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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte MICHAEL ZHAO, JEREMY PASTORE, and
ARUN ELANGO VAN

Appeal 2018-006465
Application 14/575,058
Technology Center 3600

Before JEAN R. HOMERE, JEREMY J. CURCURI, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

HOMERE, *Administrative Patent Judge*.

DECISION ON APPEAL

I. STATEMENT OF THE CASE¹

Pursuant to 35 U.S.C. § 134(a), Appellant² appeals from the Examiner's decision to reject claims 1–20. Appeal Br. 1. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ We refer to the Specification, filed Dec. 18, 2014 (“Spec.”); Final Office Action, mailed Oct. 5, 2017 (“Final Act.”); Appeal Brief, filed December 4, 2017 (“Appeal Br.”); Examiner’s Answer, mailed Apr. 5, 2018 (“Ans.”), and Reply Brief, filed June 5, 2018 (“Reply Br.”).

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 Mastercard International, Inc. Appeal Br. 2.

II. CLAIMED SUBJECT MATTER

According to Appellant, the claimed subject matter relates to a method and a processing server in a payment network for suppressing payment transactions associated with a user's account based on threshold levels per industry set by the user to prevent overspending in particular industries. Spec. ¶¶ 1, 5–6.

Claims 1 and 11 are independent. Claim 1, reproduced below is illustrative of the claimed subject matter:

1. A method for suppressing payment transactions based on industry classification, comprising:
 - storing, in an account database of a processing server of a payment network, an account profile, wherein the account profile includes data related to one or more transaction accounts including at least a plurality of industry thresholds, each industry threshold being associated with a merchant industry;
 - receiving, by a receiving device of the processing server of the payment network, an authorization request for a payment transaction, wherein the authorization request includes at least a transaction amount and a merchant identifier associated with a merchant involved in the payment transaction;
 - identifying, by a processing device of the processing server of the payment network, a specific merchant industry associated with the merchant involved in the payment transaction based on at least the merchant identifier;
 - processing, by the processing device of the processing server of the payment network, the payment transaction using the payment network if the transaction amount does not exceed an industry threshold of the plurality of industry thresholds associated with the specific merchant industry; and
 - transmitting, by a transmitting device of the processing server of the payment network, an authorization response declining the payment transaction if the transaction amount exceeds the industry threshold of the plurality of industry thresholds associated with the specific merchant industry.

III. REJECTIONS

The Examiner rejects claims 1–20 under 35 U.S.C. § 101 as not directed to patent eligible subject matter. Final Act. 3–8.

IV. ANALYSIS

1. Patent Eligibility Rejection

An invention is patent-eligible if it claims a “new and useful process, machine, manufacture, or composition of matter.” 35 U.S.C. § 101. However, the U.S. Supreme Court has long interpreted 35 U.S.C. § 101 to include implicit exceptions: “[l]aws of nature, natural phenomena, and abstract ideas” are not patentable. *E.g., Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 216 (2014).

In determining whether a claim falls within an excluded category, we are guided by the Court’s two-step framework, described in *Mayo* and *Alice*. *Alice*, 573 U.S. at 217–18 (citing *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66, 75–77 (2012)). In accordance with that framework, we first determine what concept the claim is “directed to.” *See Alice*, 573 U.S. at 219 (“On their face, the claims before us are drawn to the concept of intermediated settlement, *i.e.*, the use of a third party to mitigate settlement risk.”); *see also Bilski v. Kappos*, 561 U.S. 593, 611 (2010) (“Claims 1 and 4 in petitioners’ application explain the basic concept of hedging, or protecting against risk.”).

Concepts determined to be abstract ideas, and thus patent ineligible, include certain methods of organizing human activity, such as fundamental economic practices (*Alice*, 573 U.S. at 219–20; *Bilski*, 561 U.S. at 611); mathematical formulas (*Parker v. Flook*, 437 U.S. 584, 594–95 (1978)); and

mental processes (*Gottschalk v. Benson*, 409 U.S. 63, 67 (1972)). Concepts determined to be patent eligible include physical and chemical processes, such as “molding rubber products” (*Diamond v. Diehr*, 450 U.S. 175, 191 (1981)); “tanning, dyeing, making water-proof cloth, vulcanizing India rubber, smelting ores” (*Diehr*, 450 U.S. at 182 n.7 (quoting *Corning v. Burden*, 56 U.S. 252, 267–68 (1854))); and manufacturing flour (*Benson*, 409 U.S. at 69 (citing *Cochrane v. Deener*, 94 U.S. 780, 785 (1876))).

In *Diehr*, the claim at issue recited a mathematical formula, but the Court held that “[a] claim drawn to subject matter otherwise statutory does not become nonstatutory simply because it uses a mathematical formula.” *Diehr*, 450 U.S. at 176; *see also id.* at 191 (“We view respondents’ claims as nothing more than a process for molding rubber products and not as an attempt to patent a mathematical formula.”). Having said that, the Court also indicated that a claim “seeking patent protection for that formula in the abstract . . . is not accorded the protection of our patent laws, and this principle cannot be circumvented by attempting to limit the use of the formula to a particular technological environment.” *Id.* (citation omitted) (citing *Benson* and *Flook*), *id.* at 187 (“It is now commonplace that an *application* of a law of nature or mathematical formula to a known structure or process may well be deserving of patent protection.”).

If the claim is “directed to” an abstract idea, we turn to the second step of the *Alice* and *Mayo* framework, where “we must examine the elements of the claim to determine whether it contains an ‘inventive concept’ sufficient to ‘transform’ the claimed abstract idea into a patent-eligible application.” *Alice*, 573 U.S. at 221. “A claim that recites an abstract idea must include ‘additional features’ to ensure ‘that the [claim] is

more than a drafting effort designed to monopolize the [abstract idea].” *Id.* (alterations in original) (quoting *Mayo*, 566 U.S. at 77). “[M]erely requir[ing] generic computer implementation[] fail[s] to transform that abstract idea into a patent-eligible invention.” *Id.*

The Office published revised guidance on the application of Section 101. *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. 50–57 (Jan. 7, 2019) (“2019 PEG”). Recently, the Office published an update to that guidance. *October 2019 Patent Eligibility Guidance Update*, 84 Fed. Reg. 55,942 (hereinafter “PEG Update”). Under the 2019 PEG and PEG Update, we first look to whether the claim recites:

- (1) 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) additional elements that integrate the judicial exception into a practical application (*see* MPEP § 2106.05(a)–(c), (e)–(h)).³

See 2019 PEG, 52, and 55–56. Only if a claim: (1) recites a judicial exception; and (2) does not integrate that exception into a practical application, does the office then look to whether the claim:

- (3) adds a specific limitation beyond the judicial exception that is not “well-understood, routine, conventional” in the field (*see* MPEP § 2106.05(d)); or
- (4) simply appends well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception.

See 2019 PEG 56.

³ All references to the MPEP are to Rev. 08.2017 (Jan. 2018).

We analyze the patent-eligibility rejection with the principles identified above in mind.

Examiner's Findings and Conclusions

In the first part of the *Alice* inquiry, the Examiner determines that claims 1–20 are directed to “a series of behavioral activities including e.g. storing, in an account database, an account profile ... , receiving ... an authorization request. ... , identifying ... a specific merchant industry ... , processing ... the payment transaction if the transaction amount does not exceed an industry threshold ... , and transmitting ... an authorization response ...” Final Act. 3–4. According to the Examiner, these underlying steps, “when viewed individually and in combination, constitute an abstract idea of certain methods of organizing human activity.” *Id.* at 4. Final Act. 2–3. Further, the Examiner determines the “data processing involved in the claims (e.g. identifying ... a specific merchant industry ... based on at least the merchant identifier, processing ... the payment transaction if the transaction amount does not exceed an industry threshold) ...” involves “collecting and comparing known information” (*Classen*), “obtaining and comparing intangible data” (*Cybersource*), ..., and displaying certain results of the collection and analysis” (*Electric Power Group*), and “comparing information regarding a sample or test subject to a control or target data” (*Ambry/Myriad CAFC*); *Id.* Furthermore, the Examiner determines that the claims are not directed to improving computer technology, but to improving the abstract idea itself. *Id.* at 4–5.

In the second part of the *Alice* inquiry, the Examiner determines the claims do not recite additional elements sufficient to amount to significantly more than the abstract idea. *Id.* at 5. According to the Examiner, the claim

recitations of “collecting data (‘receiving ... an authorization request for a payment transaction ... receiving ... a notification from the computing device indicating approval. .. receiving ... a request. .. requesting resetting of the industry threshold ...’) and performing of generic computer functions (e.g. identifying ... a specific merchant industry ... , processing ... the payment transaction ... , resetting ... the industry threshold ... , and transmitting data/information via network) are well-understood, routine and conventional activities previously known to the industry.” *Id.* at 5–6.

Appellant’s Contentions

Appellant argues while the claims recite “a series of steps for suppressing payment transaction[s] based on industry classification,” the recited steps of receiving authorization request for payment transaction, processing the request, and transmitting authorization to a merchant if the requested amount does not exceed a threshold for a particular category take place in a processing server of a payment network. Appeal Br. 6–7.

Appellant argues that the Specification defines the “authorization request” as a special type of transaction message with formatted data that must adhere to standards governing the exchange of messages related to financial transactions. Appeal Br. 7. Likewise, Appellant argues that the Specification defines the payment network as one utilizing a specialized infrastructure and protocols for transmitting the authorization requests and messages as part of processing payment transactions. *Id.* Accordingly, Appellant submits that one of ordinary skill would appreciate such a payment network for processing authorization requests is not conventional or routine. *Id.* Further, Appellant argues because the payment network uses a processing server that itself cuts the number of transactions in half as well

as reduces the processing load of financial institutions, it is directed to an improvement over routine and traditional four party payment transaction processing systems. *Id.* at 8–9. Furthermore, Appellant argues that because the claimed methodology of processing the authorization request at a processing server within the payment network provides a technological solution, arising within the realm of networks, that reduces bandwidth and processing times in a payment processing system, it is directed to patent eligible subject matter. *Id.* at 9–10.

Our Review

Applying the guidance set forth in the 2019 PEG, we determine whether the Examiner has erred in rejecting the claims as directed to patent ineligible subject matter.

In revised step 1 of the 2019 PEG, we consider whether the claimed subject matter falls within the four statutory categories of patent-eligible subject matter identified by 35 U.S.C. § 101: process, machine, manufacture, or composition of matter. Because independent claim 1 recites a “method” including a number of steps, claim 1 falls within the “process” category of patent-eligible subject matter. Because independent claim 11 recites a “system” including a processor for performing various functions, claim 11 falls within the “machine” category of patent-eligible subject matter.

In prong 1 of revised step 2A of the 2019 PEG, we determine whether any judicial exception to patent eligibility is recited in the claims. The guidance identifies three judicially-excepted groupings of abstract ideas: (1) mathematical concepts; (2) certain methods of organizing human activity, such as fundamental economic practices; and (3) mental processes.

Independent claim 1 recites, *inter alia*, the following claim steps performed by a processing server:

- (1) storing in an account database transaction accounts including a merchant industry threshold;
- (2) receiving an authorization request for a payment transaction ;
- (3) identifying a merchant industry associated with the payment transaction;
- (4) processing the payment transaction if the transaction amount does not exceed an industry threshold; and
- (5) transmitting an authorization response declining the payment transaction if the transaction amount exceeds the industry threshold.

As an initial matter, we note Appellant does not dispute the Examiner’s determination that these limitations relate to the abstract idea of “suppressing payment transaction[s] based on industry classification,” which has been identified as a fundamental economic practice long prevalent in commerce. Appeal Br. 6. Therefore, we find unrebutted the Examiner’s determination that the recited steps of “storing, in an account database, an account profile ... , receiving ... an authorization request. .. , identifying ... a specific merchant industry ... ,processing ... the payment transaction if the transaction amount does not exceed an industry threshold ... , and transmitting ... an authorization response),” are directed to “[c]ertain methods of organizing human activity.” 84 Fed. Reg. 52. We have reviewed the claim in light of our guidance and we agree with the Examiner that independent claims 1 and 11 recite the judicial exception of organizing

human activity such as suppressing payment transaction[s] based on industry classification in a series of steps performed by the processing server.

Having determined that the claims recite a judicial exception, our analysis under the 2019 PEG turns now to determining whether there are “additional elements that integrate the judicial exception into a practical application.” *See* MPEP § 2106.05(a)–(c), (e)–(h).⁴ “Integration into a practical application” requires an additional element or a combination of additional elements in the claim to apply, rely on, or use the judicial exception in a manner that imposes a meaningful limit on the judicial exception, such that the claim is more than a drafting effort designed to monopolize the exception. 2019 PEG at 53.

Appellant’s claims 1 and 11 recite computer-related limitations (e.g., a processing server of a payment network). Appellant argues the following:

Persons having ordinary skill in the art will readily understand that an “authorization request” is a special type of transaction message, where transaction messages are specially formatted data messages that must adhere to standards governing the exchange thereof as related to financial transactions. In addition, payment networks, as defined in the

⁴ Specifically, we determine whether the claims recite:

- (i) an improvement to the functioning of a computer [(or a mobile device)];
- (ii) an improvement to another technology or technical field;
- (iii) an application of the abstract idea with, or by use of, a particular machine;
- (iv) a transformation or reduction of a particular article to a different state or thing; or
- (v) other meaningful limitations beyond generally linking the use of the abstract idea to a particular technological environment.

Id.

present specification, utilize specialized infrastructure and protocols for transmitting authorization requests and other messages as part of the processing of payment transactions.

Appeal Br. 7.

The invention recited in the appealed claims provides for a technical improvement over this type of system architecture. Specifically, in the appealed claims, the processing server will itself decline a transaction and provide the corresponding authorization response if an application merchant industry threshold will be exceeded by the transaction. This leads to several benefits over traditional systems. By the payment network performing the decline, there is no transmission of the authorization request to the issuer, processing performed by the issuer, or transmission of the authorization response from the issuer to the payment network. The claimed invention thus cuts the number of transmissions in half as well as reduces the processing load of issuing financial institutions. Transaction times for payment transactions are often measured in milli- or even nanoseconds, with the number of payment transactions processed via payment networks on any given day being in the hundreds of millions, and thus the ability to cut the number of transmissions in half provides for a drastic increase in system efficiency and processing feed and a significant decrease in used bandwidth.

Id. at 8.

We do not find the computer-related limitations are sufficient to integrate the judicial exception into a practical application. The Specification does not provide additional details about the processing server that would distinguish it from any generic processing device with storage in a stand-alone or network environment. Spec. ¶ 20. Although we agree that the processing server includes specific instructions for performing the recited steps, Appellant has not explained persuasively how the claimed data

structures and thresholds improve the way the processing server stores and retrieves data in memory. *See* MPEP § 2106.05(a). Rather, the claims merely adapt the method of organizing the human activity of suppressing payment transaction[s] based on industry classification in a series of steps performed by the processing server. *See Credit Acceptance Corp. v. Westlake Servs.*, 859 F.3d 1044, 1055 (Fed. Cir. 2017) (“Our prior cases have made clear that mere automation of manual processes using generic computers does not constitute a patentable improvement in computer technology.”); *see also Bancorp Services, L.L.C. v. Sun Life Assurance Co. of Canada (U.S.)*, 687 F.3d 1266, 1278 (Fed. Cir. 2012) (A computer “employed only for its most basic function . . . does not impose meaningful limits on the scope of those claims.”).

Further, Appellant’s identified improvements relate to the abstract idea itself, not improvements to a technology or computer functionality. We agree with Appellant that, by screening each payment request to determine whether to authorize a transaction request, the processing server cuts the number of transmissions and the processing load in the payment network, and thereby decreases the overall bandwidth and processing feed on the network. However, the claims do not recite technical improvements to the payment network, nor does the Specification provide a specific layout for an improved payment network. Although Appellant alleges that the payment network needs to adhere to a specific infrastructure and protocol for transmitting specially formatted data, Appellant has not shown where in the claims or the Specification those unique features of the network are disclosed. Instead, the claims and Specification merely recite restructuring the network by using the processing server to screen transaction requests

thereby cutting down the amount of transmissions and processing thereon. Spec. ¶ 20. Thus, on the record before us, the cited claimed operations for suppressing payment transaction[s] exceeding a threshold based on industry classification limitations do not improve the functionality of the processing server by, nor do they achieve an improved technological result in conventional industry practice. *McRO, Inc. v. Bandai Namco Games Am., Inc.*, 837 F.3d 1299, 1316 (Fed. Cir. 2016). Instead, the claim limitations merely use the processing server to improve the human activity of suppressing payment transaction[s] based on industry classification.

Because claim steps 1–5, outlined above, do not (1) provide any technical solution to a technical problem as determined in *DDR Holdings*;⁵ (2) provide any particular practical application as determined in *BASCOM*;⁶ or (3) entail an unconventional technological solution to a technological problem as determined in *Amdocs*,⁷ we agree with the Examiner’s determination that Appellant’s claims 1 and 11 are directed to an abstract idea that is not integrated into a practical application.

⁵ See *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014). The Federal Circuit found *DDR*’s claims are patent-eligible under 35 U.S.C. § 101 because *DDR*’s claims: (1) do not merely recite “the performance of some business practice known from the pre-Internet world” previously disclosed in *Bilski* and *Alice*; but instead (2) provide a technical solution to a technical problem unique to the Internet, i.e., a “solution . . . necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks.” *DDR*, 773 F.3d at 1257.

⁶ See *BASCOM Glob. Internet Servs., Inc. v. AT&T Mobility LLC*, 827 F.3d 1341 (Fed. Cir. 2016).

⁷ See *Amdocs Ltd. v. Openet Telecom, Inc.*, 841 F.3d 1288 (Fed. Cir. 2016).

Alice/Mayo—Step 2B (Inventive Concept)

Turning to step 2B of the 2019 PEG, we look to whether the claim: (a) recites a specific limitation or combination of limitations that are not well-understood, routine, conventional activity in the field; or (b) simply appends well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception. 84 Fed. Reg. 56; *see Alice*, 573 U.S. at 217 (“[W]e consider the elements of each claim both individually and ‘as an ordered combination’” to determine whether the claim includes “significantly more” than the ineligible concept); *see also BASCOM*, 827 F.3d at 1350 (“[A]n inventive concept can be found in the non-conventional and non-generic arrangement of known, conventional pieces.”).

Appellant argues the following:

[T]he appealed claims recite the use of a non-routine and unconventional system architecture in terms of how payment transactions are processed via the use of thresholds associated with merchant industries. The result is a technical improvement in the realm of transaction processing networks, where the number of transmissions can be reduced significantly and issuers completely removed from the transaction processing process in cases where a merchant industry threshold level is exceeded. The Applicant has thus improved an existing technological process, which is sufficient for patent eligibility as set forth in *Alice*. In addition, the claims recite a technical solution to a technical problem arising in the realm of computing networks, specifically as to how to reduce bandwidth and processing times for an overworked payment processing system, where such solutions have been found to be patent eligible in *DDR Holdings* and *Enfish*. Thus, the Appellant respectfully submits that the appealed claims are directed toward patent-eligible subject matter for at least the above reasons.

Appeal Br. 8–9.

We discern no additional element or combination of elements recited in Appellant’s independent claims 1 and 11 that contain any “inventive concept” or add anything “significantly more” to transform the abstract concept into a patent-eligible application. *Alice*, 573 U.S. at 221. We are not persuaded by Appellant’s remarks, noted above, alleging that the claims are directed to a non-routine and unconventional system architecture in terms of how payment transactions are processed via the use of thresholds associated with merchant industries. We agree with the Examiner that using a generic computer upfront to collect, analyze, process data and displaying the result in the manner suggested is a routine and conventional approach to data management, as well as to reduce bandwidth consumption in a network. Final Act. 4. As noted above, Appellant does not direct our attention to any portion of the Specification indicating that the claimed processor performs anything other than well-understood, routine, and conventional functions, such as receiving, analyzing, processing, and displaying data. *See Elec. Power Group, LLC v. Alstom S.A.*, 830 F.3d 1350, 1355 (Fed. Cir. 2016) (“Nothing in the claims, understood in light of the [S]pecification, requires anything other than off-the-shelf, conventional computer, network, and display technology for gathering, sending, and presenting the desired information.”); *see also buySAFE, Inc. v. Google, Inc.*, 765 F.3d 1350, 1355 (Fed. Cir. 2014) (“That a computer receives and sends the information over a network—with no further specification—is not even arguably inventive.”); *Alice*, 573 U.S. at 224–26 (receiving, storing, sending information over networks insufficient to add an inventive concept). Instead, Appellant’s claimed subject matter simply uses generic computer components (computer system) to perform the abstract idea of suppressing payment transaction[s]

based on industry classification. Appeal Br. 8; *see also* Spec. ¶ 20. As noted above, the use of a generic computer does not alone transform an otherwise abstract idea into patent-eligible subject matter. As our reviewing court has observed, “after *Alice*, there can remain no doubt: recitation of generic computer limitations does not make an otherwise ineligible claim patent-eligible.” *DDR*, 773 F.3d at 1256 (citing *Alice*, 573 U.S. at 223).

Because the discussed claim elements only recite generic computer functions that are well-understood, routine, and conventional, the claim is devoid of an inventive concept. *See Alice*, 573 U.S. at 217. Appellant is reminded that “the ‘inventive concept’ [under the second part of the *Mayo/Alice* test] cannot be the abstract idea itself” and “*Berkheimer* . . . leave[s] untouched the numerous cases from this court which have held claims ineligible because the only alleged ‘inventive concept’ is the abstract idea.” *Berkheimer v. HP Inc.*, 890 F.3d 1369, 1374 (Fed. Cir. 2018) (Moore, J., concurring). “It has been clear since *Alice* that a claimed invention’s use of the ineligible concept to which it is directed cannot supply the inventive concept that renders the invention ‘significantly more’ than that ineligible concept.” *BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d 1281, 1290 (Fed. Cir. 2018). We, therefore, agree with the Examiner that the computer functions recited in the claims were, in fact, generic, and are met by numerous precedent establishing that using a generic computer to expedite and automate processes traditionally performed manually, or that are otherwise abstract, is a well-understood, routine, and conventional use of such computers. Final Act. 10; *see also, e.g., Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1321 (Fed. Cir. 2016) (utilizing an intermediary computer to forward information); *Bancorp Services*,

L.L.C., 687 F.3d at 1278 (“The computer required by some of Bancorp’s claims is employed only for its most basic function, the performance of repetitive calculations, and as such does not impose meaningful limits on the scope of those claims.”). Therefore, we conclude that claim 1’s elements, both individually and as an ordered combination, do not provide an inventive concept. *See* 84 Fed. Reg. 56; *Berkheimer v. HP Inc.*, 881 F.3d 1360, 1370 (Fed. Cir. 2018) (“The limitations amount to no more than performing the abstract idea of parsing and comparing data with conventional computer components.”); *Bancorp*, 687 F.3d at 1278 (“[T]he use of a computer in an otherwise patent-ineligible process for no more than its most basic function—making calculations or computations—fails to circumvent the prohibition against patenting abstract ideas and mental processes.”).

To the extent Appellant argues the claims necessarily contain an “inventive concept” based on their alleged novelty or non-obviousness over the cited references, Appellant misapprehends the controlling precedent. Although the second part in the *Alice/Mayo* framework is termed a search for an “inventive concept,” the analysis is not an evaluation of novelty or non-obviousness, but, rather, a search for “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 217–218 (quoting *Mayo* 566 U.S. 72–73). A novel and nonobvious claim directed to a purely abstract idea is, nonetheless, patent-ineligible. *See Mayo*, 566 U.S. at 90.

Appellant is further reminded that, in many cases, “relying on a computer to perform routine tasks more quickly or more accurately is

insufficient to render a claim patent eligible.” *OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1363 (Fed. Cir. 2015) (citing *Alice*, 573 U.S. at 224) (“[U]se of a computer to create electronic records, track multiple transactions, and issue simultaneous instructions” is not an inventive concept.); *see also, e.g., Intellectual Ventures I LLC v. Capital One Bank*, 792 F.3d at 1370 (“[M]erely adding computer functionality to increase the speed or efficiency of the process does not confer patent eligibility on an otherwise abstract idea.”). Therefore, the functions recited in independent claims 1 and 11 do not add meaningful limitations beyond generally linking the abstract idea to the particular technological environment. *See* Final Act 4–6.

Because Appellant’s claims 1 and 11 are directed to a patent-ineligible abstract concept and do not recite something “significantly more” under the second part of the *Alice* analysis, we sustain the Examiner’s rejection of independent claims 1 and 14 under 35 U.S.C. § 101.

Appellant does not present additional arguments for dependent claims 2–10, and 12–20. Accordingly, for the same reasons as set forth for independent claims 1 and 11, we sustain the Examiner’s 35 U.S.C. § 101 rejection of dependent claims 2–10 and 12–20.

VI. CONCLUSION

We affirm the Examiner’s patent eligibility rejections of claims 1–20 under 35 U.S.C. § 101.

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1-20	101	Eligibility	1-20	

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). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED