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EXAMINER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte CHRISTOPHER P. JONES,
JONATHAN LENCHNER, and NATHAN E. MASTERS

Appeal 2018-006728
Application 13/920,292
Technology Center 3600

Before MAHSHID D. SAADAT, JOHN P. PINKERTON, and
SCOTT E. BAIN, *Administrative Patent Judges*.

PINKERTON, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's Final Rejection of claims 1–20, which are all of the claims pending in the application.¹ We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

¹ We use the word “Appellant” to refer to “applicant” as defined in 37 C.F.R. § 1.42. Appellant identifies International Business Machines Corporation as the real party in interest. Appeal Br. 2.

STATEMENT OF THE CASE

Introduction

Appellant generally describes the disclosed and claimed invention as relating “to a distributed object tracking approach that utilizes a self-sufficient tracking device attached to an object, which indicates a deviation to the objects expected route by comparing the object’s expected route to expected routes of nearby objects.” Spec ¶ 1.²

Claims 1, 9, and 16 are independent. Claim 1 is representative of the subject matter on appeal and is reproduced below (with paragraph notations added):

1. A method for tracking objects, implemented by an information handling system, comprising:
 - (a) loading, into a first tracking device at a first source location, a first route of a first package, wherein the first route includes the first source location and a first destination location of the first package;
 - (b) in response to the first package departing the first source location:
 - (c) transmitting, by the first tracking device, a request message to a plurality of second tracking devices;
 - (d) in response to transmitting the request message, receiving, at the first tracking device attached to the first package, a plurality of second routes from the plurality of second tracking devices each attached to one of a plurality of second packages, wherein each of the plurality of second routes includes one or more second source locations and one or more

² Our Decision refers to the Final Office Action mailed Oct. 16, 2017 (“Final Act.”); the Appeal Brief filed Mar. 08, 2018 (“Appeal Br.”); the Reply Brief filed June 13, 2018 (“Reply Br.”); the Examiner’s Answer mailed Apr. 18, 2018 (“Ans.”); and the original Specification filed June 18, 2013 (“Spec.”).

second destination locations corresponding to its respective attached one of the plurality of second packages;

(e) determining, by the first tracking device, that an amount of the plurality of second routes reaches a threshold;

(f) comparing, by the first tracking device in response to the determination, the first route of the first package with at least one of the plurality of second routes corresponding to at least one of the plurality of second packages; and

(g) generating a notification, by the first tracking device, that indicates the first package is deviating from the first route in response to the comparison.

Appeal Br. 11 (Claims App.).

Rejection on Appeal

Claims 1–20 stand rejected under 35 U.S.C. § 101 as being directed to unpatentable subject matter, i.e., to a judicial exception without significantly more. Final Act. 6–10.

ANALYSIS

A. Examiner’s Findings and Conclusions, and Appellant’s Contentions

The Examiner finds that claims 1–20 are directed to the abstract idea of “comparing a first route loaded into a first package’s tracking device, against received second packages’ routes from second packages’ tracking devices in order to generate a notification that, post-departure, the first package is deviating from the first route.” Final Act. 7; *see also* Ans. 5–6. In particular, the Examiner finds that this abstract idea or concept is described by the “loading,” “transmitting,” “receiving,” “determining,” “comparing,” and “generating” steps and functions in claims 1, 9, and 16. Final Act. 7. The Examiner also finds that the additional elements recited in claims 1, 9, and 16 are not sufficient to amount to significantly more than

the judicial exception because they are “generic computer components” that perform “well-understood, routine, and conventional activities previously known to the industry.” *Id.* at 7–9. The Examiner further finds that dependent claims 2–8, 10–15, and 17–20 are ineligible because they each further describe the abstract idea and do not “alter[] the significantly more” analysis. *Id.* at 9–10.

Appellant argues that claim 1 is not directed to an abstract idea because it recites additional elements, so the claim as a whole does not “seek to tie up the abstract idea of loading, transmitting, receiving, determining, comparing, and generating data processing steps.” Appeal Br. 7. According to Appellant, claim 1 recites “specific elements that limit the abstract idea of data processing steps cited in the Final Office Action:”

- 1) require the data to be route information of a package that includes a source location and a destination location;
- 2) requires received data to also be route information of different packages that includes source locations and destination locations;
- 3) require that the amount routes received reaches a threshold; and
- 4) determining that the first package is deviating from its route based on analyzing the received data and generating a notification accordingly.

Id. at 8.

Appellant also argues that claim 1 recites specific steps that are “unconventional steps that 1) confine the claim to a particular useful application (package tracking) and 2) improve the technical field of package delivery systems” by comparing route information between proximate packages, instead of relying on a package’s actual location (via GPS signals) as in existing systems, to determine whether it is off-course. *Id.* at 8–9. Appellant asserts that conventional tracking systems are unreliable at many points of a package’s route because they use external data or signals, such as

GPS signals and cell phone signals, which are deficient in penetrating certain materials such as “a semi-truck’s enclosed metal cargo area, a warehouse’s thick concrete walls, underground tunnels, etc.” Reply Br. 3.³ Appellant then argues that claim 1 solves the deficiencies of conventional tracking systems because it enables tracking devices affixed to proximate packages to pass routing information between one another, and “does not require external signals and functions correctly in locations where conventional systems do not function.” *Id.* Thus, Appellant argues that “claim 1 is patent-eligible under Part 2 of the *Mayo* test.” Appeal Br. 9 (emphasis added). For these same reasons, Appellant argues that independent claims 9 and 16, and dependent claims 2–8, 10–15, and 17–20, are patent-eligible under 35 U.S.C. § 101. *Id.* at 9–10.

B. Applicable Law

“Whether a claim is drawn to patent-eligible subject matter is an issue of law that we review de novo.” *SiRF Technology, Inc. v. Int’l Trade Commission*, 601 F.3d 1319, 1331 (Fed. Cir. 2010).

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. However, the 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.” *Alice Corp. Pty. Ltd. v. CLS Bank International*, 573 U.S. 208, 216 (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

³ The pages of the Reply Brief are not numbered. We consider the title page to be page 1 and the following pages to be numbered sequentially thereafter.

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 (quoting *Mayo*, 566 U.S. at 72–73).

In January 2019, the Patent Office issued guidance about this framework. *See* 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. 50 (Jan. 7, 2019) (“Revised Guidance” or “Revised Guidance, 84 Fed. Reg.”).⁴ 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 (“Prong One”) and (2) fails to integrate the recited abstract idea into a practical application (“Prong Two”). *See* Revised Guidance, 84 Fed. Reg. 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

⁴ *See also* USPTO, *October 2019 Patent Eligibility Guidance Update* (Oct. 17, 2019), https://www.uspto.gov/sites/default/files/documents/peg_oct_2019_update.pdf.

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. 56.

With these principles in mind, we first analyze whether claim 1 is directed to an abstract idea.⁵

C. Abstract Idea

1. USPTO Step 2A, Prong One

Beginning with Step 2A, Prong One, of the Revised Guidance, we must determine “whether the claims at issue are directed to one of those patent-ineligible concepts,” including the abstract ideas enumerated in the Revised Guidance.⁶ *Alice*, 573 U.S. at 217. One of the subject matter groupings identified as an abstract idea in the Revised Guidance is “mental processes—concepts performed in the human mind (including an observation, evaluation, judgment, opinion).” *See* Revised Guidance, 84 Fed. Reg. 52, 53. The Revised Guidance explains that “mental processes” include acts that people can perform in their minds or using pen and paper, even if the claim recites that a generic computer component performs the acts. *See* Revised Guidance, 84 Fed. Reg. 52 n.14 (“If a claim, under its broadest reasonable interpretation, covers performance in the mind but for

⁵ Appellant argues claims 1–20 as a group focusing on claim 1. *See* Appeal Br. 6–10. Thus, we decide the appeal based on representative claim 1. *See* 37 C.F.R. § 41.37(c)(1)(iv).

⁶ The Revised Guidance refers to “Step One” as determining whether the claimed subject matter falls within the four statutory categories identified by 35 U.S.C. § 101: “process, machine, manufacture, or composition of matter.” This step is not at issue in this case.

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.”).

For our prong one analysis, we set aside, for consideration below, the technological elements recited in claim 1: “information handling system,” “first tracking device,” and “second tracking device.” Apart from these elements, claim 1 focuses on tracking objects using the steps of: “(a) loading . . . a first route of a first package, wherein the first route includes the first source location and a first destination location of the first package; (b) in response to the first package departing the first source location; (c) transmitting . . . a request message[]; (d) in response to transmitting the request message, receiving . . . a plurality of second routes . . . of second packages, wherein each of the plurality of second routes includes one or more second source locations and one or more second destination locations[]; (e) determining . . . that an amount of the plurality of second routes reaches a threshold; (f) comparing . . . the first route of the first package with at least one of the plurality of second routes . . . of second packages; and (g) generating a notification . . . that indicates the first package is deviating from the first route in response to the comparison.”

We determine that claim 1 focuses on the abstract idea of “mental processes” because the recited steps are concepts that can be performed by people in their mind or with pen and paper. For example, step (a) of “loading” a first route of a package can be performed by a person observing the route on a tag or label of a first package and retaining that information mentally or recording it using pen and paper. A person can perform the function of “transmitting” a request message, as recited in step (c), by

verbally stating the message or writing the message on a piece of paper with a pen and handing the paper to another. And, a person can perform the function of “receiving” a plurality of second routes, as recited in step (d), by merely observing the tag or label on two or more second packages. Further, a person can perform the function of “determining” that an amount of second routes reaches a threshold, as recited in step (e), by making that evaluation or judgment in his or her mind. Moreover, a person can mentally perform the “comparing” function, as recited in step (f), by analyzing or evaluating the first route in regard to at least one of the plurality of second routes.

Consistent with the Examiner’s findings, we also determine that these limitations of claim 1 simply receive, store, transmit, analyze, manipulate, and convey data or information. *See* Final Act. 7–8.⁷ We see no meaningful difference in claim 1 and claims in similar cases that the Federal Circuit has found are directed to an abstract idea. *See, e.g., Electric Power Grp. LLC v. Alstom S.A.*, 830 F.3d 1350, 1353 (Fed. Cir. 2016) (characterizing collecting information, analyzing information by steps people go through in their minds, or by mathematical algorithms, and presenting the results of collecting and analyzing information, without more, as matters within the realm of abstract ideas); *see also Content Extraction and Transmission LLC v. Wells Fargo Bank, National Association*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“[C]ollecting data,[] recognizing certain data within the collected data set, and . . . storing that recognized data in a memory.”); *CyberSource*

⁷ Step (g) of claim 1 recites “generating a notification” in response to the comparison of step (f). We determine that step (g) constitutes insignificant extra-solution activity, e.g., post-solution activity. *See* Revised Guidance, 84 Fed. Reg. 55 n.31.

Corp. v. Retail Decisions, Inc., 654 F.3d 1366, 1372, 1375–76 (Fed. Cir. 2011) (Holding that the incidental use of “computer” or “computer readable medium” does not make a claim otherwise directed to process that “can be performed in the human mind, or by a human using a pen and paper” patent eligible, explaining that “purely mental processes can be unpatentable, even when performed by a computer.”); and *Bancorp Services, L.L.C. v. Sun Life Assur. Co. of Can.*, 771 F Supp.2d 1054, 1066 (E.D. Mo. 2011), *aff’d*, 687 F.3d at 1266 (Explaining that “storing, retrieving, and providing data . . . are inconsequential data gathering and insignificant post solution activity.”).

Accordingly, we conclude that claim 1 focuses on a method of tracking objects by performing functions that can be performed in the human mind or with paper and pen. Thus, we also conclude that the focus of claim 1 is the abstract idea of mental processes.

2. USPTO Step 2A, Prong Two

Because we determine that claim 1 recites an abstract idea, we turn to prong two of the first step of the *Alice* analysis and consider whether claim 1 integrates this abstract idea into a practical application. See Revised Guidance, 84 Fed. Reg. 51. In doing so, we consider whether there are any additional elements beyond the abstract idea that, individually or in combination, “integrate the [abstract idea] into a practical application, using one or more of the considerations laid out by the Supreme Court and the Federal Circuit.”⁸ Revised Guidance, 84 Fed. Reg. 54–55.

⁸ We acknowledge that some of these considerations may be properly evaluated under step 2 of *Alice* (step 2B of the Revised Guidance, 84 Fed. Reg.). Solely for purposes of maintaining consistent treatment within the Office, we evaluate it under step 1 of *Alice* (step 2A, prong two, of the

As stated above, the technological elements recited in claim 1 are the “information handling system,” “first tracking device,” and “second tracking device.” These elements are recited at a high level of generality in claim 1 without sufficient detail or specific implementation structure to limit the abstract idea to a specific practical application. These elements are also broadly described in the Specification. For example, the Specification describes the tracking device shown in Figure 1 as including a battery, processor, memory, and wireless transceiver. Spec. ¶ 19. The Specification also explains that the tracking device depicted in Figure 1 is “one type of information handling system,” and “other types of information handling systems may be utilized, which include a processor and memory, to perform the computing operations discussed herein.” *Id.* ¶ 23. The Examiner finds, and we agree, that the Specification discloses “a generic tracking device performing routine and conventional activities such as receiving and comparing/analyzing data.” Final Act. 8 (citing Spec. ¶¶ 26–30).

We find no indication in the Specification, nor does Appellant direct us to any indication, that the functions of claim 1 require any specialized computer hardware or other inventive computer components, i.e., a particular machine, invoke any asserted inventive programming, or that the claimed invention is implemented using other than generic computer components to perform generic computer functions. *See DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245, 1256 (Fed. Cir. 2014) (“[A]fter *Alice*, there can remain no doubt: recitation of generic computer limitations does not make an otherwise ineligible claim patent-eligible.”).

Revised Guidance, 84 Fed. Reg.). *See* Revised Guidance, 84 Fed. Reg. 54–55.

As discussed *supra*, Appellant argues that claim 1 is not directed to an abstract idea because it recites additional elements, so the claim as a whole does not “seek to tie up the abstract idea of loading, transmitting, receiving, determining, comparing, and generating data processing steps.” Appeal Br. 7. In that regard, Appellant argues that these specific elements are: (1) requiring the data to be “route information” that includes “a source location and a destination location;” (2) requiring the received data to also be “route information” of different packages that includes “source locations and destination locations;” (3) requiring that the amount of routes received reaches a “threshold;” and (4) determining that the first package is deviating from its route based on analyzing the received data and generating a notification accordingly. *Id.* at 8.

We are not persuaded by Appellant’s argument for several reasons. First, requiring the “data” to be of a particular type, such as route information that includes source and destination locations, as in elements (1) and (2), does not distinguish the method of claim 1 from the recited abstract idea. As the Federal Circuit held in *Electric Power Group*, “merely selecting information, by content or source, for collection, analysis, and display does nothing significant to differentiate a process from ordinary mental processes, whose implicit exclusion from [section] 101 undergirds the information-based category of abstract ideas.” *Electric Power Group*, 830 F.3d at 1355. Second, requiring the amount of routes received to reach a “threshold,” as in element (3), is insufficient to result in a practical application of the abstract idea of claim 1 because the Specification broadly describes that the number or amount of nearby object routes received, i.e., the “threshold,” can be any “sufficient” number or amount of nearby object

routes. *See* Spec. ¶¶ 44–45. Third, determining that the first package is deviating from its route based on “analyzing the received data and generating a notification accordingly,” as in element (4), is insufficient to provide a practical application because this is nothing more than the abstract idea itself. *BSG Tech LLC v. BuySeasons, Inc.*, 899 F.3d 1281, 1290 (Fed. Cir. 2018) (“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.”); *see also Aatrix Software, Inc. v. Green Shades Software, Inc.*, 890 F.3d 1354, 1359 (Fed. Cir. 2018) (“[T]he ‘inventive concept’ cannot be the abstract idea itself.”).

Accordingly, we conclude that claim 1 does not contain an element that imposes a meaningful limit on the abstract idea and integrates the abstract idea into a practical application. *See SAP Am., Inc. v. InvestPic, LLC*, 898 F.3d 1161, 1169–70 (Fed. Cir. 2018); *see also 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.”); and Revised Guidance, 84 Fed. Reg. 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). Further, consistent with the Examiner’s findings, and in view of Appellant’s Specification, we conclude that claim 1 does not integrate the judicial exception into a practical application, and thus is directed to the judicial exception itself. *See* Final

Act. 7–8; *see also, e.g.*, Spec. ¶¶ 19, 21–26. In particular, we determine claim 1 does not recite:

- (i) an improvement to the functioning of a computer;
- (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.

See MPEP § 2106.05(a)–(c), (e)–(h).

3. USPTO Step 2B — Inventive Concept

Finally, we consider whether claim 1 has an inventive concept, that is, whether any 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). 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. 56.

As stated *supra*, the Examiner finds that the additional elements recited in claims 1, 9, and 16 are not sufficient to amount to significantly more than the judicial exception because they are “generic computer components” that perform “well-understood, routine, and conventional activities previously known to the industry.” Final Act. 7–9.

Appellant argues that claim 1 recites specific steps of a tracking device that receives route information from other tracking devices and determines whether the tracking device's package is off-course. Appeal Br. 8. Appellant also argues that these steps are “unconventional steps that 1) confine the claim to a particular useful application (package tracking) and 2) improve the technical field of package delivery systems” by comparing route information between proximate packages, instead of relying on a package's actual location (via GPS signals) as in existing systems, to determine whether it is off-course. Appeal Br. 8–9; *see also* Reply Br. 3.

We are not persuaded by Appellant's arguments. First, we are not persuaded by Appellant's argument that claim 1 recites specific steps that are “unconventional steps that confine the claim to a particular useful application (package tracking).” Appeal Br. 8. As we understand this argument, Appellant asserts that the specific steps of claim 1 prevent preemption of package tracking by others. However, this argument is not persuasive. “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); *see also OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1362-63 (Fed. Cir. 2015) (“[T]hat 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.”).

Second, we are not persuaded by Appellant’s argument that the specific steps recited in claim 1 improve the technical field of package delivery systems because claim 1 does not require external signals. Appeal Br. 8–9; *see also* Reply Br. 3. As discussed *supra*, we have determined that claim 1 does not recite an improvement to the functioning of a computer or an improvement to another technology or technical field. Appellant has also failed to demonstrate that claim 1 requires any specialized computer hardware, other inventive computer components, i.e., a particular machine, or that the claimed invention is performed using other than readily available components. Further, as discussed above, we agree with the Examiner’s finding that the Specification discloses “a generic tracking device performing routine and conventional activities such as receiving and comparing/analyzing data.” *See, e.g., Alice*, 573 U.S. at 225–26 (Holding that “implement[ing] the abstract idea . . . on a generic computer” was not sufficient “to transform an abstract idea into a patent-eligible invention.”).

Thus, even if we were to agree with Appellant that claim 1 solves the deficiencies of conventional tracking systems by passing routing information between proximate packages, instead of relying on external signals, Appellant’s argument that claim 1 improves the technical field of package delivery systems is not persuasive because any alleged improvement lies in the abstract idea itself, not to any technological improvement. *See BSG*, 899 F.3d at 1287–88. Such an improvement to the recited abstract idea does not confer patent-eligibility. *See Customedia Techs., LLC v. Dish Network Corp.*, 951 F.3d 1359, 1363–65 (Fed. Cir. 2020) (collecting cases). Accordingly, the specificity by which the abstract idea is claimed is immaterial to the question of patent eligibility. *Apple Inc. v. Ameranth, Inc.*,

842 F.3d 1229, 1240 (“An abstract idea can generally be described at different levels of abstraction.”); *see also SAP Am. In. v. InvestPic LLC*, 898 F.3d 1161, 1168 (Fed. Cir. 2018) (“[E]ven if a process of collecting and analyzing information is ‘limited to particular content’ or a particular ‘source,’ that limitation does not make the collection and analysis other than abstract.”).

Thus, considering claim 1 as a whole, we determine that the additional elements recited in claim 1 are readily available computing elements performing their basic functions and 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. 56. Rather, these elements “simply append[] well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality.” *Id.* Accordingly, we find that claim 1 does not have an inventive concept.

4. *Opinion*

Because we determine that claim 1 is directed to an abstract idea and does not contain an inventive concept, we sustain the Examiner’s rejection of claim 1 under 35 U.S.C. § 101. For the same reasons, we sustain the Examiner’s rejection under 35 U.S.C. § 101 of independent claims 9 and 16, and dependent claims 2–8, 10–15, and 17–20, which are not argued separately substantively.

DECISION

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

SUMMARY

In summary:

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

No period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv). *See* 37 C.F.R. § 41.50(f).

AFFIRMED