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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/898,663	10/05/2010	Jeroen Poeze	CERCA.014A	4227
20995	7590	09/14/2020	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			PAULSON, SHEETAL R.	
			ART UNIT	PAPER NUMBER
			3626	
			NOTIFICATION DATE	DELIVERY MODE
			09/14/2020	ELECTRONIC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte JEROEN POEZE, GREGORY A. OLSEN,
MARCELO LAMEGO, and MASSI JOE E. KIANI

Appeal 2018-006449
Application 12/898,663
Technology Center 3600

Before MAHSHID D. SAADAT, ALLEN R. MacDONALD, and
IRVIN E. BRANCH, *Administrative Patent Judges*.

SAADAT, *Administrative Patent Judge*.

DECISION ON APPEAL¹

Pursuant to 35 U.S.C. § 134(a), Appellant² appeals from the Examiner's decision to reject claims 6–11, 13–15, 41, and 42, which are all the claims pending in this application.³ We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

¹ An oral hearing scheduled for this appeal on May 14, 2020, was waived.

² We use the word “Appellant” to refer to “applicant” as defined in 37 C.F.R. § 1.42(a). Appellant identifies the real party in interest as Cercacor Laboratories, Inc. Appeal Br. 4.

³ Claims 1–5, 12, 16–40, and 43–45 have been canceled.

STATEMENT OF THE CASE

Appellant's disclosure is directed to "portable and handheld personal health organizers that are adapted to be coupled with patient monitors that measure physiological characteristics such as blood glucose level, total hemoglobin, SpO₂, methemoglobin, carboxyhemoglobin, and the like." *See* Spec. ¶ 2. Claim 6 is illustrative of the invention and reads as follows:

6. A personal health organizer device comprising a handheld single screen portable device, the personal health organizer device comprising:
 - a display configured to display information to a user;
 - a first data storage storing instructions for a personal health organizer module and medical data of the user, the medical data including medical history of the user;
 - a first hardware processor configured to execute the stored instructions for the personal health organizer module;
 - an integrated camera configured to capture images;
 - a user input interface configured to receive input from the user;
 - a sensor interface configured to receive physiological reading data from a sensor,
 - wherein the instructions comprise:
 - receiving a first user input from the user via the user input interface to capture an image;
 - capturing an image using the integrated camera in response to receiving the first user input from the user;
 - detecting data fields in the captured image;
 - retrieving the medical data of the user from the first data storage based in part on the detected data fields;
 - displaying the data fields on the display and the retrieved medical data associated with the detected data fields;

receiving a second user input from the user via the user input interface to update the displayed data fields;

updating the medical data corresponding to the displayed data fields in the first storage device in response to receiving the second user input;

sending transmission data including at least the updated medical data corresponding to the displayed data field and the physiological reading data over a network to a remote computer including a second hardware processor, wherein the second hardware processor is configured to:

synchronize second medical data of the user stored in a second data storage based at least in part on the transmission data;

analyze the physiological reading data using the transmission data of the user to determine a physiological measurement; and

send the physiological measurement back to the personal health organizer device over the network; and

displaying the physiological measurement determined by the second hardware processor on the display.

Appeal Br. 40–41 (Claim Appendix).

Claims 6–11, 13–15, 41, and 42 stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. *See* Final Act. 2–5.

ANALYSIS

“Whether a claim is drawn to patent-eligible subject matter is an issue of law that we review de novo.” *SiRF Tech., Inc. v. Int’l Trade Comm’n*, 601 F.3d 1319, 1331 (Fed. Cir. 2010). Arguments Appellant could have made, but chose not to make, are deemed to be waived. *See* 37 C.F.R. § 41.37(c)(1)(iv).

Rejection and Arguments

The Examiner concludes “**Claim 6 is directed to the abstract idea of capturing medical data of a patient, analyzing the captured data, and displaying the analyzed data**, which is directed towards an ‘idea of itself,’ which is an example identified by the courts to be abstract ideas.” Final Act. 2. The Examiner also determines, “The claim(s) do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional computer elements, which are recited at a high level of generality, provide conventional computer functions that do not add meaningful limits to practicing the abstract idea.” *Id.* The Examiner identifies the functions recited in claim 1, as well as claims 7–11, 13–15, 41, and 42, and further explains:

This merely encompasses the abstract idea of collecting information (capturing medical history, physiological reading data, images), analyzing it (analyzing the image for detection of data fields and associating the data fields to captured medical history and analyzing the physiological reading), and displaying certain results of the collection and analysis (displaying the analyzed information) (*Electric Power Group*).

Final Act. 3. The Examiner also determines that the additional elements recited in the claims do not amount to significantly more than the judicial exception because the additional elements pertain to “(a) generic computer structure that serves to perform generic computer functions that serve to merely link the abstract idea to a particular technological environment (i.e. display, input interface, processor, camera, sensor, etc.).” Final Act. 4 (citing Spec. ¶ 8). According to the Examiner, the claims do not recite any limitations that include

[I]mprovements to another technology or technical field;
improvements to the functioning of the computer itself;

applying the judicial exception with, or by use of, a particular machine; effecting a transformation or reduction of a particular article to a different state or thing; adding a specific limitation other than what is well-understood, routine and conventional in the field, or adding unconventional steps that confine the claim to a particular useful application.

Final Act. 5.

Appellant contends claim 6 is not directed to an abstract idea because, similar to the claims in *Enfish*,⁴

[T]he pending claims nonetheless recite a specific implementation of a solution to a problem [and] an improved “personal health organizer device” which allows a care provider to collect a series of physiological measurements and non-measurement patient data using a single device. The recited “personal health organizer device” incorporates a network architecture that improves data analysis and synchronization of such data for the purposes of integrating patient monitoring. In contrast to gathering, viewing, and analyzing various physiological data measured from patient monitoring devices on multiple devices, the claimed device allows such data to be seamlessly integrated into a single, physical device along with non-measurement patient data.

Appeal Br. 17. Appellant argues the disclosed personal health organizer is “a dedicated portable device” that, similar to the claims in *Trading Techs.*,⁵ is directed to a monitoring device that is “seamlessly integrated into a single, physical device along with non-measurement patient data.” See Appeal Br. 18–20. Additionally, Appellant argues that unlike the claims in *Electric Power Group*,⁶ claim 6 recites “inventive technology for performing”

⁴ *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327 (Fed. Cir. 2016).

⁵ *Trading Techs. Int'l, Inc. v. CQG, INC.*, 675 F. App'x 1001 (Fed. Cir. 2017).

⁶ *Electric Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350 (Fed. Cir. 2016).

different recited tasks in a distributed system. Appeal Br. 22–23. With respect to the recited additional elements, Appellant argues that the pending claims, similar to the claims in *DDR Holdings*,⁷ “improve the computer architecture and communication workflow of physiological monitoring devices” and “overcome problems with conventional methods and devices used to view and analyze various non-measurement, non-electronic patient data along with physiological measurement data from multiple patient monitoring devices.” Appeal Br. 26–27; *see also* reply Br. 9 (citing Spec. ¶¶ 6–7). With respect to implementing the recited functions on generic computer components, Appellant argues that “Claim 6 recites a specific, detailed, distributed network architecture between ‘a personal health organizer device’ and a ‘remote computer’ that improves data analysis and synchronization of physiological measurement data and non-measurement data for the purposes of integrating patient monitoring.” Appeal Br. 35 (citing *Digitech*).⁸

Legal Principles

Patent-eligible subject matter is defined in 35 U.S.C. § 101 of the Patent Act, which recites:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

There is, however, an implicit, longstanding exception to patent-eligible subject matter in 35 U.S.C. § 101: “[l]aws of nature, natural

⁷ *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245, 1256 (Fed. Cir. 2014).

⁸ *Digitech Image Techs., LLC v. Elecs. for Imaging, Inc.*, 758 F.3d 1344, 1351 (Fed. Cir. 2014).

phenomena, and abstract ideas are not patentable.” *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 216 (2014) (citation omitted). This exception precludes patenting of “the basic tools of scientific and technological work” from which all inventions spring. *Id.* at 216–17 (quotation marks and citation omitted). Invention or discovery under § 101 is distinguished as being the application of such tools to an end otherwise satisfying the requirements of the patent statutes. *See Gottschalk v. Benson*, 409 U.S. 63, 67 (1972).

The Supreme Court has established a framework for this eligibility determination. Where a claim is directed towards a law of nature, natural phenomena, or abstract idea, the elements of the claim as a whole must ensure that the claim, in practice, amounts to significantly more than a patent on the law of nature, natural phenomena, or abstract idea itself. *Alice*, 573 U.S. at 217–18. In applying this eligibility analysis, our reviewing court has stated, “the decisional mechanism courts now apply is to examine earlier cases in which a similar or parallel descriptive nature can be seen[,] . . . the classic common law methodology for creating law when a single governing definitional context is not available.” *Amdocs (Isr.) Ltd. v. Openet Telecom, Inc.*, 841 F.3d 1288, 1294 (Fed. Cir. 2016) (citation omitted).

In January 2019, the USPTO published revised guidance on the application of § 101. *See* USPTO’s 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. 50 (Jan. 7, 2019) (“Guidance”). Under that guidance (“Step 2A”), the office first looks to whether the claim recites:

- (1) Prong One: any judicial exceptions, including certain groupings of abstract ideas (i.e., mathematical concepts, certain methods of organizing human activity such as a fundamental economic practice, or mental processes); and
- (2) Prong Two: additional elements that integrate the judicial exception into a practical application (*see* MANUAL OF PATENT

EXAMINING PROCEDURE (MPEP) §§ 2106.05(a)–(c), (e)–(h)
(9th ed. Rev. 10. 2019, June 2020)).

Only if a claim (1) recites a judicial exception, and (2) does not integrate that exception into a practical application, do we then (pursuant to the Guidance “Step 2B”) look to whether the claim:

(3) adds a specific limitation beyond the judicial exception that is not well-understood, routine, and conventional in the field (*see* MPEP § 2106.05(d)); or

(4) simply appends well-understood, routine, and conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception.

See Guidance, 84 Fed. Reg. at 56.

We review the appealed rejections for error based upon the issues Appellant identifies, and in light of the arguments and evidence produced thereon. *Ex parte Frye*, 94 USPQ2d 1072, 1075 (BPAI 2010) (precedential) *cited with approval in In re Jung*, 637 F.3d 1356, 1365 (Fed. Cir. 2011) (“[I]t has long been the Board’s practice to require an applicant to identify the alleged error in the examiner’s rejections”). After considering the argued claims in light of the case law presented in this Appeal and each of Appellant’s arguments, we are not persuaded the Examiner’s rejection is in error. We adopt the Examiner’s findings and conclusions as our own, to the extent consistent with our analysis herein. We add the following primarily for emphasis and clarification with respect to the Guidance.

I. Step 2A

Prong One

Pursuant to the Guidance, we find that claim 6 is directed to an abstract idea, and more specifically to a medical diagnostic system including a display, a processor, an integrated camera, a user input interface, a sensor

interface for receiving user input, capturing an image, detecting data fields, and displaying the data fields and the data retrieved from those fields. The recited system further receives a second user input and updates the medical data that is sent for further analysis and measurement of a physiological data and display on the personal health organizer device. As such, we agree with the Examiner's statement that "using communication interfaces to capture data from a camera and a sensor merely gathers information and does not provide an improvement to the communication workflow" is not oversimplifying the claimed invention. *See* Ans. 3.

The Guidance states that the abstract idea exception includes mathematical concepts, certain methods of organizing activity, and mental processes. Guidance, 84 Fed. Reg. at 52. The Guidance describes mental processes as observations, evaluations, judgements, and opinions, where such can be practically performed in the human mind. October 2019 Update: Subject Matter Eligibility 7, accessible at https://www.uspto.gov/sites/default/files/documents/peg_oct_2019_update.pdf. Cases reciting steps of collecting, comparing, and analyzing known information, which are practically performed in the human mind, are provided as examples of such mental processes. *Id.* at 7–8 (citing *Classen*,⁹ *Electric Power Group*).

We determine that claim 6 recites limitations related to an act of judgment and evaluation in the form of the above-cited limitations, which allows a user receive, record, select, and evaluate patient data in data fields, receive additional data to update the data fields with physiological reading and measurement that is analyzed and sent back to be stored or presented on

⁹ *Classen Immunotherapies, Inc. v. Biogen IDEC*, 659 F.3d 1057 (Fed. Cir. 2011) (collecting and comparing known information).

the display. Such acts are characteristic of mental processes, which comprise a category of abstract ideas. Many of these steps—receiving user input and captured data, detecting data fields and displaying patient data in those fields, receiving a second user input, updating the data in the field, and sending the data to be analyzed and measured—involve mental processes, i.e., concepts that are performed in the human mind and can be performed by a person using pen and paper. Guidance, 84 Fed. Reg. at 52. Indeed, the Specification also describes viewing and analyzing different physiological characteristics on separate devices as having limited data analysis or synchronization capabilities that was performed essentially as mental processes. Spec. ¶ 6. Such mental processes are not patent eligible. *E.g.*, *CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366, 1372–73 (Fed. Cir. 2011) (holding that a claim whose “steps can be performed in the human mind, or by a human using a pen and paper” is directed to an “unpatentable mental process[]”) and *FairWarning IP, LLC v. Iatric Systems, Inc.*, 839 F.3d 1089, 1093–94 (Fed. Cir. 2016) (finding claims to “detecting fraud and/or misuse in a computer environment based on analyzing data such as in log files, or other similar records, including user identifier data” to be an ineligible mental process).

We further observe that claim 6 describes functions related to providing certain physiological measurements to the received data and updating the patient data for display, which are directed to “managing personal behavior[,] relationships [and] interactions between people (including social activities, teaching, and following rules or instructions).” Guidance, 84 Fed. Reg. at 52. Pursuant to the Guidance, such limitations are the abstract concept of “[c]ertain methods of organizing human activity.” *Id.*

Prong Two

We are not persuaded the Examiner’s rejection is in error pursuant to Step 2A, Prong Two of the Guidance. Appellant has not shown the claim includes additional elements that improve the underlying computer or other technology. As the Examiner explains, Appellant’s disclosure describes a problem that exists outside “the realm of technology” and “[t]he proposed solution is one that could have been implemented directly by a general purpose computer applied to facilitate the functions at a high level of generality or with the assistance of additional elements performing well-known, conventional functions.” Ans. 9. In fact, Appellant’s Specification does not describe how the solution to the stated problem in conventional methods of receiving, capturing, and analyzing physiological data on separate devices improves the computer technology similar to *Enfish*. Appellant’s alleged improvement to the underlying technology is described as “improve the computer architecture and communication workflow of physiological monitoring devices.” *See* Appeal Br. 26–27. However, the recited steps of receiving physiological reading data, retrieving and updating the user medical data, determining a physiological measurement, and sending the data to a network system for processing and storage merely involve sending/receiving data, adding different types of data, and storing/displaying the modified data.

The recited steps involve functions that do not improve the computer or its components’ functionality or efficiency, or otherwise change the way those devices function, at least in the sense contemplated by the Federal Circuit in *Enfish*, despite Appellant’s arguments to the contrary (Reply Br. 4–6). The claimed self-referential table in *Enfish* was a specific type of data

structure designed to improve the way a computer stores and retrieves data in memory. *Enfish*, 822 F.3d at 1339. To the extent Appellant contends that the claimed invention uses such a data structure or using the stored medical information to improve a computer’s functionality or efficiency, or otherwise change the way that device functions, there is no persuasive evidence on this record to substantiate such a contention.

Additionally, we are unpersuaded by Appellant’s argument that the claimed invention is rooted in computer technology the way the claims in *DDR* were. Unlike the inventive concept found in *DDR* (modification of conventional mechanics behind website display to produce dual-source integrated hybrid display where “the claimed solution is necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks”) (*see* Appeal Br. 26), the claims at issue here merely require “off-the-shelf, conventional, computer, network, and display technology.” *See DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245, 1257 (Fed. Cir. 2014).

Additionally, “merely adding computer functionality to increase the speed or efficiency of the process does not confer patent eligibility on an otherwise abstract idea.” *Intellectual Ventures I LLC v. Capital One Bank (USA)*, 792 F.3d 1363, 1370 (Fed. Cir. 2015). Moreover, Appellant’s purportedly improved abstract concept of collecting a series of physiological measurements and non-measurement patient data using an integrated camera, processing and sending data to a network system for processing and storage (Appeal Br. 26–27), is still an abstract concept under the Guidance. *See Synopsys, Inc. v. Mentor Graphics Corp.*, 839 F.3d 1138, 1151 (Fed. Cir. 2016) (holding that “a claim for a new abstract idea is still an abstract

idea”) (emphasis omitted). That is, monitoring and recognizing manual activities by receiving, storing, and transmitting information, even performed on a computer, are parts of the recited abstract idea, as discussed above. *See also* Ans. 8–9.

In other words, unlike the claimed invention in *McRO* that improved how the physical display operated to produce better quality images, the claimed invention here merely uses generic computing components to collect and process medical information for analysis presented on a remote device. This generic computer implementation is not only directed to a mental process, but also does not improve the underlying technology, such as a display mechanism as was the case in *McRO*. *See* Reply Br. 3; *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”); *see also SAP Am. v. InvestPic, LLC*, 898 F.3d 1161, 1167 (Fed. Cir. 2018) (distinguishing *McRO*).

Additionally, the holding in *Core Wireless Licensing S.A.R.L. v. LG Elec., Inc.*, 880 F.3d 1356 (Fed. Cir. 2018), shows why the abstract ideas in this case are not integrated into a practical application. *See* Reply Br. 3. Unlike Appellant’s claim 6, the claims in *Core Wireless* recited an improved user interface. 880 F.3d at 1362. The claimed “application summary” specified a particular manner to access a summary window, a particular type of data to be displayed in the summary window, and a particular time to display the summary window when an application is in an un-launched state. *Id.* at 1362–63. The claims thus recited a specific improvement to user interfaces that displayed a limited set of information using unconventional

user interface methods. *Id.* at 1363.

As the argued elements are part of the abstract idea, they are not additional elements that integrate the identified abstract idea into a practical application. *See* Guidance, 84 Fed. Reg. 54–55 (“[E]valuate integration into a practical application by: (a) Identifying whether there are any additional elements recited in the claim beyond the judicial exception(s)”).

Accordingly, we determine the claim does not integrate the judicial exception into a practical application. *See* Guidance, 84 Fed. Reg. at 54. Because we determine the “claim recites a judicial exception and fails to integrate the exception into a practical application,” we proceed with “further analysis pursuant to the second step of the *Alice/Mayo* test (USPTO Step 2B).” Guidance, 84 Fed. Reg. at 51.

II. Step 2B

We agree with the Examiner that the claims include additional elements that “perform functions that are well-known, routine, and conventional in the field.” Ans. 10. As further explained by the Examiner, 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. *See* Ans. 10 (citing *Ultramercial, Inc. v. Hulu, LLC*, 772 F.3d 709, 715 (Fed. Cir. 2014) (“The process of receiving copyrighted media, selecting an ad, offering the media in exchange for watching the selected ad, displaying the ad, allowing the consumer access to the media, and receiving payment from the sponsor of the ad all describe an abstract idea, devoid of a concrete or tangible application.”)). We also agree with the Examiner that Appellant’s claims are different from the claims in *Amdocs*, 841 F.3d at 1294 (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”). *See* Ans. 10–11. In other words, as explained by the Examiner (Ans. 11), the Court in *Amdocs* stated “the claim’s enhancing limitation requires that these generic components operate in an unconventional manner to achieve an improvement in computer functionality” and “[t]he enhancing limitation depends not only on the invention’s distributed architecture, but also depends upon the network devices and gatherers—even though these may be generic—working together in a distributed manner.” We agree with the Examiner that “[t]he current claim limitations do not provide such ‘enhancements,’ but merely an efficient and accurate manner to carry out the invention.” *Id.*

Regarding the other elements, we observe that the claimed display, input interface, processor, camera, sensor system, and display devices merely amount to the application or instructions to apply the abstract idea (i.e., a series of steps for collecting and processing medical information for analysis presented on a remote device which amount to nothing more than requiring a generic computer system (e.g. processor, memory, databases and electronic devices) to merely carry out the abstract idea itself. *See* Spec. ¶ 90 (describing the built-in camera as CCD or CMOS cameras); ¶ 126 (describing user interface 112 as “a touch-screen display, an LCD display, an organic LED display, or the like”); ¶ 127 (describing generic computing components such as storage devices, signal processor, network interface, and controllers). Using generic computer components to perform abstract ideas does not provide the necessary inventive concept. *See Alice*, 573 U.S. at 223

("[T]he mere recitation of a generic computer cannot transform a patent-ineligible abstract idea into a patent-eligible invention."). Thus, these elements, taken individually or together, do not amount to "significantly more" than the abstract ideas themselves. Therefore, the claims have not been shown to be "significantly more" than the abstract idea.

Additionally, we note the Examiner has made the above findings as required by the notice requirement of 35 U.S.C. § 132. *See also In re Jung*, 637 F.3d at 1363 (declining "to impose a heightened burden on examiners beyond the notice requirement of § 132"). In rejecting the pending claims under § 101, the Examiner notified Appellant that the claims recite steps that describe the abstract concept of receive, record, select, and evaluate patient data in data fields, receive additional data to update the data fields with physiological reading and measurement that is analyzed and sent back to be stored or presented on the display, a method of organizing human activity or mental processes, and that the claims do not include additional elements that would amount to significantly more than the abstract idea. *See Final Act. 2–6*. In particular, contrary to Appellant's assertions (Reply Br. 7–8) and in accordance with *Berkheimer v. HP Inc.*, 881 F.3d 1360, 1368 (Fed. Cir. 2018), the Examiner specifically referred to the decision in *Amdoc* stating that "the role of a computer in a computer implemented invention would only be meaningful in a 101 analysis if it involved more than the performance of a 'well-understood, routine, and conventional activities previously known to the industry.'" Ans. 10. The Examiner also correctly found that "[t]he current claim limitations do not provide such 'enhancements,' [similar to those identified in *Amdoc*] but merely an efficient and accurate manner to carry out the invention." Ans. 11. The

Examiner specifically cited portions of Appellant’s Specification and Court decisions to establish the recited database-related functions, storing and retrieving information, and transmitting data over a network constitute elements that are well-understood, routine and conventional to a skilled artisan. Final Act. 3–4; Ans. 3–5.

OTHER § 101 ISSUES

Preemption

We are also unpersuaded by Appellant’s argument that the pending claims do not preempt “any ‘building blocks of human ingenuity.’” Appeal Br. 24. As stated by the Examiner, “[w]hile preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility.” Ans. 7.

While preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility. . . . 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.

Ariosa Diagnostics, Inc. v. Sequenom, Inc., 788 F.3d 1371, 1379 (Fed. Cir. 2015) (citing *Mayo Collaborative Servs v. Prometheus Labs. Inc.*, 566 U.S. 66 (2012)); *see also OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1362–63 (Fed. Cir. 2015).

Conclusion

For at least the above reasons, we agree with the Examiner that claim 6 is “directed to” an abstract idea and do not recite an “inventive concept.” Accordingly, we sustain the Examiner’s rejection of claim 6, as well as the

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remaining claims which fail to include additional elements that add significantly more to the abstract idea, under 35 U.S.C. § 101.

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
6–11, 13–15, 41, 42	101	Eligibility	6–11, 13–15, 41, 42	

FINALITY AND RESPONSE

No time 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