases.” *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1334 (Fed. Cir. 2016); *see*

also *Amdocs (Israel) Ltd. v. Openet Telecom, Inc.*, 841 F.3d 1288, 1294 (Fed. Cir. 2016) (explaining that, in determining whether claims are patent-eligible under § 101, “the decisional mechanism courts now apply is to examine earlier cases in which a similar or parallel descriptive nature can be seen—what prior cases were about, and which way they were decided”) (citing *Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1353–54 (Fed. Cir. 2016)). In this regard, after the briefings in this case, the Federal Circuit held that claims involving “collecting information, analyzing it, and displaying certain results of the collection and analysis” “fall into a familiar class of claims ‘directed to’ a patent-ineligible concept.” *Elec. Power Grp.*, 830 F.3d at 1353. In addition to the reasoning set forth by the Examiner for explaining why the claims are directed to an abstract idea, we additionally find that the claims are analogous to this familiar class of patent-ineligible claims described by the Federal Circuit in *Electric Power Group*.

Like the situation in the *Electric Power Group* claims, the “advance [Appellants’ claims] purport to make is a process of gathering and analyzing information of a specified content” and “not any particularly assertedly inventive technology for performing those functions.” *Id.* at 1354. Also like the situation in *Electric Power Group*, when we turn to stage two of the *Mayo/Alice* analysis and scrutinize the claim elements more microscopically, we find nothing sufficient to remove the claims from the class of subject matter ineligible for patenting. *Id.* Appellants extensively quote the language recited in claim 24, and summarily assert that these recitations add specific limitations other than what is well-understood, routine, or conventional in the field, and add unconventional steps that confine the claim to a particular useful application. App. Br. 7–8. However, as the

court explained in *Electric Power Group*, “merely selecting information, by content or source, for collection, analysis, and display does nothing significant to differentiate a process from ordinary mental processes, whose implicit exclusion from § 101 undergirds the information-based category of abstract ideas.” *Elec. Power Grp.*, 830 F.3d at 1355. Here, Appellants do not persuade us that claim 24 requires any nonconventional computer, network, or components, or a nonconventional, nongeneric arrangement of known, conventional pieces.

Appellants argue that the Examiner’s rejection of claim 24 overlooks “various physical components,” such as a funds transfer transaction including at least three actors not including the transferor and transferee, and “a very specific series of steps” involving a payment network, a point of sale system, and an MTP transfer service. App. Br. 9. Yet, it is well-settled that invocation of conventional physical components is insufficient to pass the test of an inventive concept. *See Electric Power Grp.*, 830 F.3d at 1355; *see also Alice*, 134 S. Ct. at 2358 (“[T]he mere recitation of a generic computer cannot transform a patent-ineligible abstract idea into a patent-eligible invention.”). Moreover, Appellants have not shown that the very specific series of steps are more than well-understood, routine, conventional data gathering and processing activities.

Appellants contend that the Examiner ignores the particular claim language and over-generalizes the subject matter of the claims similar to the situation described by the Board in *Google, Inc. v. SimpleAir, Inc.*, 2015 WL 331089 (CBM2014-00170, Jan. 22, 2015). App. Br. 8–9; *see also* Reply Br. 3. As an initial matter, *Google* is a non-precedential Board decision denying institution of covered a business method patent review and, as such, is not

binding on this panel. Nonetheless, we are not persuaded by the analogy Appellants attempt to draw.

In *Google* the Petitioner advanced arguments that did not align with the language of the claims and, as such, the Board found that Petitioner's arguments did not show that the challenged claims were more likely than not patent-ineligible under 35 U.S.C. § 101. *See, e.g., Google*, 2015 WL 331089, at *10 (“Petitioner does not explain sufficiently how the challenged claims allegedly relate to the abstract idea of packaging and routing information as part of a subscription service. This is particular[ly] true when none of the challenged claims recite a ‘subscription service’ at all.”); *see also id.* (describing flaws in Petition's analogy of the challenged claims to conventional periodical publication delivery). Here, no comparable deficiency is apparent in the Examiner's analysis.

We also are not persuaded of Examiner error by Appellants' suggestion that claim 24 is analogous to the claims in *Smartflash LLC v. Apple, Inc.*, 2015 WL 11090901 (EDTX Jan. 21, 2005) (hereinafter “*Smartflash Report*”).⁵ *See* App. Br. 9 (“[I]n light of [*Smartflash Report*], claim 24 includes ‘specific ways of using distinct memories, data types, and

⁵ *Smartflash Report* is a Report and Recommendation issued by the magistrate judge recommending the district court to deny Apple's Motion for Summary Judgment pursuant to 35 U.S.C. § 101. The district court adopted the *Smartflash Report*. *Smartflash LLC v. Apple Inc.*, 2015 WL 661174 (EDTX Feb. 13, 2015). After trial, Apple moved for a Renewed Judgement as Matter of Law (“JMOL”), which the district court also denied. *See Smartflash LLC v. Apple Inc.*, 2015 WL 11089752 (EDTX Sept. 2, 2015). Apple appealed the district court's denial of JMOL to the Federal Circuit. *Smartflash LLC v. Apple Inc.*, 680 Fed. App'x 977, 984 (Fed. Cir. 2017), *petition for cert. filed* (U.S. Nov. 9, 2017).

use rules that amount to significantly more than [an] underlying abstract idea.”); *see also* Reply Br. 3–4 (charging the Examiner with ignoring Appellants’ “argument” regarding the *Smartflash Report*).

Even accepting Appellants’ suggestion that Appellants’ claims are analogous to the claims determined by the district court to be patent-eligible, we remain unpersuaded of Examiner error because the Federal Circuit reversed the district court and found that “the asserted claims are all invalid for failing to recite patent eligible subject matter.” *Smartflash*, 680 Fed. App’x at 984. In particular, the Federal Circuit agreed with the district court that the asserted claims are directed to the abstract idea of “conditioning and controlling access to data based on payment.” *Id.* at 982 (quoting *Smartflash Report*, 2015 WL 661174, at *8). But at step two, the Federal Circuit found that the claims recite no more than routine computer activities and generic computer components, which are insufficient to confer patent eligibility. *Id.* at 983, 984; *see also id.* at 984 (“Smartflash’s asserted claims recite reading, receiving, and responding to payment validation data and, based upon the amount of payment, and access rules, allowing access to multimedia content. This is precisely the type of Internet activity that we found ineligible in *Ultramercial [Inc. v. Hulu, LLC]*, 772 F.3d 709 (Fed. Cir. 2014)].”). Like the situation in *Smartflash*, Appellants do not persuasively explain why the claims recite any “inventive concept” sufficient to confer patent-eligibility. *Id.* (citing *Alice*, 134 S. Ct. at 2355).

We are not persuaded by Appellants’ argument that the claims do not “preempt substantially all uses of the alleged abstract idea.” App. Br. 10; *see also* Reply Br. 8. Preemption is not the test for eligibility under § 101. *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1377 (Fed.

Cir. 2015) (“Where a patent’s claims are deemed only to disclose patent ineligible subject matter under the *Mayo* framework, as they are in this case, preemption concerns are fully addressed and made moot.”).

Appellants charge that “an ‘abstractness continuum’ exists for claimed subject matter ranging from a purely abstract idea to an extremely specific, detailed idea that is far from an abstract idea” (App. Br. 10; *see also* Reply Br. 4), and that “[i]t is the job of the Patent Office to evaluate each of Appellants’ claims to determine where along the above-mentioned continuum the claimed invention lies and, in particular, with respect to the patentability line of demarcation” (App. Br. 11; *see also* Reply Br. 4). Appellants assert that the Examiner fails “to evaluate a position on the abstractness continuum where each claim falls and, in particular, whether the claim is less abstract than the patentability line of demarcation.” App. Br. 11; *see also* Reply Br. 4–5. Appellants charge that the Examiner fails to “evaluate each dependent claim with a recognition that the addition of method steps necessarily moves the claimed invention farther from the purely abstract end of the continuum.” App. Br. 11; *see also* Reply Br. 5 (“[T]he [E]xaminer’s general equating of the method of independent claim 24 , with its many steps/elements, to such a general concept as ‘electronic funds transfer’ indicates a misunderstanding as to how to apply § 101.”). Appellants then separately address dependent claims 25–31 by restating the claims, stating that the Examiner has not established that the combination of steps/elements recited in the dependent claim is an abstract idea, and stating the Examiner “should address, independently, why each of claims 24-31 constitutes an abstract idea.” *See id.* at 11–13.

However, we decline to apply these new, restrictive rejection requirements proposed by Appellants. We are aware of no authority, nor do Appellants cite any such authority, for the proposed requirements.⁶ Contrary to Appellants' suggestion, additional limitations need not make an abstract idea any less abstract. *See Ultramercial, Inc. v. Hulu*, 772 F.3d 709, 715 (Fed. Cir. 2014) (“[T]he addition of merely novel or non-routine components to the claimed idea [does not] necessarily turn[] an abstraction into something concrete.”); *see also Bilski*, 561 U.S. at 612 (“[L]imiting an abstract idea to one field of use or adding token postsolution components [does] not make the concept patentable.”)

Moreover, there is no requirement that an Examiner address every word of every claim. Here, Appellants do not persuasively explain why the additional recitations of any of the dependent claims, when considered as an ordered combination, remove the claims from the realm of the abstract.

We also are not persuaded by Appellants' argument that “a full analysis to determine eligibility is not required, as patent-eligibility is evident.” App. Br. 13 (citing *2014 Interim Guidance on Patent Subject Matter Eligibility*, 79 Fed. Reg. 74618 (Dec. 16, 2014) (hereinafter “Interim Guidance”). As set forth in the Interim Guidance, the streamlined analysis is

⁶ In the Reply Brief, Appellants cite *NRT Tech. Corp v. Everi Payments, Inc.*, CBM2015-00167 (PTAB Jan. 22, 2016) (denying institution of covered business method patent review) as providing “further support of Appellants['] argument above with respect to an ‘abstractness continuum.’” Reply Br. 5. Yet, the non-binding Board decision cited by Appellants does not describe an abstraction continuum or otherwise set forth any new rejection requirements. Instead, the Board applies the two-step *Alice* framework, and determines that the Petitioner did not show that the claims are more likely than not patent-ineligible.

an optional tool for Examiners to use at the Examiner’s discretion. *See* Interim Guidance at 74625 (“[A] streamlined eligibility analysis *can be used.*”) (emphasis added). Further, “if there is doubt as to whether the applicant is effectively seeking coverage for a judicial exception itself, *the full analysis should be conducted.*” *Id.* (emphasis added). Here, the Examiner’s decision to perform a full § 101 analysis is not an error.

We are not persuaded of Examiner error by Appellants’ arguments that the claims are analogous to the patent-eligible claims in Example 21⁷ of the Interim Guidance. Reply Br. 8–9. As an initial matter, with respect to the USPTO Examples, the Board decides cases in accordance with the law, not hypothetical “examples [that] are intended to be illustrative only.” *Examples July 2015*, 1. Nonetheless, we find no parallel between Appellants’ claims and the hypothetical, patent-eligible claim described in Example 21 of the Interim Guidance.

Example 21’s patent-eligible claim 2 is modeled after the technology in *Google*. *See Examples July 2015*, 1. Claim 2 recites a series of steps for distributing stock quotes to selected remote devices that amount to “comparing and organizing data,” which is a concept similar to mental processes and other concepts that courts have found to be abstract under step one. *Id.* at 4. However, applying step two, Example 21 provides that the claimed invention “addresses the Internet-centric challenge of alerting a subscriber with time sensitive information when the subscriber’s computer is offline” by “transmitting the alert over a wireless communication channel to

⁷ *July 2015 Update Appendix 1: Examples* (July 30, 2015) (available at <https://www.uspto.gov/sites/default/files/documents/ieg-july-2015-app1.pdf>) (hereinafter “*Examples July 2015*”), 1–5.

activate the stock viewer application, which causes the alert to display[,] and enables the connection of the remote subscriber computer to the data source over the Internet when the remote subscriber computer comes on line.” *Id.* No analogous limitation is recited in Appellants’ claims.

Appellants emphasize that claim 24 “improves the technical field of electronic transfers” and “addresses the Internet-centric challenge of neither a transferor nor a transferee requiring a bank account to leverage the functionality of claims 24-31, especially when considering that big portions of most countries’ population[s] . . . do not have bank accounts, credit cards, etc. and remain at a disadvantage compared to those that do.” Reply Br. 8. Appellants summarily assert that the claims are necessarily rooted in computer technology akin to those in *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014). *Id.* at 9. Appellants’ arguments are unpersuasive.

In *DDR Holdings*, the Federal Circuit evaluated the eligibility of claims “address[ing] the problem of retaining website visitors that, if adhering to the routine, conventional functioning of Internet hyperlink protocol, would be instantly transported away from a host’s website after ‘clicking’ on an advertisement and activating a hyperlink.” *Id.* at 1257. There, the Federal Circuit found that the claims were patent-eligible because they transformed the manner in which a hyperlink typically functions to resolve a problem that had no “pre-Internet analog.” *Id.* at 1258. However, the court cautioned that not all claims purporting to address Internet-centric challenges are eligible for patent. *Id.*

Notably, the Federal Circuit distinguished the patent-eligible claims in *DDR Holdings* from the patent-ineligible claims in *Ultramercial*. *See id.* at

1258–59 (citing *Ultramercial*, 772 F.3d at 715–16). The *Ultramercial* claims were “‘directed to a specific method of advertising and content distribution that was previously unknown and never employed on the Internet before.’” *Id.* at 1258 (quoting *Ultramercial*, 772 F.3d at 714). Nevertheless, those additional elements were insufficient to render the claims patent-eligible, because they “‘merely recite[d] the abstract idea of ‘offering media content in exchange for viewing an advertisement,’ along with ‘routine additional steps such as updating an activity log, requiring a request from the consumer to view the ad, restrictions on public access, and use of the Internet.’” *Id.* (quoting *Ultramercial*, 772 F.3d at 715–16).

Here, Appellants’ claims are analogous to claims found ineligible in *Ultramercial* and distinct from claims found eligible in *DDR Holdings*, because they broadly use technology to perform an abstract business practice with insignificant added activity, rather than specify how interactions with the Internet are manipulated to yield a result that overrides the routine and convention sequence of events triggered by the click of a hyperlink. *See id.* For example, the ineligible claims in *Ultramercial* recited “providing [a] media product for sale at an Internet website;” “restricting general public access to said media product;” “receiving from the consumer a request to view [a] sponsor message;” and “if the sponsor message is an interactive message, presenting at least one query to the consumer and allowing said consumer access to said media product after receiving a response to said at least one query.” *Ultramercial*, 772 F.3d at 712. Similarly here, Appellants’ claims recite receiving a request for an electronic funds transfer, transmitting the AIDC code and the transfer amount, and receiving an activation response from the MTP transfer service, the activation response generated in

connection with the MTP transfer service performing steps of validating the identified transfer transaction, activating the transfer transaction, alerting the transferee uniquely identified by initiating display of an alert on a physical display, and routing the activation response.

Appellants' claims, considered in light of Appellants' Specification, do not adequately support Appellants' arguments that the invention is not directed to an abstract idea and recites additional elements that amount to significantly more than the abstract idea. Likewise, Appellants do not persuasively show how the claims are technically performed such that they are not routine, conventional functions of a computer.

Accordingly, we sustain the rejection of claims 24–31 under 35 U.S.C. § 101.

DECISION

The Examiner's decision to reject claims 24–31 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a).

AFFIRMED