



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/263,894	04/28/2014	Boyd Hodson Warner	AUTLT.011C1	3262
20995	7590	06/19/2020	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			ARAQUE JR, GERARDO	
			ART UNIT	PAPER NUMBER
			3689	
			NOTIFICATION DATE	DELIVERY MODE
			06/19/2020	ELECTRONIC

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

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

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

efiling@knobbe.com
jayna.cartee@knobbe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte BOYD HODSON WARNER and
JEFFREY STUART COTTON

Appeal 2019-001864
Application 14/263,894
Technology Center 3600

Before JASON V. MORGAN, JAMES B. ARPIN, and
DAVID J. CUTITTA II, *Administrative Patent Judges*.

MORGAN, *Administrative Patent Judge*.

DECISION ON APPEAL
STATEMENT OF THE CASE

Introduction

Pursuant to 35 U.S.C. § 134(a), Appellant¹ appeals from the Examiner's decision to reject claims 1–12. 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 the real party in interest as AutoAlert, LLC. Appeal Br. 3.

Summary of the Disclosure

Appellant's claimed subject matter relates to the analysis of customer data to predict vehicle mileage and generate alerts. Spec., Abstract.

Representative claim (disputed limitations emphasized)

1. A method comprising:

receiving over the Internet, from a first computer terminal located at a vehicle dealer, an actual mileage reading for a current vehicle belonging to a potential customer, the actual mileage reading taken while the current vehicle was in the custody of the vehicle dealer during a vehicle service visit;

executing software on a computer system that is hosted on a second computer terminal remotely from the vehicle dealer, the software configured to determine, for the potential customer, that the potential customer qualifies as a prospect by:

selecting the actual mileage reading and a corresponding historical date on which the actual mileage reading was taken for the current vehicle of the potential customer;

calculating, based on the actual mileage reading and corresponding historical date, an estimated rate of mileage accumulation for the current vehicle;

determining, based on the estimated rate, a first predicted mileage value for the current vehicle on a first date subsequent to the historical date;

determining an estimated trade-in value for the current vehicle based on the first predicted mileage value;

calculating an estimated payment for a replacement vehicle based on the estimated trade-in value of the current vehicle; and

identifying the potential customer as a prospect if a difference between the estimated payment for the replacement vehicle and a current payment for the current vehicle is within a predetermined range;

generating an interactive user interface comprising:

a plurality of tabs selectable by a user, at least one of the plurality of tabs comprising mileage information;

a plurality of client names, each associated with client automobile sale data, displayed in response to user selection of the tab comprising mileage information, wherein the plurality of client names comprise the name of the potential customer and an indication that the potential customer will likely exceed or has already exceeded a mileage threshold, the indication based on the first predicted mileage value for the current vehicle or on the actual mileage reading taken during the vehicle service visit;

in response to the actual mileage reading taken during the vehicle service visit, transmitting to the vehicle dealer, over the Internet using a public key encryption, an alert that the potential customer was identified as a prospect, the alert comprising the indication; and

reserving access for individuals authorized by the vehicle dealer to receive the alert, while restricting access by unauthorized individuals, by requiring each individual to provide a password to login to the interactive website.

Appeal Br. 30–31 (Claims App’x).

The Examiner’s Rejections and Cited References

The Examiner rejects claims 1–12 under 35 U.S.C. § 101 as directed to patent-ineligible subject matter. Non-Final Act. 2–26.

The Examiner rejects claims 1–5 under 35 U.S.C. § 103(a) as unpatentable over the combined teachings of Cotton (US 7,827,099 B1; issued Nov. 2, 2010), Cina (US 7,239,234 B2; issued July 3, 2007), Treyz et al. (US 6,526,335 B1; issued Feb. 25, 2003) (“Treyz”), Hallowell et al. (US 2010/0223106 A1; published Sept. 2, 2010) (“Hallowell”), and the Examiner’s Official Notice. Non-Final Act. 27–42.

The Examiner rejects claims 6–12 under 35 U.S.C. § 103(a) as unpatentable over the combined teachings of Cotton, Cina, Treyz, and the Examiner’s Official Notice. Non-Final Act. 42–59

PRINCIPLES OF LAW

To constitute patent-eligible subject matter, an invention must be a “new and useful process, machine, manufacture, or composition of matter, or [a] new and useful improvement thereof.” 35 U.S.C. § 101. There are implicit exceptions to the categories of patentable subject matter identified in 35 U.S.C. § 101, including: (1) laws of nature; (2) natural phenomena; and (3) abstract ideas. *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 216 (2014). The U.S. Supreme Court has set forth a framework for distinguishing patents with claims directed to these implicit exceptions “from those that claim patent-eligible applications of those concepts.” *Id.* at 217 (citing *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66 (2012)). The evaluation follows a two-part framework: (1) determine whether the claim is *directed to* a patent-ineligible concept, e.g., an abstract idea; and (2) if so, then determine whether any element, or combination of elements, in the claim is sufficient to ensure that the claim amounts to *significantly more* than the patent-ineligible concept itself. *See id.* at 217–18.

Last year, the U.S. Patent and Trademark Office (USPTO) published guidance on the application of the two-part analysis. USPTO, *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. 50 (January 7, 2019) (“2019 Revised Guidance”); *see also* USPTO, *October 2019 Update: Subject Matter Eligibility*, available at https://www.uspto.gov/sites/default/files/documents/peg_oct_2019_update.pdf (Oct. 17, 2019) (“Oct. 2019 Update”). Under that guidance, 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) (*see* 2019 Revised Guidance, 84 Fed. Reg. at 54 (step 2A, prong one)); and

(2) additional elements that integrate the judicial exception into a practical application (*see id.* at 54–55 (step 2A, prong two); MPEP §§ 2106.05(a)–(c), (e)–(h)).

Only if a claim (1) recites a judicial exception and (2) does not integrate that exception into a practical application, do we 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 Revised Guidance, 84 Fed. Reg. at 56.

35 U.S.C. § 101

Step 2A, Prong One

The Examiner determines that claim 1 recites generating sales leads by gathering and analyzing

a user’s current agreement with regards to a service or product, gathering and analyzing new agreements that are related to a user’s current agreement, comparing the two agreements, determining the potential that a user may be interested due to a similarity, deal, offer, and so forth that the new agreement may

offer, contacting a user, [and] presenting the new offer to the user.

Non-Final Act. 3; *see also id.* at 5 (citing Spec. ¶ 2). Thus, the Examiner determines claim 1 recites “a fundamental economic practice, a method of organizing human activities.” *Id.* at 4.

Appellant does not present arguments that are pertinent to step 2A, prong one. Thus, Appellant’s arguments are addressed below under step 2A, prong two, and step 2B. Moreover, the Examiner’s determinations are supported by the recitations of claim 1, which include: (1) “receiving . . . an actual mileage reading for a current vehicle belonging to a potential customer”; (2) determining “that the potential customer qualifies as a prospect by . . . [determining] if a difference between the estimated payment for the replacement vehicle and a current payment for the current vehicle is within a predetermined range”; and (3) “transmitting to [a] vehicle dealer . . . an alert that the potential customer was identified as a prospect.”

These recitations demonstrate that claim 1 recites identifying potential customers by ascertaining which individuals are most likely to be interested in an available offer because an estimated payment for a replacement vehicle is close to the current payment for a current vehicle. *See* Spec. ¶ 197 (“in one embodiment where the threshold percentage value is 10 percent, if a client leases a first automobile at \$500 a month and a second associated automobile is available for lease at \$550 a month, the system would generate an alert because the second automobile’s payment is within 10%”). That is, claim 1 recites mapping customers to prices, a concept similar to the patent-ineligible concept of offer-based price optimization (i.e., mapping prices to customers). *See OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1362 (Fed. Cir. 2015). Thus, claim 1 recites certain methods of organizing human

activity in the form of a fundamental economic practice or commercial or legal interactions (including marketing or sales activities), and, therefore, claim 1 recites an abstract idea. *Cf. id.* (the “concept of ‘offer based pricing’ is similar to other ‘fundamental economic concepts’ found to be abstract ideas”); *see also* Oct. 2019 Update 6; 2019 Revised Guidance, 84 Fed. Reg. at 52.

Step 2A, Prong Two

Appellant argues claim 1 is patent-eligible because it recites a number of specific “limitations in reference to the visual alert system alone,” including generating an interactive user interface comprising:

- “a plurality of tabs selectable by a user, at least one of the plurality of tabs comprising mileage information,”
- “a plurality of client names, each associated with client automobile sale data, displayed in response to user selection of the tab comprising mileage information,”
- “the plurality of client names comprise the name of the potential customer and an indication that the potential customer will likely exceed or has already exceeded a mileage threshold,” and
- “the indication based on the first predicted mileage value for the current vehicle or on the actual mileage reading taken during the vehicle service visit.”

Appeal Br. 13. Thus, Appellant argues claim 1 is “directed to an even more ‘particular manner of summarizing and presenting information in electronic devices’ than the claim in” *Core Wireless Licensing S.A.R.L. v. LG Elecs., Inc.*, 880 F.3d 1356 (Fed. Cir. 2018). Appeal Br. 13. That is, Appellant argues claim 1 is “drawn to a ‘particular tool for presentation’ that focuses on a specific—and inventive—‘device or technique for displaying [that] information.” *Id.* at 14 (citing *Elec. Power Grp., LLC v. Alstom S.A.*, 830

F.3d 1350, 1354–55 (Fed. Cir. 2016)); *see also* Reply Br. 2–4. Appellant also argues claim 1 improves “the functioning of graphical user interfaces.” Reply Br. 7 (citing *Trading Techs. Int’l, Inc. v. CQG, Inc.*, 675 F. App’x 1001, 1004 (Fed. Cir. 2017)).

Appellant’s arguments are unpersuasive because the interactive user interface recitations represent insignificant extra-solution activity. *See* 2019 Revised Guidance, 84 Fed. Reg. at 55. Unlike the patent-eligible claim in *Core Wireless*, which was “directed to an improvement in the functioning of computers, particularly those with small screens” (880 F.3d at 1363), the generated user interface of claim 1 fails to “improve the functioning of the computer, make it operate more efficiently, or solve any technological problem” (*Trading Techs. Int’l, Inc. v. IBG LLC*, 921 F.3d 1084, 1093 (Fed. Cir. 2019), *cert. denied*, 140 S. Ct. 954 (2020)). Instead, the generated user interface recites “a purportedly new arrangement of generic information that assists” (*id.*) a dealer in seeing “that particular customers are prospects for new agreements because of their mileage” (Spec. ¶ 117). A claim, like Appellant’s claim 1, “focused on providing information . . . in a way that helps [a human] process information more quickly,” does not recite some manner of “improving computers or technology.” *Trading Techs. Int’l, Inc. v. IBG LLC*, 921 F.3d 1378, 1384 (Fed. Cir. 2019); *see also Intellectual Ventures I LLC v. Capital One Bank (USA)*, 792 F.3d 1363, 1367 (Fed. Cir. 2015) (“claiming the *improved speed or efficiency* inherent with applying the abstract idea on a computer [does not] provide a sufficient inventive concept” (emphasis added)); *Bancorp Servs., L.L.C. v. Sun Life Assur. Co. of Can. (U.S.)*, 687 F.3d 1266, 1278 (Fed. Cir. 2012) (“the fact that the required calculations could be performed *more efficiently* via a computer does not

materially alter the patent eligibility of the claimed subject matter” (emphasis added)).

Appellant also argues the way a user interacts with claim 1 “is not arbitrary because it is configured to identify the plurality of client names and an indication of whether each ‘will likely exceed or has already exceeded a mileage threshold,’ which may be based on an ‘actual mileage reading taken during the vehicle service visit.”” *Id.* Specifically, Appellant argues “the system *can* update a user in real-time” and that “the user interface *can* be time-dependent.” *Id.* at 14–15 (emphases added) (citing Spec. ¶¶ 22, 208); *see also* Reply Br. 13–14.

Appellant’s arguments are unpersuasive at least for the reason they are not commensurate with the scope of the claimed invention. Although Appellant argues embodiments *can* have real-time or time-dependent features, Appellant does not identify any recitations that *require* such features.

We are unable to discern any other additional recitations that integrate the underlying abstract idea of claim 1—certain methods of organizing human activity in the form of a fundamental economic practice or commercial or legal interactions (including marketing or sales activities)—into a practical application. 2019 Revised Guidance, 84 Fed. Reg. at 54–55. Therefore, we determine that claim 1 does not integrate the identified abstract idea into a practical application, and we conclude that claim 1 is directed to an abstract idea.

Step 2B

Because we find that the claims are directed to an abstract idea, we now consider whether the claims include additional limitations, such that the

claims amount to significantly more than the abstract idea. Appellant argues the Examiner “provides no evidence to support a conclusion that the specific elements of Appellant’s claims—such as the interactive user interface and other elements quoted above—are ‘well-understood, routine, and conventional.’” Appeal Br. 16. In particular, with respect to the Examiner’s taking of Official Notice that “*at the time of the invention*, tabs were well-understood, routine, and conventional” (Ans. 5; *see also* Non-Final Act. 38), Appellant argues the Examiner failed to meet the evidentiary requirements of *Berkheimer v. HP Inc.*, 881 F.3d 1360 (Fed. Cir. 2018) (*see* Reply Br. 9–10).

Appellant’s arguments are unpersuasive because the Examiner notes that support for the Official Notice “can be found in the references that have been cited in the PTO-892.” Non-Final Act. 38 (emphasis omitted). The references the Examiner refers to are in a Notice of References Cited (i.e., form PTO-892) provided February 28, 2018—the date of the Non-Final Action. This notice included multiple references dated before the filing date of Appellant’s application. Notice of References Cited, PTO-892, at *1 (Feb. 28, 2018). In particular, the Notice cites to Lancaster et al. (US 2002/0065707 A1; published May 30, 2002) (“Lancaster”), Horvath (US 2006/0041443 A1; published Feb. 23, 2006), and Inbarajan et al. (US 2007/0179798 A1; published Aug. 2, 2007). The Notice also cites to an archived Wikipedia entry. *Tab (GUI)*, Wikipedia, archived copy available at [https://web.archive.org/web/20050903011759/https://en.wikipedia.org/wiki/Tab_\(GUI\)](https://web.archive.org/web/20050903011759/https://en.wikipedia.org/wiki/Tab_(GUI)) (Sept. 3, 2005) (“Wikipedia Tab (GUI)”). Although Wikipedia is generally disfavored as a source (*see, e.g., Ex parte Three-Dimensional Media Group, Ltd.*, No. 2009-004087, 2010 WL 3017280, at *17 (BPAI

2010) (non-precedential)), the relevant disclosures of Wikipedia Tab (GUI) are corroborated by the traditional references cited. That is, all four references disclose the use of tabs as graphical user interface elements. *See, e.g.*, Lancaster, Figs. 9–13; Horvath, Figs. 21–23 and 25; Inbarajan, Fig. 3; Wikipedia Tab (GUI) (a “tab in graphical user interfaces is a typically rectangular small box (usually containing a text label or graphical icon) associated with a view pane” (emphasis omitted)). These cited publications support the Examiner’s taking of Official Notice that tab elements of a graphical user interface were well-understood, routine, and conventional. Berkheimer Memorandum, USPTO, at *4, available at <https://www.uspto.gov/sites/default/files/documents/memo-berkheimer-20180419.PDF> (Apr. 19, 2018).

Appellant contends it is insufficient that the Examiner shows that tabs as graphical user interface elements were well-understood, routine, and conventional because the Examiner still fails to show “that *all of these elements* were ‘well-known’ or ‘common’ at the time of the invention.” Appeal Br. 16. That is, Appellant points to the *content* of the tabs (e.g., “at least one of the plurality of tabs comprising mileage information”) and argues “[t]he scope of official notice was not commensurate with the scope of [the] missing elements.” Reply Br. 9.

The Examiner’s Official Notice and analysis persuasively show that using tabs to organize the display of particular information (e.g., mileage information) was a well-understood, routine, and conventional activity. *See, e.g.*, Ans. 5 (“the information does not affect the tabs and their functions and the tabs do not affect the information”). Moreover, after reevaluating our determination that displaying the claimed tab content—i.e., interactive user

interface elements—represents insignificant extra-solution activity, we are unable to discern the presence of a patent-eligible inventive concept. *See* 2019 Revised Guidance, 84 Fed. Reg. at 56.

We also agree with the Examiner that the other additional elements of claim 1 are generic computer elements that are well-understood, routine, and conventional. *See* Non-Final Act. 10; *see also, e.g.*, Spec. ¶¶ 163, 166, 172 (disclosing how embodiments could be implemented with “any network,” “any databases,” “computer software, hardware, firmware, or any combination [thereof],” including “specialized computers,” “personal computer[s], cellular phone[s], laptop[s], or other device[s] capable of connecting to the Internet”). Importantly, the generic computer elements, as claimed, are merely used to implement the underlying abstract idea and do not perform non-generic functions. *See* MPEP § 2106.05(d)(II) (citing *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245, 1257–59 (Fed. Cir. 2014)). As the Examiner correctly determines, the additional elements of claim 1, even when read as an ordered combination, represent a “conventional computer implementation” that does not provide significantly more than the recited abstract idea. *See* Non-Final Act. 11; *see also* 2019 Revised Guidance, 84 Fed. Reg. at 56.

For these reasons, the additional elements of claim 1 do not provide significantly more than the underlying abstract idea—certain methods of organizing human activity in the form of a fundamental economic practice or commercial or legal interactions (including marketing or sales activities). *See* 2019 Revised Guidance, 84 Fed. Reg. at 56.

Additional Appellant Arguments

Appellant argues “[c]laim 1 does not attempt to preempt the use of the asserted abstract idea, or any abstract idea, by others.” Appeal Br. 16; *see also* Reply Br. 10. Appellant’s contention is unpersuasive because “[w]hile preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility,” as “questions on preemption are inherent in and resolved by the § 101 analysis.” *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1379 (Fed. Cir. 2015) (internal quotation marks and citation omitted). No additional determination regarding preemption is necessary here because the two-part analysis (i.e., steps 2A (prongs one and two) and 2B) shows that claim 1 is directed to patent-ineligible subject matter.

Accordingly, we sustain the Examiner’s 35 U.S.C. § 101 rejection of claim 1, and claim 6, which Appellant argues is patent-eligible for similar, and similarly unpersuasive, reasons. Appeal Br. 24–26.

Dependent Claims

Appellant also contends the Examiner only briefly addresses dependent claims 2–5 and 7–12, even though the dependent claims “describe additional and/or different features.” Appeal Br. 23, 26. We agree with the Examiner, however, that, although the dependent claims “add further details of the abstract steps/elements recited,” the dependent claims do not recite “an improvement to another technology or technical field, an improvement to the functioning of the computer itself, or meaningful limitations beyond generally linking the use of [the] abstract idea to a particular technological

environment.” Non-Final Act. 24–25. Accordingly, we also sustain the Examiner’s 35 U.S.C. § 101 rejection of dependent claims 2–5 and 7–12.

35 U.S.C. § 103(a)

Appellant contends the Examiner erred in rejecting claim 1 because the combination of Cotton, Cina, and Trez fails to teach or suggest **“receiving over the Internet, from a first computer terminal located at a vehicle dealer, an actual mileage reading for a current vehicle belonging to a potential customer, the actual mileage reading taken while the current vehicle was in the custody of the vehicle dealer during a vehicle service visit”** or **“in response to the actual mileage reading taken during the vehicle service visit, transmitting to the vehicle dealer . . . an alert.”** Appeal Br. 26. Nevertheless, Appellant’s conclusory assertions are unpersuasive because they do not address with persuasive specificity the Examiner’s findings and analysis with respect to the cited references and what their combination teaches or suggests. Non-Final Act. 27–36; Ans. 9–13.

Appellant also contends the Examiner erroneously attempts “to replace over 100 words with the single word ‘tabs.’” Appeal Br. 27. That is, Appellant argues that the Official Notice regarding the use of tabs as graphical user interface elements “fails to account for all the **remaining** missing elements.” Reply Br. 15. Appellant’s contentions are unpersuasive, however, because the Examiner relies on the combination of Cotton, Cina, and Treyz to teach or suggest the remaining missing elements (i.e., the information displayed in the tabs). *See, e.g.*, Appeal Br. 28–29, 31–36. The Examiner’s Official Notice and analysis persuasively show that it would have been obvious to use tabs to organize the display of the particular

information taught or suggested by the combination of Cotton, Cina, and Treyz. *See, e.g.*, Ans. 14.

Appellant further contends the Examiner presents a “complicated rationale” in the Answer—relying on flawed premises and reflecting reliance on impermissible hindsight reasoning—to show that it would have been obvious to an artisan of ordinary skill to combine the teachings and suggestions of the cited references. Reply Br. 17. Specifically, Appellant argues that, unlike Cotton, the invention of claim 1 is directed to “a real-time solution.” *Id.* (citing Spec. ¶¶ 28, 208). Appellant also argues claim 1 does not encompass embodiments that include “generation of ‘a large amount of alerts.’” *Id.* (citing Ans. 12). Appellant’s arguments are not persuasive, however, because they are not commensurate with the scope of claimed invention. That is, Appellant merely provides evidence that claim 1 *can* encompass embodiments that have real-time or time-dependent features, but Appellant does not identify any recitations that *require* such features. Similarly, Appellant fails to identify any recitations limiting claim 1 to embodiments where a large number of alerts may be generated.

Moreover, Appellant contends for the first time in the Reply Brief that the Examiner erred in relying on Cina to teach or suggest use of an “actual mileage reading taken **during the vehicle service visit**” because “the claimed method results in calculations that require more precision” than what Cina teaches or suggests. Reply Br. 17. Appellant also argues for the first time in the Reply Brief that the Examiner erred in relying on Treyz to teach or suggest taking an actual mileage reading *during a vehicle service visit*. *Id.* at 18 (citing Ans. 12–13). Appellant’s contentions with respect to Cina and Treyz are untimely, however, because they are directed to findings

the Examiner originally made in the Non-Final Action—not to new findings in the Answer. *Compare* Non-Final Act. 33 *with* Ans. 10 and Non-Final Act. 35 *with* Ans. 12. Arguments raised in the Reply Brief that were not raised in the Appeal Brief and that are not responsive to arguments raised in the Answer will not be considered without a showing of good cause. *See* 37 C.F.R. § 41.41(b)(2).

Accordingly, we sustain the Examiner’s 35 U.S.C. § 103(a) rejection of claim 1, and claims 2–5, which Appellant does not argue separately with persuasive specificity. Appeal Br. 28. Appellant also unpersuasively argues claim 6 is patentable based on recitations in claim 6 that are similar to recitations in claim 1. *Id.* at 26. Accordingly, we also sustain the Examiner’s 35 U.S.C. § 103(a) rejection of claim 6, and claims 7–12, which Appellant does not argue separately with persuasive specificity. *Id.* at 28.

CONCLUSION

Claims Rejected	35 U.S.C. §	References/Basis	Affirmed	Reversed
1-12	101	Eligibility	1-12	
1-5	103(a)	Cotton, Cina, Treyz, Hallowell, Official Notice	1-5	
6-12	103(a)	Cotton, Cina, Treyz, Official Notice	6-12	
Overall Outcome			1-12	

TIME PERIOD FOR RESPONSE

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

AFFIRMED