



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/774,491	02/22/2013	Robert EBERLE	BT-076	9245
158771	7590	03/29/2019	EXAMINER	
Bottomline Technologies (DE), Inc. 325 Corporate Drive Portsmouth, NH 03801			KAZIMI, HANI M	
			ART UNIT	PAPER NUMBER
			3691	
			NOTIFICATION DATE	DELIVERY MODE
			03/29/2019	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

rich.baker@bottomline.com  
USPTO@dockettrak.com  
kfaust@bottomline.com

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

*Ex parte* ROBERT EBERLE, AMY HOKE,  
LYNNE HERRMAN, and MICHAEL MARCINELLI

---

Appeal 2017-010956  
Application 13/774,491  
Technology Center 3600

---

Before LINZY T. McCARTNEY, JOHN P. PINKERTON, and  
JESSICA C. KAISER, *Administrative Patent Judges*.

McCARTNEY, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants seek review under 35 U.S.C. § 134 of the Examiner's final rejection of claims 1–20. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

## BACKGROUND

This patent application concerns “accelerating payment settlement to a payment method with a reduced delay as compared to the method of payment initially selected by a buyer.” Specification 17:18–21, filed February 22, 2013 (“Spec.”). Claim 1 illustrates the claimed invention:

1. An invoice payment acceleration system comprising:

a database stored on a non-transitory computer readable medium, the database including a plurality of records, each record corresponding to an invoice issued by a vendor for payment from a buyer;

a network interface configured to receive a payment initiation command from a buyer for payment of an invoice to a vendor by a first payment method; and

a processor configured to analyze the invoice as to which the payment command is received to determine whether the invoice satisfies one or more predetermined criteria;

wherein the processor further is configured, when the processor determines that the invoice satisfies the one or more predetermined criteria, to convert the first payment method to a second payment method, and the second payment method provides for an accelerated payment as compared to the first payment method.

Appeal Brief, Claims App’x at 1, filed February 24, 2016 (“Claims App’x”).

## REJECTION<sup>1</sup>

<b>Claims</b>	<b>Basis</b>
1–20	§ 101

---

<sup>1</sup> The Examiner withdrew the rejection of claims 1–20 under 35 U.S.C. § 103 over Mabrey et al. (US 2004/0172360 A1; Sept. 2, 2004) and Johnson et al. (US 6,999,943 B1; Feb. 14, 2006). Ans. 3.

## DISCUSSION

We have reviewed the Examiner’s rejection and Appellants’ arguments, and we disagree that the Examiner erred. As consistent with the discussion below, we adopt the Examiner’s findings, conclusions, and reasoning in the Final Office Action mailed September 3, 2015 (“Final Act.”) and the Answer mailed June 19, 2017 (“Ans.”).

We address the § 101 rejection—the only rejection remaining in this appeal—below. Appellants argue claims 1–20 together for this rejection, so as permitted by 37 C.F.R. § 41.37, we decide the appeal based on claim 1. *See* 37 C.F.R. § 41.37(c)(1)(iv).

### Section 101 Rejection

Section 101 of the Patent Act provides that “any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof” is patent eligible. 35 U.S.C. § 101. But the Supreme Court has long recognized an implicit exception to this section: “Laws of nature, natural phenomena, and abstract ideas are not patentable.” *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 216 (2014) (quoting *Ass’n for Molecular Pathology v. Myriad Genetics, Inc.*, 569 U.S. 576, 589 (2013)). To determine whether a claim falls within one of these excluded categories, the Court has set out a two-part framework. The framework requires us first to consider whether the claim is “directed to one of those patent-ineligible concepts.” *Alice*, 573 U.S. at 217. If so, we then examine “the elements of [the] claim both individually and ‘as an ordered combination’ to determine whether the additional elements ‘transform the nature of the claim’ into a patent-eligible application.” *Alice*, 573 U.S. at 217 (quoting *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66, 78, 79 (2012)).

That is, we examine the claim for an “inventive concept,” “an element or combination of elements that is ‘sufficient to ensure that the patent in practice amounts to significantly more than a patent upon the [ineligible concept] itself.’” *Alice*, 573 U.S. at 217–18 (alteration in original) (quoting *Mayo*, 566 U.S. at 72–73).

The Patent Office recently issued guidance about this framework. *See* 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. 50 (Jan. 7, 2019) (“Revised Guidance”). Under the Revised Guidance, to decide whether a claim is directed to an abstract idea, we evaluate whether the claim (1) recites one of the abstract ideas listed in the Revised Guidance *and* (2) fails to integrate the recited abstract idea into a practical application. *See* Revised Guidance, 84 Fed. Reg. at 51, 54. If the claim is directed to an abstract idea, as noted above, we then determine whether the claim has an inventive concept. The Revised Guidance explains that when making this determination, we should consider whether the additional claim elements add “a specific limitation or combination of limitations that are not well-understood, routine, conventional activity in the field” or “simply append[] well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality.” Revised Guidance, 84 Fed. Reg. at 56.

With these principles in mind, we turn to the Examiner’s rejection of claims 1–20 under § 101.

#### Abstract Idea

The Examiner determined that claim 1 is similar to claims that courts have determined are directed to a mental process. *See* Ans. 7. The Examiner also determined that claim 1 is directed to a fundamental economic practice.

*See* Final Act. 3–4; *see also* Ans. 7. For the reasons discussed below, Appellants have not shown that the Examiner erred. We first address whether claim 1 recites each of the abstract ideas identified by the Examiner. We then consider whether claim 1 integrates these abstract ideas into a practical application.

*Mental Process*

Claim 1 recites (1) “a database . . . including a plurality of records, each record corresponding to an invoice issued by a vendor for payment from a buyer,” (2) “a network interface configured to receive a payment initiation command from a buyer for payment of an invoice to a vendor by a first payment method,” and (3) “a processor configured to analyze the invoice as to which the payment command is received to determine whether the invoice satisfies one or more predetermined criteria.” Claims App’x 1. Claim 1 also recites (4) “wherein the processor further is configured, when the processor determines that the invoice satisfies the one or more predetermined criteria, to convert the first payment method to a second payment method, and the second payment method provides for an accelerated payment as compared to the first payment method.” Claims App’x 1.

People can perform the functions recited in most of these limitations using their minds or pen and paper. A person can “receive a payment initiation command from a buyer for payment of an invoice to a vendor by a first payment method” by reading the recited command from a computer screen or a piece of paper. In fact, the written description suggests that businesses have traditionally performed similar steps on paper. *See* Spec. 1:9–13 (“Traditional invoice presentment and payment solutions . . . include

paper-based invoice presentment and payment. In this scenario, the steps required to send an invoice . . . and receive, approve, and pay the invoice . . . rely on a series of paper-based procedures.”).

A person can also “analyze the invoice as to which the payment command is received to determine whether the invoice satisfies one or more predetermined criteria” by mentally comparing aspects of the invoice to a predetermined criterion. For example, the written description discloses that the recited predetermined criteria can include a minimum dollar amount. *See, e.g.*, Spec. 8:22–25 (“For example, the system may be configured to accelerate a payment transaction based upon a specified minimum dollar amount . . . [or] other criteria as may be deemed suitable.”). People can mentally compare the dollar amount of an invoice to a predetermined minimum dollar amount.

Finally, a person can mentally “convert the first payment method to a second payment method, [where] the second payment method provides for an accelerated payment as compared to the first payment method” when “the invoice satisfies the one or more predetermined criteria.” Neither claim 1 nor the written description explains how to convert one payment method to another or limits the conversion to a particular method. Because neither the claim nor the written description limits the scope of the claimed conversion, the limitation encompasses *any* method of performing the recited conversion, including methods that people can perform in their heads or using pen and paper. *Cf. CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366, 1372 (Fed. Cir. 2011) (determining that a claim encompasses “essentially any method” of performing a fraud detection algorithm, “even methods that can be performed in the human mind,” when the specification

did not disclose a particular fraud detection algorithm and the claim did not limit its scope to a particular algorithm). For example, the limitation encompasses a person mentally choosing to use the recited second payment method instead of the first when the recited condition has been met.

Appellants argue that “what renders the claimed invention valuable” is “the slowness of the first payment method relative to the second payment method” and that “the issues associated with the claimed invention do not even arise until processing is implemented in electronic form.” Reply Brief 4, filed August 18, 2017 (“Reply Br.”). Appellants contend that claim 1 thus concerns “[a]n electronic invoice processing system [that] is a tangible and useful system that operates beyond what could be achieved by manual or mental exercise.” Reply Br. 4. According to Appellants, “one cannot sit [at] a desk and perform a comparable analysis, and then switch payment methods, in any comparable manner that would be useful because of the time constraints involved.” Reply Br. 4.

We find Appellants’ arguments unpersuasive. Rather than recite “an electronic invoice processing system,” claim 1 simply recites “[a]n invoice payment acceleration system” that involves a “first payment method” and a “second payment method.” Although the claimed system includes computer components, we see nothing in the claim or the written description that limits the claimed system to processing electronic payment methods. On their face, the recited “first payment method” and “second payment method” include paper-based payment methods such as paying by cash or check.

Even if claim 1 were limited to an electronic invoice processing system, claim 1 would still recite a mental process. People could still read a payment initiation command from a computer screen or a piece of paper and

mentally compare the dollar amount of an electronic invoice to a predetermined minimum dollar amount. In this situation, people would choose a second electronic payment method rather than a first electronic payment method, but they could still make this choice in their minds.

As for Appellants' assertion that a person cannot perform the recited functions "in any comparable manner that would be useful because of the time constraints involved," Appellants have provided no persuasive evidence or reasoning to support this assertion. *See* Reply Br. 4. In any event, claim 1 encompasses performing the receiving, analyzing, and converting functions for a *single* invoice and places no time limits on the process. *See* Claims App'x 1. For the reasons explained above, these functions encompass a person merely looking at a payment initiation command, mentally comparing an invoice to a predetermined criterion, and mentally deciding to use a second payment method rather than a first payment method.

Appellants have not persuaded us that these acts require so much time and effort that people cannot perform them in a "comparable manner that would be useful" as Appellants assert. Although a computer can likely perform these functions faster than a person can, "[u]sing a computer to accelerate an ineligible mental process does not make that process patent-eligible."

*Bancorp Servs., L.L.C. v. Sun Life Assur. Co. of Canada (U.S.)*, 687 F.3d 1266, 1279 (Fed. Cir. 2012).

Taken as a whole, the limitations discussed above recite functions that people can perform in their heads or using pen and paper. Because people can perform these functions mentally or by hand, the recited payment acceleration concept is no different from other concepts that courts have determined are mental processes. *See, e.g., CyberSource*, 654 F.3d at 1373

(determining that a claim that recites steps that “can be performed in the human mind, or by a human using a pen and paper” is directed to an unpatentable mental process). This is true even though claim 1 recites that computer elements perform the claimed functions. “Courts have examined claims that required the use of a computer and still found that the underlying, patent-ineligible invention could be performed via pen and paper or in a person’s mind.” *Versata Dev. Grp., Inc. v. SAP Am., Inc.*, 793 F.3d 1306, 1335 (Fed. Cir. 2015). *See also* Revised Guidance, 84 Fed. Reg. at 52 n.14 (“If a claim, under its broadest reasonable interpretation, covers performance in the mind but for the recitation of generic computer components, then it is still in the mental processes category unless the claim cannot practically be performed in the mind.”). We therefore conclude that claim 1 recites mental processes, one of the abstract idea groupings in the Revised Guidance. *See* Revised Guidance, 84 Fed. Reg. at 52. Claim 1 thus recites an abstract idea.

*Fundamental Economic Practice*

We next consider whether claim 1 recites a fundamental economic practice. As discussed above, the claimed “invoice payment acceleration system” includes computing devices configured to receive a payment initiation command, analyze an invoice to determine whether the invoice satisfies at least one predetermined criteria, and convert a first payment method to a second payment method that provides for an accelerated payment. *See* Claims App’x 1. Like the concept of intermediated settlement in *Alice*, the concept of accelerating invoice payments is “a fundamental economic practice.” *Alice*, 573 U.S. at 219 (quoting *Bilski v. Kappos*, 561 U.S. 593, 611 (2010)). This concept amounts to no more than deciding to

switch from a slower payment method to a faster one, and there can be no serious dispute that doing so is fundamental to contemporary economic practice. Using an intermediary “acceleration system” to perform this concept does not make it patent-eligible. As the Court noted in *Alice*, “[t]he use of a third-party intermediary (or ‘clearing house’) is . . . a building block of the modern economy.” *Alice*, 573 U.S. at 219–20.

This determination is consistent with other decisions that have determined that claims are directed to a fundamental economic practice. *See, e.g., Inventor Holdings, LLC v. Bed Bath & Beyond, Inc.*, 876 F.3d 1372, 1378 (Fed. Cir. 2017) (determining that claims concerning local processing of payments for remotely purchased goods are directed to a fundamental economic practice). Because the concept of accelerating invoice payments by converting a slower payment method to a faster one is not meaningfully different from other concepts courts have determined are fundamental economic practices, we conclude that claim 1 also recites a fundamental economic practice. Fundamental economic principles or practices are one of the certain methods of organizing human activity identified in the Revised Guidance. *See Revised Guidance*, 84 Fed. Reg. at 52. For this added reason, claim 1 recites an abstract idea.

#### *Practical Application*

We next consider whether claim 1 integrates these abstract ideas into a practical application. *See Revised Guidance*, 84 Fed. Reg. at 51. In doing so, we consider whether there are any additional elements beyond the abstract ideas that, individually or in combination, “integrate the [abstract ideas] into a practical application, using one or more of the considerations

laid out by the Supreme Court and the Federal Circuit.” Revised Guidance, 84 Fed. Reg. at 54–55.

The additional elements recited in claim 1 include “a network interface,” “a processor,” and “a database stored on a non-transitory computer readable medium, the database including a plurality of records.” *See* Claims App’x 1. The written description makes clear that these components are generic. *See, e.g.*, Spec. 10:24–27 (explaining that network interface 21 “may include . . . any suitable device”), 12:10–11 (explaining that processor 40 “may include any suitable device”), 12:14–17 (explaining that “a non-transitory computer readable medium” may be “any other suitable medium”), 11:19–22 (disclosing that database 118 “may describe a data structure which embodies groups of records or data elements stored in a volatile or non volatile storage media”). The written description also makes clear that the claimed system accelerates payments by selecting a faster known payment method, not through an improvement in computer technology. For example, the written description explains that buyers make payments using known payment methods such as the Automated Clearing House (ACH) system or a wire transfer. *See* Spec. 1:16–24, 2:4–15. The written description notes that ACH payments take at least a day to settle, while wire transfers settle almost immediately. *See* Spec. 1:28–30, 2:7–9. The written description explains that the claimed system accelerates payments by “converting” an ACH transaction to a wire transfer when predetermined criteria have been met. *See* Spec. 2:25–28. That is, the system selects the faster payment method (here, the wire transfer) when the predetermined criteria have been met. *See* Spec. 2:25–28, 19:7–20. Any acceleration in invoice payment processing time thus follows from selecting

a faster payment method, not from improving how the generic computing devices function.

Appellants argue that “the claimed invention is akin to improving performance of a computer system itself, as invoice payments are processed faster with the claimed invention as compared to conventional electronic invoice processing systems.” Appeal Brief 6, filed February 24, 2016 (“App. Br.”). Appellants assert that “the ‘computer’ is a network of connected electronic devices that form the electronic invoice processing system” and contend that “[w]hen considered from a system viewpoint, a clear technological enhancement is achieved.” Reply Br. 2.

Even if we consider the claimed system “a network of connected electronic devices” that accelerates the processing of invoice payments, the claimed system does not reflect an improvement in computer technology. As discussed above, the written description makes clear that the claimed system accelerates payment processing by selecting a faster existing payment method, not through an improvement in computer technology.

We see no indication that these additional elements, considered alone or together, are anything more than generic tools used to perform an abstract idea. We thus determine that these additional elements do not integrate the recited abstract ideas into a practical application. *See Affinity Labs of Tex., LLC v. DIRECTV, LLC*, 838 F.3d 1253, 1262 (Fed. Cir. 2016) (“In this case, the claims are directed not to an improvement in cellular telephones but simply to the use of cellular telephones as tools in the aid of a process focused on an abstract idea. That is not enough to constitute patentable subject matter.”); Revised Guidance, 84 Fed. Reg. at 55 (explaining that courts have identified “merely us[ing] a computer as a tool to perform an

abstract idea” as an example of when a judicial exception may not have been integrated into a practical application).

#### Inventive Concept

Finally, we consider whether claim 1 has an inventive concept, that is, whether the additional claim elements “transform the nature of the claim’ into a patent-eligible application.” *Alice*, 573 U.S. at 217 (quoting *Mayo*, 566 U.S. at 78, 79). As discussed above, this requires us to evaluate whether the additional claim elements add “a specific limitation or combination of limitations that are not well-understood, routine, conventional activity in the field” or “simply append[] well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality.” Revised Guidance, 84 Fed. Reg. at 56.

The Examiner determined that claim 1 does not recite an inventive concept because the additional claim elements “are generic computer components claimed to perform their basic functions” and the claim limitations “amount[] to mere instructions to implement the abstract idea on a computer.” Ans. 8. The Examiner determined that the additional claim elements do not (1) improve “the functioning of a computer itself” or “another technology or technical field” or (2) “move beyond a general link of the use of an abstract idea to a particular technological environment.” Final Act. 3.

In response, Appellants contend that claim 1 is similar to the claims the Federal Circuit determined are patent eligible in *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014). App. Br. 6–7. Appellants assert that the *DDR Holdings* court determined that the claims before it are patent eligible because the claims “address a business problem in using the

*Internet in connection with retaining website visitors.*” App. Br. 7 (emphasis modified). Appellants argue that claim 1 is similar because the “claimed invention uses a computer system to address a *technical-based* business challenge that has not been overcome suitably by conventional systems.” App. Br. 7 (emphasis modified).

The *DDR Holdings* court did not determine that the claims before it are patent eligible simply because the claims address “a business problem in using the Internet” as asserted by Appellants. Indeed, the court cautioned “that not all claims purporting to address Internet-centric challenges are eligible for patent.” *DDR Holdings*, 773 F.3d at 1258. Rather, the court determined that the claims “specify how interactions with the Internet are manipulated to yield . . . a result that overrides the routine and conventional sequence of events.” *DDR Holdings*, 773 F.3d at 1258. That is, “[i]nstead of the computer network operating in its normal, expected manner,” “the claims recite an invention that is not merely the routine or conventional use of the Internet.” *DDR Holdings*, 773 F.3d at 1258–59.

That is not the case here. As explained above, each of the components recited in claim 1 is a generic component, and neither the claim nor the written description suggests that these components operate in anything other than a conventional manner. In fact, claim 1 and the written description provide little in the way of technical details about the claimed system. Neither source explains how the claimed system “converts” one payment method to another. Claim 1 simply recites that the processor is configured to do so. *See* Claims App’x 1. And although the written description and drawings repeatedly use some form of the word “convert,” they do not explain how the claimed invention performs this function. *See, e.g.*, Spec.

21:12–27 (discussing conversion to a second payment method), Fig. 5 (step 340 “Convert to Second Accelerated Payment Method”). The written description simply states that “[i]t will be apparent to a person having ordinary skill in the art of computer programming of electronic devices and servers how to program the components of the payment acceleration system to operate and carry out logical functions associated with the payment acceleration application.” Spec. 12:2–5. Given the breadth of the claim and the lack of details about how the claimed system functions, claim 1 is “directed to nothing more than the performance of an abstract business practice . . . using a conventional computer. Such claims are not patent-eligible.” *DDR Holdings*, 773 F.3d at 1256.

Appellants also assert that “claim 1 recites additional, unconventional steps that confine the claim[] in a manner that avoids preemption of conventional aspects of invoice processing,” specifically the recited analyzing and converting steps. App. Br. 8.

We find Appellants’ arguments unpersuasive. First, the analyzing and converting steps relied on by Appellants form part of the identified abstract ideas and thus are not “additional elements” that “transform the nature of the claim’ into a patent-eligible application.” *Alice*, 573 U.S. at 217 (quoting *Mayo*, 566 U.S. at 78, 79). Second, even if we were to agree with Appellants that the recited steps are novel and that the claim does not preempt the entire field of invoice processing, neither fact would establish that claim 1 is patent eligible. “[A] claim for a *new* abstract idea is still an abstract idea.” *Synopsys, Inc. v. Mentor Graphics Corp.*, 839 F.3d 1138, 1151 (Fed. Cir. 2016). And failing to preempt all of a particular field does not make a claim less abstract. *See, e.g., OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359,

1362–63 (Fed. Cir. 2015) (“And that the claims do not preempt all price optimization or may be limited to price optimization in the e-commerce setting do not make them any less abstract.”); *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1379 (Fed. Cir. 2015) (“While preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility.”).

Finally, Appellants argue in the Reply Brief that, under the Manual of Patent Examining Procedure and various court decisions, the recited processor is a special-purpose computer because claim 1 recites that the processor is “configured to” operate in a specific manner. *See* Reply Br. 5–8. Appellants contend the Examiner found the recited configuration “both novel and non-obvious, meaning that under the ‘significantly more’ prong the processor configuration operates in a manner that is *not* routine, well-recognized, [or] conventional.” Reply Br. 8.

We find these arguments unpersuasive. First, Appellants forfeited these arguments by failing to timely raise them. In the Final Office Action, the Examiner found that the additional elements recited in claim 1 are generic and operate in a conventional manner. *See* Final Act. 3–4, 14–16. Yet Appellants first raised the argument that the “configured to” language transforms the processor into a special-purpose computer in the Reply Brief. *Compare* App. Br. 8–9, *with* Reply Br. 4–8. Although Appellants argued in the Appeal Brief that claim 1 recites “a configured processor” that performs “unconventional steps,” Appellants did not argue that the words “configured to” changed the processor into a special-purpose machine or mention the authority that Appellants rely on in the Reply Brief. *See* App. Br. 8–9. And Appellants have not explained why they failed to raise this argument earlier.

See Reply Br. 4–8. Appellants have therefore forfeited this untimely argument. See 37 C.F.R. §§ 41.37 (c)(1)(iv), 41.41 (b)(2).

Second, even if Appellants had raised these arguments in the Appeal Brief, we would have found them unpersuasive. In *Alice*, the Supreme Court rejected the argument that claims that recite “specific hardware” configured to perform “specific computerized functions” are patent eligible when the hardware was simply “a handful of generic computer components configured to implement” an abstract idea. *Alice*, 573 U.S. at 226. That is the situation here. Claim 1 recites a processor “configured to” and “further configured” to perform various operations, but the written description explains that the processor is a generic computing device. See Spec. 12: 9–13 (“[T]he processor 40 may have various implementations. For example, the processor 40 may include *any suitable device*, such as a programmable circuit, integrated circuit, memory and I/O circuits, an application specific integrated circuit, microcontroller, complex programmable logic device, other programmable circuits, *or the like*.” (emphases added)). We see nothing in the written description or the claim that suggests that the processor performs unconventional steps. The use of a generic processor to perform the abstract ideas recited in the claims does not provide the necessary inventive concept. In the words of the Federal Circuit, “after *Alice*, there can remain no doubt: recitation of generic computer limitations does not make an otherwise ineligible claim patent-eligible.” *DDR Holdings*, 773 F.3d at 1256.

The other elements recited in claim 1 also fail to provide an inventive concept. The recited “network interface” and “database” are generic components and there is no indication in the claims or the written

description that these components operate in anything but a conventional manner. *See, e.g.*, Spec. 10:24–27 (explaining that network interface 21 “may include . . . any suitable device”), 12:14–17 (explaining that “a non-transitory computer readable medium” may be “any other suitable medium”), 11:19–22 (disclosing that database 118 “may describe a data structure which embodies groups of records or data elements stored in a volatile or non volatile storage media”). Considered separately or together, the generic processor, database, and network interface do not amount to “significantly more” than the abstract ideas recited in claim 1.

For the above reasons, the additional elements recited in claim 1 do not provide “a specific limitation or combination of limitations that are not well-understood, routine, conventional activity in the field.” Revised Guidance, 84 Fed. Reg. at 56. Rather, these elements “simply append[] well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality.” Revised Guidance, 84 Fed. Reg. at 56. As a result, we agree with the Examiner that claim 1 does not recite an inventive concept.

### CONCLUSION

For the above reasons, we sustain the Examiner’s rejection of claim 1 under § 101.

### DECISION

<b>Claims Rejected</b>	<b>Basis</b>	<b>Affirmed</b>	<b>Rejected</b>
1–20	§ 101	1–20	
<b>Summary</b>		1–20	

Appeal 2017-010956  
Application 13/774,491

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

AFFIRMED