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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* DEBORAH LIU

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Appeal 2018-006943  
Application 14/196,227  
Technology Center 3600

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Before DENISE M. POTHIER, LINZY T. McCARTNEY, and  
MATTHEW J. McNEILL, *Administrative Patent Judges*.

McCARTNEY, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant<sup>1</sup> seeks review under 35 U.S.C. § 134 of the Examiner's  
final rejection of claims 1–7. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

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<sup>1</sup> Appellant identifies Facebook, Inc. as the real party in interest. Appeal Brief 2, filed February 20, 2018 (“App. Br.”).

## BACKGROUND

This patent application concerns a social networking system that personalizes a user's "transaction flow" based on the user's experience. *See, e.g.*, Specification ¶¶ 3–7, filed March 4, 2014 ("Spec."). For example, the system can change the information and options presented to a user during the purchase of in-application items based on the user's experience with digital currencies. *See* Spec ¶ 7. For users new to digital currencies, the system can display item costs "in real-world currencies rather than digital currency" and provide "more instruction [on] how to perform a purchase" and "more opportunities to confirm or opt out of a transaction." Spec. ¶ 7. For users experienced with digital currencies, the system may "streamline the process to avoid burdening the users with choices that the social networking system predicts will be affirmed anyway." Spec. ¶ 7.

Claim 1, the sole independent claim, illustrates the claimed invention:

1. A method comprising:

[a] receiving transaction information for a plurality of users of a social networking system from a plurality of applications interfacing with the social networking system, the transaction information comprising historical purchase data for application-related items purchased by the users from the plurality of applications;

[b] receiving a request from an interfacing application for a transaction flow for a user, the transaction flow comprising at least one interaction requesting user input to complete the transaction;

[c] determining the user's experience with transactions based on the transaction information;

[d] determining, by a computer processor, the transaction flow from a plurality of different transaction flows comprising differing interactions to complete the transaction, the determined

transaction flow based on the user's experience with transactions; and

[e] sending the determined transaction flow to the interfacing application;

[f] receiving a transaction request for the user from the interfacing application;

[g] processing the transaction request; and

[h] sending the interfacing application a confirmation responsive to the transaction request being processed.

App. Br. 13 (bracketed letters added).

#### REJECTIONS

Claims	Basis	References
1-7	§ 101	
1-4, 6, and 7	§ 103(a)	Ramalingam <sup>2</sup> and Hirson <sup>3</sup>
5	§ 103(a)	Ramalingam, Hirson, and McCown <sup>4</sup>

#### DISCUSSION

We have reviewed the Examiner's rejections and Appellant's arguments. We disagree with Appellant that the Examiner erred in rejecting claims 1-7 under § 101. For this rejection, as consistent with the discussion below, we adopt the Examiner's reasoning, findings, and conclusions on pages 2-6 of the Final Office Action mailed June 20, 2017 ("Final Act.") and pages 3-4 of the Examiner's Answer mailed April 20, 2018 ("Ans."). We agree with Appellant that the Examiner erred in rejecting claims 1-7 under § 103. We address these rejections in turn.

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<sup>2</sup> Ramalingam et al. (US 8,140,403 B2; March 20, 2012).

<sup>3</sup> Hirson (US 2011/0082772 A1; April 7, 2011).

<sup>4</sup> McCown (US 2011/0231292 A1; September 22, 2011).

### Section 101 Rejection

Section 101 of the Patent Act provides that “any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof” is patent eligible. 35 U.S.C. § 101. But the Supreme Court has long recognized an implicit exception to this section: “Laws of nature, natural phenomena, and abstract ideas are not patentable.” *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 216 (2014) (quoting *Ass’n for Molecular Pathology v. Myriad Genetics, Inc.*, 569 U.S. 576, 589 (2013)). To determine whether a claim falls within one of these excluded categories, the Court has set out a two-part framework. The framework requires us first to consider whether the claim is “directed to one of those patent-ineligible concepts.” *Alice*, 573 U.S. at 217. If so, we then examine “the elements of [the] claim both individually and ‘as an ordered combination’ to determine whether the additional elements ‘transform the nature of the claim’ into a patent-eligible application.” *Alice*, 573 U.S. at 217 (quoting *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66, 78, 79 (2012)). That is, we examine the claim for an “inventive concept,” “an element or combination of elements that is ‘sufficient to ensure that the patent in practice amounts to significantly more than a patent upon the [ineligible concept] itself.’” *Alice*, 573 U.S. at 217–18 (alteration in original) (quoting *Mayo*, 566 U.S. at 72–73).

The Patent Office has revised its guidance about this framework. *See* 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. 50 (Jan. 7, 2019) (“Revised Guidance”). Under the Revised Guidance, to decide whether a claim is directed to an abstract idea, we evaluate whether the claim (1) recites subject matter that falls within one of the abstract idea

groupings listed in the Revised Guidance and (2) fails to integrate the recited abstract idea into a practical application. *See* Revised Guidance, 84 Fed. Reg. at 51, 54. If the claim is directed to an abstract idea, as noted above, we then determine whether the claim has an inventive concept. The Revised Guidance explains that when making this determination, we should consider whether the additional claim elements add “a specific limitation or combination of limitations that are not well-understood, routine, conventional activity in the field” or “simply append[] well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality.” Revised Guidance, 84 Fed. Reg. at 56.

With these principles in mind, we turn to the merits of the § 101 rejection. Appellant argues claims 1–7 together, so as permitted by 37 C.F.R. § 41.37(c)(1)(iv), we decide the appeal for this ground of rejection based on claim 1.

#### *Abstract Idea*

The Revised Guidance explains that the abstract idea exception includes “mental processes,” that is, processes that people can perform in their minds or using pen and paper. *See* Revised Guidance, 84 Fed. Reg. at 52 & n.14. The Examiner determined that claim 1 recites subject matter that falls in this abstract idea grouping. *See, e.g.*, Final Act. 4 (determining that claim 1 is directed to “an ‘idea of itself’”), 5 (stating that people can perform the determining steps recited in limitations [c] and [d] “mentally or using pen and paper”); *see also* USPTO, July 2015 Update: Subject Matter Eligibility at 5, <https://www.uspto.gov/sites/default/files/documents/ieg-july-2015-update.pdf> (explaining that the category “an idea of itself” includes mental processes).

We agree that claim 1 recites mental processes. Limitations [c] and [d] respectively recite “determining the user’s experience with transactions based on the transaction information” and “determining, by a computer processor, the transaction flow from a plurality of different transaction flows comprising differing interactions to complete the transaction, the determined transaction flow based on the user’s experience with transactions.” App. Br. 13. Neither claim 1 nor the written description meaningfully limits the scope of these limitations. Although claim 1 recites what each determination is “based on,” claim 1 does not recite how the method performs each determination. *See* App. Br. 13. As for the written description, it discloses that the invention “compile[s] and analyze[s]” certain information “to determine a user’s competency level with digital currencies and the purchase of application related digital items,” but does not limit this process to a particular algorithm. Spec. ¶ 44. Similarly, the written description indicates that the invention determines a transaction flow for a user “based on a user’s competency with digital currencies and application related digital item purchases” but does not require that the invention do so in a particular manner. Spec. ¶ 46.

Because neither claim 1 nor the written description meaningfully limits the scope of limitations [c] and [d], these limitations are broad enough to encompass acts that people can perform mentally or using pen and paper. *See CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366, 1372–73 (Fed. Cir. 2011) (determining that a claim’s steps could “be performed in the human mind, or by a human using a pen and paper” when neither the claim nor the written description limited the steps to a particular algorithm). For example, people can mentally determine a user’s experience with

transactions by counting the number of transactions that a user has completed and associating an experience level with that number. *See, e.g.*, Spec. ¶ 44 (explaining that the disclosed invention determines a user’s competency level based on information that can include “the number of items purchased, prices paid, frequency of purchases, gifts purchased for other users, whether digital currency or real-world currency was used, along with other purchase metrics”). Similarly, people can determine a transaction flow from a plurality of transaction flows based on the user’s experience with transactions by mentally selecting a transaction flow from a list of transaction flows based on the user’s experience level. *See, e.g.*, Spec. ¶ 46 (explaining that the disclosed system “may determine a user’s competency with digital currencies and application related digital item purchases and use the competency to determine a transaction flow for the user”).

Because limitations [c] and [d] encompass acts that people can perform mentally or using pen and paper, claim 1 recites mental processes. *See CyberSource*, 654 F.3d at 1372 (determining that a claim is drawn to “unpatentable mental processes” when the claim’s steps could “be performed in the human mind, or by a human using a pen and paper”). This is true even though limitation [d] explicitly requires that a computer processor perform the recited “determining” step. “Courts have examined claims that required the use of a computer and still found that the underlying, patent-ineligible invention could be performed via pen and paper or in a person’s mind.” *Versata Dev. Grp., Inc. v. SAP Am., Inc.*, 793 F.3d 1306, 1335 (Fed. Cir. 2015). *See also CyberSource*, 654 F.3d at 1375 (“That purely mental processes can be unpatentable, even when performed by a computer, was precisely the holding of the Supreme Court in *Gottschalk v.*

*Benson.*”); Revised Guidance, 84 Fed. Reg. at 52 n.14 (“If a claim, under its broadest reasonable interpretation, covers performance in the mind but for the recitation of generic computer components, then it is still in the mental processes category . . . .”).

Appellant’s arguments have not persuaded us otherwise. Appellant contends that the Examiner’s reliance on the non-precedential *SmartGene*<sup>5</sup> decision violates a November 2016 Patent Office memorandum. *See* App. Br. 5. That memorandum encourages examiners to “avoid relying upon or citing non-precedential decisions” such as *SmartGene* unless the facts at hand “uniquely match” those in the non-precedential decision. USPTO, Memorandum on Recent Subject Matter Eligibility Decisions at 4 (Nov. 2, 2016), <https://www.uspto.gov/sites/default/files/documents/McRo-Bascom-Memo.pdf> (“November 2016 Memo”). But the memorandum does not affirmatively bar examiners from relying on non-precedential decisions in other circumstances. *See* November 2016 Memo 4. We thus see no reversible error in the Examiner’s reliance on *SmartGene*.

Appellant next contends that the Examiner’s characterization of the mental processes is an “overgeneralization[]” that is “detached from the specific limitations recited in the claims.” App. Br. 5. But an examiner can describe an abstract idea at different levels of generality without affecting the patent-eligibility analysis. *Cf. Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1240–41 (Fed. Cir. 2016) (“An abstract idea can generally be described at different levels of abstraction. . . . The Board’s slight revision of its abstract idea analysis does not impact the patentability analysis.”). That is

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<sup>5</sup> *SmartGene, Inc. v. Advanced Biological Labs., SA*, 555 F. App’x 950 (Fed. Cir. 2014).

the case here. Regardless of the level of generality used to describe the abstract idea recited in claim 1, the result is the same—claim 1 recites mental processes. *Cf. Accenture Glob. Servs., GmbH v. Guidewire Software, Inc.*, 728 F.3d 1336, 1344 (Fed. Cir. 2013) (“Although not as broad as the district court’s abstract idea of organizing data, it is nonetheless an abstract concept.”).

Appellant argues that Office guidance “does not state that a step recited in the claim that can be performed in the human mind or using a pen and paper renders the whole claim to be directed to an idea ‘of itself.’” App. Br. 6. Appellant argues that “[s]imply because a limitation starts with the verb ‘determining’ does not mean that the limitation can be performed in the human mind or by a human using a pen and paper.” App. Br. 6. Appellant contends that in *Thales*<sup>6</sup> the Federal Circuit determined that a claim that recites a single “determining” step that “arguably could have been performed by a human with pen and paper” was patent eligible. App. Br. 6.

We see no merit in these arguments. Limitations [c] and [d] do not encompass mental processes merely because they start with the word “determining.” As discussed above, limitations [c] and [d] are so broadly drawn that they encompass acts that people can perform mentally or using pen and paper. *See CyberSource*, 654 F.3d at 1372–73. Although this does not end the patent-eligibility inquiry, *see Revised Guidance*, 84 Fed. Reg. at 53–56, on this record, this analysis is sufficient to establish that claim 1 recites mental processes. As for *Thales*, in that case the patent-eligible claim was “directed to systems and methods that use inertial sensors in a non-conventional manner.” *Thales*, 850 F.3d at 1348–49. Appellant has not

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<sup>6</sup> *Thales Visionix Inc. v. United States*, 850 F.3d 1343 (Fed. Cir. 2017).

persuasively argued that claim 1 is directed to a similar non-conventional use of components.

Finally, Appellant argues that claim 1 “clearly do[es] not tie up all possible ways of using” the abstract idea. App. Br. 7; *see also* App. Br. 8 (making similar arguments). Even if this is true, that does not show that claim 1 is patent eligible. “While preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility.” *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1379 (Fed. Cir. 2015).

In any event, claim 1 also recites certain methods of organizing human activity, another of the abstract idea groupings listed in the Revised Guidance, *see* Revised Guidance, 84 Fed. Reg. at 52. Claim 1 recites a method that includes limitations [a]-[h] reproduced above. The recited method (1) receives specified user transaction information, (2) receives a request for a transaction flow for a user, (3) determines the user’s experience with transactions based on the transaction information, and (4) determines the transaction flow from a plurality of different transaction flows based on the user’s experience with transactions. *See* App. Br. 13. The method also (5) sends the determined transaction flow, (6) receives a transaction request for the user, (7) processes the request, and (8) sends a confirmation responsive to the transaction request being processed. *See* App. Br. 13.

This method of tailoring a transaction flow based on a user’s transaction experience, processing a received transaction, and confirming that the transaction has been processed is a commercial practice that is similar to other commercial practices that courts have determined are abstract ideas. *See, e.g., Bridge & Post, Inc. v. Verizon Commc’ns, Inc.*, No.

2018-1697, 2019 WL 2896449, at \*4 (Fed. Cir. July 5, 2019) (targeted marketing); *OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1362 (Fed. Cir. 2015) (offer-based price optimization); *Intellectual Ventures I LLC v. Capital One Bank (USA)*, 792 F.3d 1363, 1369 (Fed. Cir. 2015) (customizing content); *Morsa v. Facebook, Inc.*, 77 F. Supp. 3d 1007, 1013 (C.D. Cal. 2014), *aff'd*, 622 F. App'x 915 (Fed. Cir. 2015) (targeted advertising); *OpenTV, Inc. v. Netflix Inc.*, 76 F. Supp. 3d 886, 892–93 (N.D. Cal. 2014) (targeted programming); *Tuxis Techs., LLC v. Amazon.com, Inc.*, No. CV 13-1771-RGA, 2014 WL 4382446, at \*3–4 (D. Del. Sept. 3, 2014) (upselling). Claim 1 thus recites certain methods of organizing human activity. *See Revised Guidance*, 84 Fed. Reg. at 52 (explaining that certain methods of organizing human activity include “commercial or legal interactions” and “fundamental economic principles or practices”).

Because we determine that claim 1 recites abstract ideas, we next consider whether claim 1 integrates these abstract ideas into a practical application. *See Revised Guidance*, 84 Fed. Reg. at 51. In doing so, we consider whether there are any additional elements beyond the abstract ideas that, individually or in combination, “integrate the [abstract ideas] into a practical application, using one or more of the considerations laid out by the Supreme Court and the Federal Circuit.” *Revised Guidance*, 84 Fed. Reg. at 54–55.

For the recited mental processes, the additional elements include limitations [a], [b], [e]–[h], and the “computer processor” recited in limitation [d]. *See App. Br. 13*. Limitations [a], [b], [e], [f], and [h] recite components such as “a social networking system,” “a plurality of applications interfacing with the social networking system,” and “an

interfacing application.” App. Br. 13. The written description indicates that these components are conventional. For example, the written description discloses that “[s]ocial networking systems have become prevalent in recent years . . . .” Spec. ¶ 3. The written description explains that “social networking systems have evolved into platforms for accessing and interacting with different types of applications provided by third parties. For example, many computer games exist that are hosted by third parties and that interface with and through the social networking system . . . .” Spec. ¶ 4. The written description also notes that “[i]n order to unify the user experience for social networking systems and the applications integrated within them, social networking systems have implemented unified digital currencies that may be used in any of the applications integrated with the social networking system.” Spec. ¶ 4.

The functions recited in these limitations are also conventional. Limitations [a], [b], [c], [f], and [h] recite receiving or sending certain data. *See* App. Br. 13. Sending and receiving data are conventional computer functions. *See, e.g., 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.”). Limitation [g] recites “processing the transaction request.” App. Br. 13. This limitation recites a result without specifying how the claimed method accomplishes the result. The written description does not limit the recited processing to a particular method but indicates that this step consists of debiting a user’s account. *See, e.g.,* Spec. ¶ 49 (“[T]he third party server 120 communicates with social networking system 130 to conduct 340 the transaction. The social networking system 130 debits 345 the user’s account

the cost of the transaction.”), Fig. 3, items 340, 345. This type of electronic recordkeeping is a conventional computer function. *See, e.g., Alice*, 573 U.S. at 225 (“Using a computer to create and maintain ‘shadow’ accounts amounts to electronic recordkeeping—one of the most basic functions of a computer.”).

Limitations [a], [b], and [e]-[h] also recite insignificant extra-solution activity. Limitations [a] and [b] gather information and a request for the claimed method. *See App. Br. 13*. Such data gathering is insignificant pre-solution activity. *See, e.g., CyberSource*, 654 F.3d at 1366 (“Moreover, as discussed above, even if some physical steps are required to obtain information from the database (e.g., entering a query via a keyboard, clicking a mouse), such data-gathering steps cannot alone confer patentability.”). And as discussed above, limitations [e]-[h] recite conventional sending, receiving, and processing steps that occur after the method performs the mental processes recited in limitations [c] and [d]. *See App. Br. 13; see also buySAFE*, 765 F.3d at 1355; *Alice*, 573 U.S. at 225. These conventional steps are taken post-solution activity. *See Bilski v. Kappos*, 561 U.S. 593, 612 (2010) (determining that “the use of well-known random analysis techniques” was taken post-solution activity).

As for the computer processor recited in limitation [d], the written description does not indicate that the processor is anything other than a conventional computer processor that performs conventional functions. In fact, the written description states that invention can use “a general-purpose computing device.” Spec. ¶ 68.

At bottom, the additional elements discussed above encompass conventional components and functions. These conventional components

and functions do not integrate the mental processes into a practical application. *See Alice*, 573 U.S. at 223–24 (“[W]holly generic computer implementation is not generally the sort of ‘additional featur[e]’ that provides any ‘practical assurance that the process is more than a drafting effort designed to monopolize the [abstract idea] itself.’” (second and third alterations in original) (quoting *Mayo*, 566 U.S. at 77)).

Appellant contends that “the additional limitations provide more than merely applying the proposed abstract idea, as the claims apply the proposed exception by describing for determining a transaction flow to be used in conjunction with an interfacing application.” App. Br. 8; *see also* App. Br. 8–9 (arguing that limitations [c] and [d] “recite steps that are significantly more than merely restricting the use of the abstract idea to a particular technological environment”). But as discussed above, the determining steps recited in limitations [c] and [d] form part of the identified mental processes. The abstract idea itself cannot integrate the abstract idea into a practical application. *See Trading Techs. Int’l, Inc. v. IBG LLC*, 921 F.3d 1084, 1093 (Fed. Cir. 2019) (“The abstract idea itself cannot supply the inventive concept, ‘no matter how groundbreaking the advance.’” (quoting *SAP Am., Inc. v. InvestPic, LLC*, 898 F.3d 1161, 1170 (Fed. Cir. 2018))).

Appellant also asserts that claim 1 “improve[s] the efficiency of using an electronic device in the context of online commerce or online transactions by adapting the purchase flows based on a determined level of experience of the user using the electronic device.” App. Br. 10. Appellant has presented no persuasive evidence or reasoning to support this assertion. Regardless, adjusting the purchase flow based on a user’s experience is part of the identified abstract idea, and as discussed above, the abstract idea itself

cannot integrate the abstract idea into a practical application. *See Trading Techs. Int'l*, 921 F.3d at 1093.

For the recited certain methods of organizing human activity, the additional elements include the recited “social networking system,” “plurality of applications interfacing with the social networking system,” “interfacing application,” and “computer processor.” *See* App. Br. 13. As discussed above, these elements are conventional. *See, e.g.*, Spec. ¶¶ 3–4, 49, 68. As also discussed above, to the extent that the claimed method requires that these components perform certain functions, those functions are conventional. *See buySAFE*, 765 F.3d at 1355; *Alice*, 573 U.S. at 225. These conventional components and functions do not integrate the recited certain methods of organizing human activity into a practical application. *See Alice*, 573 U.S. at 223–24.

#### *Inventive Concept*

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

The Examiner determined that the additional elements recited in claim 1 perform “well-understood, routine and conventional functions.” Final Act. 6. Although Appellant contends that this finding lacks adequate support, *see*

Reply Brief 3, filed June 19, 2018 (“Reply Br.”), we disagree. As discussed above, for the recited mental processes, limitations [a], [b], [e], [f], and [h] recite the conventional computer functions of receiving or sending data. *See* App. Br. 13; *buySAFE*, 765 F.3d at 1355 (“That a computer receives and sends the information over a network—with no further specification—is not even arguably inventive.”). And limitation [g] encompasses the conventional computer function of electronic recordkeeping. *See* App. Br. 13; *Alice*, 573 U.S. at 225 (“Using a computer to create and maintain ‘shadow’ accounts amounts to electronic recordkeeping—one of the most basic functions of a computer.”). As for the recited certain methods of organizing human activity, as noted above, largely the same analysis applies to the additional elements for this abstract idea.

In sum, whether we consider the additional elements alone or in an ordered combination, the additional elements do no more than “simply append[] well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality.” Revised Guidance, 84 Fed. Reg. at 56. We thus determine that claim 1 lacks an inventive concept.

#### *Conclusion*

For the above reasons, we determine that claim 1 is directed to an abstract idea and does not have an inventive concept. We thus sustain the Examiner’s rejection of claim 1 under § 101.

#### Section 103 Rejection

Claim 1 recites “determining, by a computer processor, the transaction flow from a plurality of different transaction flows comprising differing interactions to complete the transaction, the determined transaction flow

based on the user’s experience with transactions.” App. Br. 13. The Examiner found that Ramalingam teaches or suggests this limitation because Ramalingam discloses completing a purchase “using preference information 612 . . . which in some implementations, may be used to automate the purchase” and “[i]n other implementations, completing the purchase at operation 616 may involve only a single interaction between the user and the mobile device.” Final Act. 8–9 (quoting Ramalingam 12:16–21).

Appellant contends that Ramalingam does not teach or suggest the “determining” limitation at issue because Ramalingam’s preference information is not equivalent to the recited “user’s experience with transactions.” App. Br. 11; *see also* Reply Br. 5. Appellant also argues that the cited part of Ramalingam does not disclose determining a transaction flow based on the disclosed preference information and thus does not teach or suggest “determining. . . the transaction flow from a plurality of different transaction flows comprising differing interactions . . . the determined transaction flow based on the user’s experience with transactions.” App. Br. 11; *see also* Reply Br. 5–6.

We agree with Appellant. Even if the recited “user’s experience with transactions” encompasses Ramalingam’s preference information, the Examiner has not shown that Ramalingam teaches using this information to determine a transaction flow. The cited portions of Ramalingam disclose that a transaction may “be completed using preference information 612 . . . to automate the purchase” and “[i]n other implementations, completing the purchase at operation 616 may involve only a single interaction between the user and the mobile device.” Ramalingam 12:15–21. It is unclear that the “other implementations” discussed in the cited portion of Ramalingam use

preference information in any manner, let alone use the information to select the interactions involved in completing a transaction. *See* Ramalingam 12:16–21. And the Examiner has not adequately explained why one of ordinary skill in the art would understand the cited part of Ramalingam to suggest using preference information to select the interactions involved in completing a transaction. *See* Final Act. 8–9; Ans. 4–5. On this record, we do not sustain the Examiner’s rejection of claim 1 under § 103. Because claims 2–7 depend from claim 1, we also do not sustain the Examiner’s rejection of these claims under § 103.

DECISION

<b>Claims Rejected</b>	<b>Basis</b>	<b>References</b>	<b>Affirmed</b>	<b>Reversed</b>
1–7	§ 101		1–7	
1–4, 6, and 7	§ 103	Ramalingam and Hirson		1–4, 6, and 7
5	§ 103	Ramalingam, Hirson, and McCown		5
<b>Outcome</b>			1–7	

Because we affirm at least one ground of rejection for each claim on appeal, we affirm the Examiner’s decision. *See* 37 C.F.R. § 41.50(a)(1). No period for taking any action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

AFFIRMED