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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte OLIVER BRDICZKA, MICHAEL ROBERTS, and
DAVID R. GUNNING

Appeal 2019-002446
Application 14/089,623
Technology Center 2100

Before JUSTIN BUSCH, JAMES W. DEJMEK, and
MATTHEW J. McNEILL, *Administrative Patent Judges*.

DEJMEK, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant¹ appeals under 35 U.S.C. § 134(a) from a Final Rejection of claims 1–10, 12–15, and 17–22. Appellant has canceled claims 11 and 16. *See* Appeal Br. 38, 40. We have jurisdiction over the remaining pending claims under 35 U.S.C. § 6(b).

We affirm.

¹ Throughout this Decision, we use the word “Appellant” to refer to “applicant” as defined in 37 C.F.R. § 1.42 (2018). Appellant identifies Palo Alto Research Center Incorporated as the real party in interest. Appeal Br. 1.

STATEMENT OF THE CASE

Introduction

Appellant's disclosed and claimed invention generally relates to managing and gathering information about a user's interaction in digital and physical environments in order "to advise the user on managing data, privacy, activities, and life." Spec. ¶ 19. In a disclosed embodiment, a user's information may be encapsulated in a "digital self" that may be represented as an avatar. Spec. ¶ 20. According to the Specification, the digital self can perceive a user's physical environment, and keep a digital trace (via a semantic graph) "of all the user's interactions with the digital world." Spec. ¶ 29. In addition, the disclosed system may generate and customize rules based on the collected user information. Spec. ¶ 31. Thus, as an example, if a user were to enter information on a website having a privacy policy inconsistent with the user's past behaviors, the avatar could generate and communicate a warning to the user. *See* Spec. ¶ 9.

Claim 1 is representative of the subject matter on appeal and is reproduced below:

1. A computer-executable method for advising a user, comprising:

generating a set of rules for a digital representation of the user in a rule base and rule engine running, on a computer, in association with a semantic graph;

perceiving, using a sensor, a physical environment of the user;

aggregating, by the computer in the semantic graph, data indicating a digital trace of the user, wherein the digital trace includes a historical data trail associated with the user's interactions in a digital environment and the physical environment;

customizing the set of rules for the user in the semantic graph based on both the digital trace data and an acceptance rate of a respective customized rule among a plurality of users,

wherein a respective customized rule has a first triggering parameter that depends on the user's digital trace and differs from a second triggering parameter associated with another user of the plurality of users;

generating a warning or recommendation to maximize the user's psychological well-being, based on the respective customized rule and an interest of the user learned from the digital trace data, including the interactions in the physical environment; and

in response to the respective customized rule being triggered by a recent interaction of the user, communicating to the user the warning or recommendation,

which causes the user to perform a subsequent interaction in the digital environment or the physical environment, wherein the subsequent interaction modifies the user's digital trace and causes the system to further customize the set of rules for the user.

The Examiner's Rejection

Claims 1–10, 12–15, and 17–22 stand rejected under 35 U.S.C. § 101 as being directed to patent-ineligible subject matter. Final Act. 2–5.

ANALYSIS²

Appellant disputes the Examiner's conclusion that the pending claims are directed to patent-ineligible subject matter. Appeal Br. 14–32; Reply

² Throughout this Decision, we have considered the Appeal Brief, filed October 12, 2018 (“Appeal Br.”); the Reply Brief, filed January 30, 2019 (“Reply Br.”); the Examiner's Answer, mailed December 6, 2018 (“Ans.”);

Br. 8–16. In particular, Appellant argues the claims are not directed to, and do not recite, an abstract idea (i.e., a mathematical concept, mental process, or certain method of organizing human activity) but instead provide an improvement to computer functionality or other technology (e.g., gathering historical information regarding a user’s digital trace). Appeal Br. 16–24 (citing *DDR Holdings*,³ *Enfish*,⁴ *McRO*,⁵ and *Visual Memory*⁶); Reply Br. 8–16. In addition, Appellant asserts the claims recite significantly more than the alleged abstract idea and are, therefore, patent eligible. Appeal Br. 26–32.

The Supreme Court’s two-step framework guides our analysis of patent eligibility under 35 U.S.C. § 101. *Alice Corp. v. CLS Bank Int’l*, 573 U.S. 208, 217 (2014). In addition, the Office has published revised guidance for evaluating subject matter eligibility under 35 U.S.C. § 101, specifically with respect to applying the *Alice* framework. USPTO, 2019 Revised Patent Subject Matter Eligibility Guidance, 84 Fed. Reg. 50 (Jan. 7, 2019) (“Office Guidance”). If a claim falls within one of the statutory categories of patent eligibility (i.e., a process, machine, manufacture, or composition of matter) then the first inquiry is whether the claim is directed to one of the judicially recognized exceptions (i.e., a law of nature, a natural phenomenon, or an abstract idea). *Alice*, 573 U.S. at 217. As part of this inquiry, we must “look

and the Final Office Action, mailed May 15, 2018 (“Final Act.”), from which this Appeal is taken.

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

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

⁵ *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299 (Fed. Cir. 2016).

⁶ *Visual Memory LLC v. NVIDIA Corp.*, 867 F.3d 1253 (Fed. Cir. 2017).

at the ‘focus of the claimed advance over the prior art’ to determine if the claim’s ‘character as a whole’ is directed to excluded subject matter.” *Affinity Labs of Tex., LLC v. DIRECTV, LLC*, 838 F.3d 1253, 1257–58 (Fed. Cir. 2016). Per the Office Guidance, this first inquiry has two prongs of analysis: (i) does the claim recite a judicial exception (e.g., an abstract idea such as a mental process), and (ii) if so, is the judicial exception integrated into a practical application. Office Guidance, 84 Fed. Reg. at 54. Under the Office Guidance, if the judicial exception is integrated into a practical application, *see infra*, the claim passes muster under § 101. Office Guidance, 84 Fed. Reg. at 54–55. If the claim is directed to a judicial exception (i.e., recites a judicial exception and does not integrate the exception into a practical application), the next step is to determine whether any element, or combination of elements, amounts to significantly more than the judicial exception. *Alice*, 573 U.S. at 217; Office Guidance, 84 Fed. Reg. at 56.

Here, we conclude Appellant’s claims recite an abstract idea because they recite mental processes. 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 unless the claim cannot practically be performed in the mind. *See Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1318 (Fed. Cir. 2016) (“[W]ith the exception of generic computer-implemented steps, there is nothing in the claims themselves that foreclose them from being performed by a human, mentally or with pen and paper.”); *see also CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366, 1372 (Fed. Cir. 2011) (holding that the incidental use of a “computer” or “computer readable

medium” does not make a claim otherwise directed to a process that “can be performed in the human mind, or by a human using a pen and paper” patent eligible); *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 566 U.S. 66, 71 (2012) (explaining mental processes are not patentable); Office Guidance, 84 Fed. Reg. at 52–53 nn.14–15.

More specifically, Appellant’s claims are generally directed to generating an indication (e.g., a warning or recommendation) to a user when a user’s activity in a digital or physical environment triggers a rule that has been customized based on the user’s historical activity in the digital and physical environments. This is consistent with how Appellant describes the claimed invention. *See* Spec. ¶¶ 5 (describing an embodiment as a system for advising a user based on the user’s interactions in a digital or physical environment), 19–21; Appeal Br. 5 (explaining the claims are “directed toward . . . advising a user based on the user’s digital trace”); Reply Br. 8–9 (“the instant claims are directed to a system for advising a user based on the user’s digital trace”). But for the recitation of generic computer components performing generic computing functions (as discussed further below; *see also* Spec. ¶¶ 56–59, Fig. 6), generating an indication (e.g., a warning or recommendation) to a user when a user’s activity in a digital or physical environment triggers a rule that has been customized based on the user’s historical activity in the digital and physical environments is a series of observations, evaluations, judgments, and opinions that can be performed by a human, mentally or with pen and paper.

Consistent with our Office Guidance and case law, we conclude that the concept of generating an indication (e.g., a warning or recommendation to a user) when a user’s activity in a digital or physical environment triggers

a rule that has been customized based on the user’s historical activity in the digital and physical environments, is a mental process and, thus, an abstract idea. *See* 84 Fed. Reg. at 52; *see also Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1354 (Fed. Cir. 2016) (concluding that “analyzing information by steps people go through in their minds, or by mathematical algorithms, without more, as essentially mental processes within the abstract-idea category”); *Content Extraction & Transmission LLC v. Wells Fargo Bank, Nat. Ass’n*, 776 F.3d 1343, 1347–48 (Fed. Cir. 2014) (explaining that claims drawn to data collection, recognition, and storage are “undisputedly well-known” and, absent more, are directed to an abstract idea); *CyberSource*, 654 F.3d at 1371–72 (concluding claims directed to “detecting credit card fraud based on information relating [to] past transactions” can be performed in the human mind and were drawn to a patent-ineligible mental process); *FairWarning IP, LLC v. Iatric Sys., Inc.*, 839 F.3d 1089, 1093–94 (Fed. Cir. 2016) (concluding claims directed to “collecting and analyzing information to detect misuse and notifying a user when misuse is detected” to be mental processes within the abstract-idea category).

In addition, we are mindful that “[a]n abstract idea can generally be described at different levels of abstraction.” *Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1240 (Fed. Cir. 2016). Thus, alternatively, the concept of generating an indication (e.g., a warning or recommendation to a user) when a user’s activity in a digital or physical environment triggers a rule that has been customized based on the user’s historical activity in the digital and physical environments, may also be considered a certain method of

organizing human activity (e.g., managing personal behavior), which is also an abstract idea. *See, e.g.*, Office Guidance, 84 Fed. Reg. at 52.

Claim 1 is reproduced below and includes the following claim limitations that recite generating an indication (e.g., a warning or recommendation to a user) when a user's activity in a digital or physical environment triggers a rule that has been customized based on the user's historical activity in the digital and physical environments, emphasized in *italics*:

1. A computer-executable method for advising a user, comprising:

generating a set of rules for a digital representation of the user in a rule base and rule engine running, on a computer, in association with a semantic graph;

perceiving, using a sensor, a physical environment of the user;

aggregating, by the computer in the semantic graph, data indicating a digital trace of the user, wherein the digital trace includes a historical data trail associated with the user's interactions in a digital environment and the physical environment;

customizing the set of rules for the user in the semantic graph based on both the digital trace data and an acceptance rate of a respective customized rule among a plurality of users,

wherein a respective customized rule has a first triggering parameter that depends on the user's digital trace and differs from a second triggering parameter associated with another user of the plurality of users;

generating a warning or recommendation to maximize the user's psychological well-being, based on the respective customized rule and an interest of the user learned from the digital trace data, including the interactions in the physical environment; and

in response to the respective customized rule being triggered by a recent interaction of the user, communicating to the user the warning or recommendation,

which causes the user to perform a subsequent interaction in the digital environment or the physical environment, wherein the subsequent interaction modifies the user's digital trace and causes the system to further customize the set of rules for the user.

More particularly, the concept of generating an indication (e.g., a warning or recommendation to a user) when a user's activity in a digital or physical environment triggers a rule that has been customized based on the user's historical activity in the digital and physical environments comprises (i) gathering information about a user's interactions in digital and physical environments (i.e., the claimed steps of perceiving a physical environment of the user and aggregating data indicating a digital trace of the user—observations); (ii) generating and customizing rules for a user based on the user's interactions in the digital and physical environments (i.e., the claimed steps of generating a set of rules for a user (digital representation of the user) and customizing the rules based on the digital trace of the user—a judgment or opinion); and (iii) generating an indication to the user when the user's activity triggers a rule (i.e., the claimed steps of generating a warning or recommendation and communicating the indication to the user in response to a trigger event—an evaluation or judgment).

Because the claim recites a judicial exception, we next determine whether the claim integrates the judicial exception into a practical application. Office Guidance, 84 Fed. Reg. at 54. To determine whether the judicial exception is integrated into a practical application, we identify whether there are “*any additional elements recited in the claim beyond the*

judicial exception(s)” and evaluate those elements to determine whether they integrate the judicial exception into a recognized practical application. Office Guidance, 84 Fed. Reg. at 54–55 (emphasis added); *see also* MPEP § 2106.05(a)–(c), (e)–(h).

Here, we find the additional limitations do not integrate the judicial exception into a practical application. More particularly, the claims do not recite (i) an improvement to the functionality of a computer or other technology or technical field (*see* MPEP § 2106.05(a)); (ii) a “particular machine” to apply or use the judicial exception (*see* MPEP § 2106.05(b)); (iii) a particular transformation of an article to a different thing or state (*see* MPEP § 2106.05(c)); or (iv) any other meaningful limitation (*see* MPEP § 2106.05(e)). *See* Office Guidance, 84 Fed. Reg. at 55.

Specifically, the additional limitations merely provide additional detail to the customization of rules based on the user’s digital trace to include an acceptance rate of the rule among a plurality of users and to set triggering parameters. This level of refinement of the abstract idea fails to confer patent eligibility. Similarly, the subsequent action of the user (causing another entry in the user’s digital trace) is simply extra-solution activity that does not transform the claim into a patent-eligible claim. *See Parker v. Flook*, 437 U.S. 584, 590 (1978) (explaining “[t]he notion that post-solution activity, no matter how conventional or obvious in itself, can transform an unpatentable principle into a patentable process exalts form over substance”); *see also* MPEP § 2106.05(f)–(h). In addition, the use of a sensor (or processor or computing system) does not rise to the level of a particular machine required to practice the claimed invention. *See* MPEP § 2106.05(b); *see also Versata Dev. Group, Inc. v. SAP Am., Inc.*, 793 F.3d

1306, 1335 (Fed. Cir. 2015) (explaining that in order for a machine to add significantly more, it must “play a significant part in permitting the claimed method to be performed, rather than function solely as an obvious mechanism for permitting a solution to be achieved more quickly”). Rather, as discussed below, these components are described at a high level of generality and are simply generic computing elements performing generic computing functions. *See* Spec. ¶¶ 56–59, Fig. 6.

Contrary to Appellant’s assertions (*see, e.g.*, Appeal Br. 16–24), the claims do not recite an improvement to the functionality of a computer or other technology or technical field. *See* MPEP § 2106.05(a). As the court in *Enfish* explained, “the first step in the *Alice* inquiry . . . asks whether the focus of the claims is on the specific asserted improvement in computer capabilities . . . or, instead, on a process that qualifies as an ‘abstract idea’ for which computers are invoked merely as a tool.” *Enfish*, 822 F.3d at 1335–36. As discussed above, the focus of the pending claims is on generating an indication (e.g., a warning or recommendation) to a user when a user’s activity in a digital or physical environment triggers a rule that has been customized based on the user’s historical activity in the digital and physical environments and the recited computing elements (i.e., computing system, processor, and sensor) are invoked merely as a tool. *See Enfish*, 822 F.3d at 1335–36. Further, we note that using a computer to perform tasks more quickly or efficiently does not confer patent eligibility on an otherwise ineligible abstract idea. *See, e.g., Bancorp Servs., L.L.C. v. Sun Life Assur. Co. of Can. (U.S.)*, 687 F.3d 1266, 1278 (Fed. Cir. 2012) (“[T]he 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.”); *see also* Ans. 4–5.

Further, in *DDR Holdings*, the Federal Circuit determined “the claimed solution amount[ed] to an inventive concept for resolving [a] particular Internet-centric problem,” i.e., a challenge unique to the Internet. *DDR Holdings*, 773 F.3d at 1257–59; *see Synopsys, Inc. v. Mentor Graphics Corp.*, 839 F.3d 1138, 1151 (Fed. Cir. 2016) (noting that “[i]n *DDR Holdings*, we held that claims ‘directed to systems and methods of generating a composite web page that combines certain visual elements of a ‘host’ website with content of a third-party merchant’ contained the requisite inventive concept”). The Federal Circuit explained that the patent-eligible claims specified “how interactions with the Internet are manipulated to yield a desired result . . . that overrides the routine and conventional sequence of events ordinarily triggered by the click of a hyperlink.” *DDR Holdings*, 773 F.3d at 1258. The court reasoned that those claims recited a technological solution “necessarily rooted in computer technology” that addressed a “problem specifically arising in the realm of computer networks.” *DDR Holdings*, 773 F.3d at 1257.

Also, the claims at issue in *McRO*—unlike the claims here—recited a “specific . . . improvement in computer animation” using “unconventional rules” that related “sub-sequences of phonemes, timings, and morph weight sets” to automatically animate lip synchronization and facial expressions for three-dimensional characters that only human animators could previously produce. *McRO*, 837 F.3d at 1302–03, 1307–08, 1313–15. In *McRO*, “the incorporation of the claimed rules” improved an existing technological process. *McRO*, 837 F.3d at 1314.

In *Visual Memory*, the court determined that the claimed “programmable operational characteristics” of a computer memory system provided an improvement over conventional memory systems. *See Visual Memory*, 867 F.3d at 1259. In particular, the court looked to the specification to describe the alleged improvements. *Visual Memory*, 867 F.3d at 1259.

Here, unlike the claims at issue in *DDR Holdings* or *McRO*, Appellant’s claims do not address a problem specifically arising in the realm of computer networks. *See* Ans. 5. Instead, considered as a whole, the instant claims relate to generating an indication (e.g., a warning or recommendation to a user) when a user’s activity in a digital or physical environment triggers a rule that has been customized based on the user’s historical activity in the digital and physical environments. Although the claimed method occurs within a computer network (e.g., tracing a user’s interactions on the Internet), this amounts merely to limiting the judicial exception to a particular technological environment or field of use, which is insufficient to confer patent eligibility. *See* MPEP § 2106.05(h); *see also Elec. Power*, 830 F.3d at 1354 (explaining that “limiting the claims to [a] particular technological environment . . . is, without more insufficient to transform them into patent-eligible applications of the abstract idea at their core”); *Ultramercial, Inc. v. Hulu, LLC*, 772 F.3d 709, 716 (Fed. Cir. 2014) (“use of the Internet does not transform an otherwise abstract idea into patent-eligible subject matter”).

Moreover, as discussed, the pending claims do not improve an existing technological process, but rather merely use computers and computer devices that operate in their normal, expected manner. *See DDR*

Holdings, 773 F.3d at 1258–59; *see also Enfish*, 822 F.3d at 1335–36 (distinguishing between claims *wherein the focus of the claims* is on an improvement in computer capabilities and those that invoke a computer as a tool).

As set forth in the October 2019 Update: Subject Matter Eligibility (available at https://www.uspto.gov/sites/default/files/documents/peg_oct_2019_update.pdf) (“October Update”), the alleged improvement as described in the specification must be apparent to an ordinarily skilled artisan and, if so, “the claim must be evaluated to ensure that the claim itself reflects the disclosed improvement. That is, the claim includes the components or steps of the invention that provide the improvement described in the specification.” October Update at 12.

Unlike the claims in *Visual Memory*, which provided an improvement to computer functionality or a technical field, Appellant’s alleged improvements (e.g., generating rules to send warnings or recommendations to a user (*see* Appeal Br. 19); gathering of historical information regarding a user’s digital trace (*see* Appeal Br. 21); protecting the security of the user’s data (*see* Appeal Br. 24); or “maximizing the user’s well-being” (Spec. ¶ 38)) relate to the abstract idea, and do not improve a computer, technology, or a technical field. *Cf. Customedia Techs., LLC v. Dish Network Corp.*, 951 F.3d 1359, 1365 (Fed. Cir. 2020) (determining that “the claimed invention is at most an improvement to the abstract concept of targeted advertising wherein a computer is merely used as a tool. This is not an improvement in the functioning of the computer itself.”).

For at least the foregoing reasons, the claims do not integrate the judicial exception into a practical application.

Because we determine the claims are directed to an abstract idea or combination of abstract ideas, we analyze the claims under step two of *Alice* (i.e., step 2B of the Office Guidance) to determine if there are additional limitations that individually, or as an ordered combination, ensure the claims amount to “significantly more” than the abstract idea. *Alice*, 573 U.S. at 217–18 (citing *Mayo*, 566 U.S. at 77–79). As stated in the Office Guidance, many of the considerations to determine whether the claims amount to “significantly more” under step two of the *Alice* framework are already considered as part of determining whether the judicial exception has been integrated into a practical application. Office Guidance, 84 Fed. Reg. at 56. Thus, at this point of our analysis, we determine if the claims add a specific limitation, or combination of limitations, that is not well-understood, routine, conventional activity in the field, or simply append well-understood, routine, conventional activities at a high level of generality. Office Guidance, 84 Fed. Reg. at 56. “Whether something is well-understood, routine, and conventional to a skilled artisan at the time of the patent is a factual determination.” *Berkheimer v. HP Inc.*, 881 F.3d 1360, 1369 (Fed. Cir. 2018).

Here, Appellant’s claims do not recite specific limitations (alone or when considered as an ordered combination) that are not well-understood, routine, and conventional. Instead, when describing the computer system for advising a user, Appellant describes the system and components at a high level of generality. *See* Spec. ¶ 56 (describing the computer system as comprising a processor, memory, and storage device). Consistent with the

Berkheimer Memorandum,⁷ we agree with the Examiner’s findings that the claims merely recite generic computer components (e.g., a computing device comprising a processor and memory) performing generic computing functions that are well-understood, routine, and conventional (e.g., receiving and transmitting data, processing data, and presenting the results of the data processing). *See Mortg. Grader, Inc. v. First Choice Loan Servs. Inc.*, 811 F.3d 1314, 1324–25 (Fed. Cir. 2016) (generic computer components, such as an “interface,” “network,” and “database,” fail to satisfy the inventive concept requirement); *Alice*, 573 U.S. at 226 (“Nearly every computer will include a ‘communications controller’ and [a] ‘data storage unit’ capable of performing the basic calculation, storage, and transmission functions required by the method claims.”); *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.”); *Concaten, Inc. v. Ameritrak Fleet Solutions, LLC*, 131 F. Supp. 3d 1166, 1176 (D. Colo. 2015) (explaining the use of generic computing components such as sensors is insufficient to transform an abstract idea into a patentable invention).

⁷ On April 19, 2018, the Deputy Commissioner for Patent Examination Policy issued a memorandum entitled: Changes in Examination Procedure Pertaining to Subject Matter Eligibility, Recent Subject Matter Eligibility Decision (*Berkheimer v. HP, Inc.*) (i.e., “the *Berkheimer* Memorandum”) (discussing the *Berkheimer* decision) (available at <https://www.uspto.gov/sites/default/files/documents/memo-berkheimer-20180419.PDF>). Support for a finding that an element was well-understood, routine, or conventional may be shown by citation to one or more court decisions noting the well-understood, routine, conventional nature of the element(s). *See Berkheimer* Memorandum 3–4.

Additionally, we are unpersuaded that consideration of *BASCOM*⁸ or *Amdocs*⁹ alters our determination. *See* Appeal Br. 26–32. For example, in *BASCOM*, the court found “the patent describes how its particular arrangement of elements is a technical improvement,” and, when construed in favor of *BASCOM*,¹⁰ the claims may be read to improve an existing technological process. *BASCOM*, 827 F.3d at 1350. As discussed above, the claims do not improve an existing technological process, but rather use the existing components to perform the abstract idea. *See, e.g.*, Spec. ¶¶ 56–59, Fig. 6. Additionally, unlike the arrangement of elements (i.e., installation of a filtering tool at a specific location) in *BASCOM*, 827 F.3d at 1349–50 (or the distributed architecture described in *Amdocs*, 841 F.3d at 1300), Appellant’s claims do not recite a non-conventional and non-routine arrangement of known elements.

For the reasons discussed *supra*, we sustain the Examiner’s rejection of claims 1–10, 12–15, and 17–22 under 35 U.S.C. § 101.

CONCLUSION

We affirm the Examiner’s decision rejecting claims 1–10, 12–15, and 17–22 under 35 U.S.C. § 101.

⁸ *BASCOM Glob. Internet Servs., Inc. v. AT&T Mobility LLC*, 827 F.3d 1341 (Fed. Cir. 2016).

⁹ *Amdocs Ltd. v. Openet Telecom, Inc.*, 841 F.3d 1288 (Fed. Cir. 2016).

¹⁰ In *BASCOM*, *BASCOM* appealed the district court’s granting of a motion to dismiss under Fed. R. Civ. P. 12(b)(6). *BASCOM*, 827 F.3d at 1341.

DECISION SUMMARY

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1-10, 12-15, 17-22	101	Patent Eligibility	1-10, 12-15, 17-22	

TIME PERIOD FOR RESPONSE

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

AFFIRMED