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SHOOK, HARDY & BACON L.L.P.
(Cerner Corporation)
Intellectual Property Department
2555 GRAND BOULEVARD
KANSAS CITY, MO 64108-2613

EXAMINER
NGUYEN, TRANG T

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte HANNA MINA GEDEON and SARA JANE GRIFFIN

Appeal 2016-008157
Application 12/351,628[1]
Technology Center 3600

Before JOHN A. JEFFERY, JASON J. CHUNG and JOYCE CRAIG, *Administrative Patent Judges*.

CHUNG, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) of the Final Rejection of claims 1–20. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

INVENTION

The invention is directed to reporting and tracking clinical adverse event reports in a medical information environment. Spec. ¶ 4. Claim 1 is illustrative of the invention and is reproduced below:

> 1. A method in a medical information computing environment for tracking one or more clinical adverse event reports, the method comprising:

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[1] According to Appellants, the real party in interest is Cerner Innovation, Inc. App. Br. 3.

communicating, by one or more computing devices in the medical information computing environment, a first clinical adverse event report from a first user comprising a plurality of data elements in an electronic clinical adverse event reporting form directly to one or more end-user receiving parties, wherein the first user is a clinician;

receiving, by the one or more computing devices in the medical information computing environment, a received receipt from the one or more end user receiving parties for the communicated electronic clinical adverse event reporting form;

recording, by the one or more computing devices in the medical information computing environment, indicia corresponding to the received receipt in a record associated with the communicated electronic clinical adverse event reporting form;

utilizing the recorded indicia corresponding to the received receipt to query, by at least one device in the medical information computing environment having a processor and a memory, a status of the first clinical adverse event report and one or more second clinical adverse event reports from one or more second users communicated to the one or more end-user receiving parties in the electronic clinical adverse event reporting form, wherein the one or more second clinical adverse event reports are related to the first clinical adverse event report;

receiving, by the one or more computing devices in the medical information computing environment, information associated with the status of the first clinical adverse event report and the one or more second clinical adverse event reports such that the information incorporates data from the first clinical adverse event report of the first user and the one or more second clinical adverse event reports of the one or more second users, wherein the information also indicates actions taken by the one or more end-user receiving parties with respect to the first clinical adverse event report and the one or more second clinical adverse event reports; and

providing a user interface on one or more display devices in the medical information computing environment, to allow a user of the first user and the one or more second users to at least one of query, audit, and create reports for data corresponding to

the first clinical adverse event report and the one or more second clinical adverse event reports.

App. Br., Claims Appendix, 27–28.

REJECTIONS

Claims 7, 16, and 20 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter for which the applicant regards as the invention. Final Act. 2–3.[2]

Claims 1–20 stand rejected under 35 U.S.C. § 101 as being directed to a judicial exception to patentable subject matter. Final Act. 3–4.

Claims 1–3, 5, 6, and 10–12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCulloch et al., (US 2005/0195077 A1; published Sept. 8, 2005) (hereinafter, "McCulloch"), Trinks et al., (US 6,952,695 B1; issued Oct. 4, 2005) (hereinafter, "Trinks"), and Washburn (US 2006/0240851 A1; published Oct. 26, 2006). Final Act. 5–13.

Claims 4 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCulloch, Washburn, Trinks, and

[2] We herein refer to the Specification filed Jan. 29, 2013 ("Spec."); Final Office Action mailed May 28, 2015 ("Final Act."); Appeal Brief filed Jan. 28, 2016 ("App. Br."); and the Examiner's Answer, mailed May 12, 2017 ("Ans."). It is noted a Reply Brief was filed on July 1, 2016.

Hole (US 2002/0138605 A1; published Sept. 26, 2002) (hereinafter, "Hole"). Final Act. 13–14.

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCulloch, Washburn, Trinks, and Rezvani et al., (US 2006/0010078 A1; published Jan. 12, 2006) (hereinafter, "Rezvani"). Final Act. 14–15.

Claims 13–16, 18 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCulloch, Washburn, Trinks, and Epler et al., (US 2003/0187615 A1; published Oct. 2, 2003) (hereinafter, "Epler"). Final Act. 15–18.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCulloch, Washburn, Trinks, Epler, Rezvani, and Hole. Final Act. 18–20.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of McCulloch, Tomko (US 7,966,372 B1; issued Jun. 21, 2011), Washburn, and Trinks. Final Act. 20–25.

We have only considered those arguments that Appellants actually raised in the Briefs. Arguments Appellants could have made, but chose not to make, in the Briefs have not been considered and are deemed to be waived. *See* 37 C.F.R. § 41.37(c)(1)(iv).

ANALYSIS

35 U.S.C. § 112, second paragraph: Claims 7, 16, and 20

Appellants present no arguments pertaining to the Examiner's indefiniteness rejection of claims 7, 16, and 20. App. Br. 25. Instead, Appellants state this rejection will be addressed after the appeal has

concluded. *Id.* Accordingly, we summarily sustain this rejection. *See* 37 C.F.R. § 41.39(a)(1).

35 U.S.C. § 101: Claims 1–20

The Examiner concludes, and we agree, independent claims 1, 13, and 20 falls into one of the four statutory categories of invention. Ans. 4–5. In addition, the Examiner concludes the concept of comparing categorically organized, stored, and transmitted report information to identify and display related reports is a method of organizing human activity and "an idea of itself." *Id.* at 5–6. The Examiner also concludes the claims map to the abstract idea of "manipulating/communicating medical data." Final Act. 4. The Examiner concludes the claims amount to steps of using categories to organize, store, and transmit information. Ans. 5. Additionally, the Examiner concludes the claims amount to comparing new and stored information and using rules to identify options. *Id.*

Moreover, the Examiner concludes the claims do not recite significantly more than the abstract idea because the additional limitations are generic computer components claimed to perform their basic functions of receiving, generating and transmitting. *Id.* at 10–11.

Appellants argue the Examiner fails to establish a *prima facie* case of ineligibility because the rejection is based on a single, conclusory statement without a rationale to justify the statement. App. Br. 11–13; Reply Br. 2–3. Moreover, Appellants argue the Examiner fails to cite any cases in which subject matter similar was identified as abstract. App. Br. 12–13; Reply Br. 3. Further, Appellants argue the Examiner primarily relies on boilerplate language without sufficient analysis of the present claims. App. Br. 12.

Appellants argue the Examiner's conclusion that the present claims are directed to "manipulating/communicating medical data" is incorrect because it characterizes the present claims as a high level of abstraction, untethered from the language of the claims. *Id.* at 12–13.

Appellants further argue the claims do not recite an abstract idea; but, even if the claims were directed to an abstract idea, the combination of steps amount to significantly more than the abstract idea because the steps are unconventional and confine the claims to a particular useful application. *Id.* at 13–15; Reply Br. 4. Moreover, Appellants argue the present claims present no risk of preempting the "manipulat[ion]/communicat[ion] [of] medical data" concept in any field because Appellants "have applied any abstract concept present in the claims in a new and useful application requiring specific limitations" and the "building blocks for human ingenuity are not thus confined in the Appellants' claims." App. Br. 15–16; Reply Br. 5. Appellants argue the present claims are better viewed as "a sequence of events for submitting and tracking adverse event reports in a medical information computing environment." *Id.* at 16. Appellants argue the aforementioned concept in the previous sentence cannot be divorced from the technology recited therein because it does not make sense out of the context of such computing devices. *Id.* at 16–17.

Appellants argue the present case is similar to *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014) in which the Federal Circuit held that claims were eligible because they were necessarily rooted in and confined to medical information computing technology. App. Br. 11–12, 15. Appellants further argue that, like the claims in *DDR*, the claims add meaningful limitations that neither recite a mathematical relationship or

formula, nor a method of organizing human activity. *Id.* at 13. Further, Appellants argue the claimed computing environment adds "additional elements" that render the claims "significantly more" than an abstract idea, a position which the Office has adopted. *Id.* at 15. We disagree with Appellants.

Following the decision in *Alice Corp. Pty. Ltd. v. CLS Bank International*, 134 S.Ct. 2347 (2014) (citing *Mayo Collaborative Services v. Prometheus Laboratories, Inc.,* 132 S.Ct. 1289, 1300 (2012)), we analyze claims where the abstract idea judicial exception to the categories of statutory subject matter is at issue using the following two-part analysis set forth in *Mayo*: 1) Determine whether the claim is directed to an abstract idea; and 2) if an abstract idea is present in the claim, determine whether any element, or combination of elements, in the claim is sufficient to ensure that the claim amounts to significantly more than the abstract idea itself. *See Alice*, 134 S. Ct. at 2350.

As to the first part of the analysis, examples of abstract ideas referenced in *Alice* include: fundamental economic practices;[3] certain methods of organizing human activities;[4] "an idea of itself";[5] and, mathematical relationships or formulas.[6] Claims that include abstract ideas

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[3] *Alice Corp.,* at 2350: *e.g.,* intermediated settlement, *i.e.,* the use of a third party intermediary to mitigate settlement risk.
[4] *Id.* at 2356: *e.g.,* a series of steps instructing how to hedge risk (citing *Bilski v. Kappos,* 561 U.S. 593, 599 (2010)).
[5] *Id.* at 2355: *e.g.,* a principle, an original cause, a motive (*citing Gottschalk v. Benson,* 409 U.S. 63, 67 (1972) and *Le Roy v. Tatham,* 14 How. 156, 175 (1853)).
[6] *Id.* at 2350: *e.g.,* a mathematical formula for computing alarm limits in a catalytic conversion process *(Parker v. Flook*, 437 U.S. 584, 594–95

like these are examined under the second part of the analysis to determine whether the abstract idea has been applied in an eligible manner.

As to the second part of the analysis, we consider the claim as a whole by considering all claim elements, both individually and in combination. *Id.* at 2355. Limitations referenced in *Alice* that may be enough to qualify as "significantly more" when recited in a claim with an abstract idea include, as non-limiting or non-exclusive examples: Improvements to another technology or technical field;[7] improvements to the functioning of the computer itself;[8] and meaningful limitations beyond generally linking the use of an abstract idea to a particular technological environment.[9] Limitations referenced in *Alice* that are not enough to qualify as "significantly more" when recited in a claim with an abstract idea include, as non-limiting or non-exclusive examples: adding the words "apply it" (or an equivalent) with an abstract idea;[10] mere instructions to implement an abstract idea on a computer;[11] or requiring no more than a generic computer

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(1978)), or a formula for converting binary-coded decimal numerals into pure binary form *(Benson*, 409 U.S. at 71–72).

[7] *Id.* at 2358: *e.g.,* a mathematical formula applied in a specific rubber molding process (citing *Diamond v. Diehr*, 450 U.S. 175, 177–78 (1981)).

[8] *Id.* at 2359.

[9] *Id.* at 2360: noting that none of the hardware recited "offers a meaningful limitation beyond generally linking 'the use of the [method] to a particular technological environment,' that is, implementation via computers" (citing *Bilski,* 561 U.S. at 610–11).

[10] *Id.* at 2357–58.

[11] *Id.*: *e.g.,* simply implementing a mathematical principle on a physical machine, namely a computer (citing *Mayo*, 132 S.Ct. at 1301).

to perform generic computer functions that are well-understood, routine and conventional activities previously known to the industry.[12]

If there are no meaningful limitations in the claim that transform the abstract idea into a patent eligible application such that the claim amounts to significantly more than the abstract idea itself, the claim is directed to non-statutory subject matter under 35 U.S.C. § 101.

The Federal Circuit held "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 Gp., LLC v. Alstom*, 830 F.3d 1350, 1355 (Fed. Cir. 2016). In addition, "merely presenting the results of abstract processes of collecting and analyzing information, without more (such as identifying a particular tool for presentation), is abstract as an ancillary part of such collection and analysis." *Id.* at 1354. The Federal Circuit further stated:

> [t]he claims in this case do not even require a new source or type of information, or new techniques for analyzing it. . . . As a result, they do not require an arguably inventive set of components or methods, such as measurement devices or techniques, that would generate new data. They do not invoke any assertedly inventive programming. Merely requiring the selection and manipulation of information—to provide a "humanly comprehensible" amount of information useful for users . . . by itself does not transform the otherwise-abstract processes of information collection and analysis.

Id. (internal citations omitted).

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[12] *Id.* at 2359: *e.g.,* using a computer to obtain data, adjust account balances, and issue automated instructions.

Step 1

On this record, we see no error in the Examiner's analysis and conclusion that claims 1–20 are directed to an abstract idea. Ans. 4–13. That is, we agree with the Examiner that the concept of communicating, receiving, recording, and the usage of information corresponding to query reports and display results of the query is a method of organizing human activity and "an idea of itself." *Id.* at 5.[13]

Moreover, we note the Examiner's conclusion that the claims amount to the abstract idea of "manipulating/communicating medical data" is analogous to *Mayo*. Final Act. 4. And the Examiner's conclusion that the claims amount to steps of using categories to organize, store, and transmit information is analogous to *Cyberfone Systems, LLC v. CNN Interactive Group, Inc.*, 558 Fed. Appx. 988 (Fed. Cir. 2014) (non-precedential). Ans. 5. Additionally, the Examiner's conclusion that the claims amount to comparing new and stored information and using rules to identify options is analogous to *Smartgene, Inc. v. Advanced Biological Laboratories, SA*, No. 2013-1186 (Fed. Cir. 2014) (non-precedential). Ans. 5. Although *Cyberfone* and *Smartgene* are non-precedential, we find those cases are still related to *Electric Power*, *Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1241 (Fed. Cir. 2016), and *Intellectual Ventures I LLC v. Erie Indemnity Co.*, 850 F.3d 1315, 1327 (Fed. Cir. 2017).

[13] We note the Examiner pointed out Appellants' admitted well-known computing environments in paragraph 36 of the published U.S. Patent Application, which corresponds to paragraph 35 of the Specification. Ans. 13 (citing ¶ 36 of the published U.S. Patent Application).

Similar to the claims in *Electric Power*, claims 1–20 of the present case are directed to 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. And also similar to *Electric Power*, claims 1–20 of the present case are directed to presenting the results of abstract processes of collecting and analyzing information, without more (such as identifying a particular tool for presentation), is abstract as an ancillary part of such collection and analysis. Additionally, like *Electric Power*, claims 1–20 of the present case merely require the selection and manipulation of information to provide a "humanly comprehensible" amount of information useful for users, which by itself does not transform the otherwise-abstract processes of information collection and analysis.

Since *Electric Power*, the Federal Circuit also held that "claims [] directed to certain functionality… are not directed to a specific improvement in the way computers operate." *Apple, Inc. v. Ameranth, Inc.* at 1241. The *Ameranth* court affirmed the Board's position that the claims were directed to an abstract idea "described as generating menus on a computer, or generating a second menu from a first menu and sending the second menu to another location." *Id.* The court further noted the claims "do not claim a particular way of programming or designing the software to create menus that have these features, but instead merely claim the resulting systems." *Id.* (citing *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299, 1314 (Fed. Cir. 2016)).

Similar to the case in *Ameranth*, claims 1–20 of the present case are directed to generating menus on a computer, or generating a second menu from a first menu and sending the second menu to another location, and does nothing significant to improve the way computers operate. And also similar to *Ameranth*, claims 1–20 of the present case are directed to presenting menus having particular features, is abstract as an ancillary part of generating and sending the second menu. Additionally, like *Electric Power* and *Ameranth*, claims 1–20 of the present case merely require the selection and manipulation of information to provide a "humanly comprehensible" amount of information useful for users, which by itself does not transform the otherwise-abstract processes of information collection and analysis.

Since *Electric Power* and *Ameranth*, the Federal Circuit further clarified that "the abstract idea of 'creating an index and using that index to search for and retrieve data'" is an exemplary activity of "organizing and accessing records through the creation of an index-searchable database, includ[ing] longstanding conduct that existed well before the advent of computer and the Internet." *Intellectual Ventures I LLC v. Erie Indemnity Co.* at 1327. The *Erie* court held "the claimed creation of an index used to search and retrieve information stored in a database is [] abstract." *Id.* The *Erie* court stated the claims were directed to an abstract concept because "the heart of the claimed invention lies in creating and using an index to search for and retrieve data." *Id.* at 1328. Moreover, "[a]n abstract idea does not become nonabstract by limiting the invention to a particular field of use or technological environment, such as the Internet." *Id.* (quoting *Intellectual Ventures I LLC v. Capital One Bank (USA)*, 792 F.3d 1363, 1366 (Fed. Cir. 2016)).

Similar to the case in *Erie*, claims 1–20 of the present case are directed to creating an index, and using that index to search for and retrieve data, and does nothing significant to improve the way computers operate. And also similar to *Erie*, claims 1–20 of the present case are directed to organizing and accessing records through an index-searchable computing environment, is abstract as an ancillary part of creating, searching, and retrieving data. Additionally, like *Electric Power* and *Ameranth*, claims 1–20 of the present case merely require the selection and manipulation of information to provide a "humanly comprehensible" amount of information useful for users, which by itself does not transform the otherwise-abstract processes of information collection and analysis.

Even if claims 1–20 cannot be divorced from technology as Appellants contend (App. Br. 16–17), this does not mean claims 1–20 recite patent eligible subject matter because there still needs to be an improvement to the underlying technology according to the Federal Circuit decision in *Enfish*. In this case, claims 1–20 recite an improvement to an abstraction, not an improvement to the underlying technology. Stated differently, just because an improved abstract idea functions with technology does not mean that the abstract idea is an improvement to the underlying technology. Because claims 1–20 are directed to an abstract idea, we proceed to step (2) of the *Alice*, two-part test.

Step 2

Regarding step (2) of the *Alice* two-part test, claims 1–20 do not amount to significantly more than an abstract idea. In the present case, claims 1–20 describe the transformation of a clinical adverse event report

into a visual depiction of a user interface of a display, which is not significantly more than an abstract idea.

In *Electric Power*, the Federal Circuit distinguished *DDR*, stating "[t]he claims at issue here do not require an arguably inventive device or technique for displaying information." *Electric Power* at 1355. Unlike the inventive concept found in *DDR* ("modification of conventional mechanics behind website display to produce dual-source integrated hybrid display"), the claims at issue merely required "off-the-shelf, conventional, computer, network, and display technology." *Electric Power* at 1355. Similarly, in *Ameranth*, the court "[t]he difficulty of the programming details for this functionality is immaterial because these details are not recited in the actual claims," and "[t]he patents can be readily understood as adding conventional computer components to well-known business practices." *Ameranth* at 1242. Moreover, the *Erie* court confirms that the claims do not amount to significantly more when "[t]he claimed mobile interface is so lacking in implementation details that it amounts to merely a generic component (software, hardware, or firmware) that permits the performance of the abstract idea, i.e., to retrieve the user-specific resources." *Erie* at 1331.

Here, the claims are directed to a medical information computing environment, which is implemented through the generic components described as "computing devices," "a processor," "a memory," and "display devices." There is neither a modification to the underlying conventional technology, nor is there a new technique claimed. Instead, Appellants claims are directed to generic components, claimed at a high level of generality, and lacking in implementation details. Claims 1–20, therefore, do not amount to significantly more than an abstract idea.

As for the Appellants' preemption argument (App. Br. 15–16), while preemption may denote patent ineligibility, its absence does not demonstrate patent eligibility. *See FairWarning, IP, LLC v. Iatric Sys., Inc.*, 839 F.3d 1089, 1098 (Fed. Cir. 2016). For claims covering a patent-ineligible concept, preemption concerns "are fully addressed and made moot" by an analysis under the *Mayo/Alice* framework. *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1379 (Fed. Cir. 2015).

Accordingly, for the reasons stated *supra*, we sustain the Examiner's rejection of: (1) independent claims 1, 13, and 20; and (2) dependent claims 2–12 and 14–19.

35 U.S.C. § 103(a): Claims 1–20

The Examiner finds that Trinks teaches "the user can search the reported cases for particular data, view and edit previously entered data, [and] input and produce case reports… to show[]" the reception of information "in response to the query[]… of adverse events reported," which the Examiner maps to "end-user receiving parties" as recited in independent claims 1, 13, and 20. Ans. 14 (underlining omitted).

Appellants argue McCulloch, Washburn, and Trinks do not disclose "receiving … information associated with the status of the first clinical adverse event report and the one or more second clinical adverse event reports and [including] actions taken by the one or more **end-user receiving parties**." App. Br. 20 (emphasis added). Specifically, Appellants argue "Trinks is generally directed to providing a web portal ('mydrugsafety.com') for receiving adverse event reports and for standardizing terminology contained in the adverse event reports," which is "merely a means of aggregating adverse event reports." *Id.* Appellants further argue that Trinks

cannot teach or suggest the claim feature above because the "means of aggregating adverse event reports… does not include information related to actions taken by the end-user receiving party." *Id.* Appellants also argue that the Specification states the "end-user" receiving parties are not third parties. Reply Br. 6 (citing Spec. ¶ 28). Appellants further argue that Trinks teaches an intervening party, rather than an end-user receiving party. Reply Br. 7.

We are not persuaded by Appellants' argument. The Examiner finds, and we agree, that Trinks teaches "the user can search the reported cases for particular data, view and edit previously entered data, [and] input and produce case reports… to show[]" the reception of information "in response to the query[]… of adverse events reported," which teaches the limitation "end-user receiving parties" as recited in independent claims 1, 13, and 20. Ans. 14. Here, Appellants have not defined the "end-user receiving parties" recited in the claims.

Moreover, paragraph 28 of Appellants Specification does not say "end-user" receiving parties are not third parties, as Appellants allege (Reply Br. 6); rather, the Specification describes whom these parties may be, including expressly stating "other interested parties." *See* Spec. ¶ 28. The term "user" is described in Trinks as including "a patient, event user, a physician or safety monitor" (Trinks, 7:20–22), all of whom would qualify as "interested parties" and were relied on by Examiner. *See* Ans. 14; *see also* Final Act. 9–10.

Next, Appellants argue the combination of McCulloch, Washburn, and Trinks do not disclose the limitation "wherein the one or more second clinical adverse event reports are related to the first clinical adverse event

report."[14] App. Br. 20. Specifically, Appellants argue "the cited 'Monitor path' of Trinks merely allows a Safety Monitor to review potentially inaccurate and/or potentially serious submitted reports, rather than related reports from other users." *Id.* The Examiner finds, and we agree, that Trinks teaches the one or more second clinical adverse event reports are related to the first clinical adverse event report because minimally, they exist as a searchable list grouped together (Ans. 14; Final. Act. 9–10).

We also note that the argued feature "event reports are related" may be read broadly, having any number of relationships; and Appellants' Specification does not define the relationship(s), instead the related reports are merely described as data that may be submitted to end-user receiving parties. *See* Spec. ¶¶ 33, 63.

Appellants do not separately argue claims 4, 7–9, and 13–20; instead, Appellants rely on the reasons argued with respect to claims 1–3, 5, 6, and 10–12 (App. Br. 20–24). Accordingly, for the reasons stated *supra*, we sustain the Examiner's rejection of: (1) independent claims 1, 13, and 20; and (2) dependent claims 2–12 and 14–19.

DECISION

We affirm the Examiner's decision rejecting claims 7, 16, and 20 under 35 U.S.C. § 112, second paragraph.

We affirm the Examiner's decision rejecting claims 1–20 under 35 U.S.C. § 101.

[14] The argument is not mapped to the claim element specifically; however, the limitation is apparent because it is the only claim language reflecting a relationship between the reports.

We affirm the Examiner's decision rejecting claims 1–20 under 35 U.S.C. § 103(a).

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED