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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte MICHELLE FISHER

Appeal 2019-004734
Application 14/867,328
Technology Center 3600

Before JAMES B. ARPIN, MIRIAM L. QUINN, and ADAM J. PYONIN,
Administrative Patent Judges.

ARPIN, *Administrative Patent Judge.*

DECISION ON REQUEST FOR REHEARING

Pursuant to 37 C.F.R. § 41.52, Appellant¹ filed a Request for Rehearing (“Req. Reh’g”), dated May 8, 2020,² accompanied by a Statement of Delay Due to COVID-19 Outbreak (Form PTO/SB/449), seeking reconsideration of our Decision on Appeal mailed February 28, 2020 (“Dec.”), in which we reversed the Examiner’s rejections of claims 1–30 under 35 U.S.C. § 103(a) as rendered obvious over the teachings of Barnes,

¹ “Appellant” here refers to “applicant” as defined in 37 C.F.R. § 1.42. Appellant identifies the real party-in-interest as Michelle Fisher. Appeal Br. 3.

² Appellant filed Rehearing Requests on April 27, 2020, and May 6, 2020, which are superseded by the Rehearing Request filed May 8, 2020. Req. Reh’g 1.

alone or in combination with the teachings of Pond³ (Final Act. 6–13⁴), but we affirmed the Examiner’s rejection of claims 1–30 under 35 U.S.C. § 101 as directed to patent ineligible subject matter without significantly more (Dec. 4–22). For the reasons given below, we deny Appellant’s request for rehearing.

STATEMENT OF THE CASE

Appellant’s claimed methods, systems, and computer-readable media “relate[] to data communications and wireless devices.” Spec. ¶ 2. As noted above, claims 1–30 are pending. Claims 1, 10, and 19 are independent. Appeal Br. 63 (claim 1), 64–65 (claim 10), 66 (claim 19) (Claims App.). Claims 2–9 and 21–25 depend directly or indirectly from claim 1, claims 11–18 and 26–30 depend directly or indirectly from claim 10, and claim 20 depends directly from claim 19. *Id.* at 63–68.

Claim 10 recites “[a] remote management server for sending a *digital artifact*, comprising: a remote management server transceiver . . . ; a remote management server processor . . . ; and a remote management server transceiver,” which perform functions, substantially as recited in claim 1. *Id.* at 63, 64–65 (emphasis added). Claim 19 recites “[a] non-transitory

³ In our Decision, we provide a table identifying the references upon which the Examiner relies. Dec. 3.

⁴ In this Decision, we again refer to Appellant’s Supplemental Appeal Brief (“Appeal Br.,” filed January 21, 2019) and Reply Brief (“Reply Br.,” filed May 24, 2019); the Final Office Action (“Final Act.,” mailed September 27, 2018), the Advisory Action (“Adv. Act.,” mailed November 26, 2018), and the Examiner’s Answer (“Ans.,” mailed March 28, 2019); and the Specification (“Spec.,” filed September 28, 2015). Rather than repeat the Examiner’s findings and determinations and Appellant’s contentions in their entirety, we refer to these documents and to the Request for Rehearing.

computer readable medium for sending *a digital artifact*, comprising:
computer code for” performing functions, substantially as recited in claim 1.
Id. at 64, 66 (emphasis added). The Examiner relies on the same findings
and reasoning in rejecting claims 2–9, 11–18, and 20–30 (Final Act. 2), and
Appellant contests the rejection of claims 22–29 separately from the
independent claims (Req. Reh’g 26–29; *see* Appeal Br. 50).

Claim 1, with disputed limitations emphasized, is representative.

1. A method for sending *a digital artifact*, comprising:

receiving at a remote management server a request for *the digital artifact* from a non-browser based mobile application, wherein the request is automatically triggered when a user browses *a specific non-browser based mobile application generated screen, the non-browser based mobile application is not browser based with a graphical user interface and is preinstalled or downloaded and installed on a mobile device*, the mobile device comprising a mobile device display, a mobile device processor, a mobile device radio interface, and a mobile device wireless fidelity (Wi-Fi) interface, the specific non-browser based mobile application generated screen corresponds to a specific screen, scene, or area of the non-browser based mobile application;

selecting, by the remote management server, *the digital artifact* based on one or more targeting parameters stored at the remote management server, and

sending, by the remote management server, *the digital artifact* from the remote management server to the non-browser based mobile application for a display within the specific non-browser based mobile application generated screen.

Id. at 63 (emphases added).

ANALYSIS

“The panel . . . reviews the . . . rejection for error based upon the issues identified by appellant, and in light of the arguments and evidence

produced thereon.” *Ex parte Frye*, 94 USPQ2d 1072, 1075 (BPAI 2010) (precedential). Pursuant to 37 C.F.R. § 41.50(a)(1), “[t]he Board, in its decision, may affirm or reverse the decision of the examiner in whole or in part on the grounds and on the claims *specified by the examiner*.”

(Emphasis added.) Under 37 C.F.R. § 41.52(a)(1),

The request for rehearing must state with particularity the points believed to have been misapprehended or overlooked by the Board. Arguments not raised, and Evidence not previously relied upon, pursuant to §§ 41.37, 41.41, or 41.47 are not permitted in the request for rehearing except as permitted by paragraphs (a)(2) through (a)(4) of this section.

(Emphasis added.)

Appellant contends that we misapprehended or overlooked contentions or evidence, or both, presented in Appellant’s briefing in our determination that the claims are directed to an abstract idea without significantly more. Dec. 4–22. Appellant does not contend that we misapprehended or overlooked contentions or evidence, or both, presented in Appellant’s briefing in our determination that the claims are directed to recognized statutory categories (Step 1) or that the claims recite an abstract idea (Step 2A, Prong One). Instead, Appellant requests rehearing of our Decision for two reasons. Req. Reh’g 2–41. First, Appellant contends we misapprehended or overlooked the elements of the claims, which integrate the identified abstract idea into a practical application (Step 2A, Prong Two). *Id.* at 2–35. Second, Appellant contends that we misapprehended or overlooked deficiencies in the Examiner’s findings or the Specification’s description of elements in determining that the additional elements recited in the claims are well-understood, conventional, and routine (Step 2B). *Id.* at 36–41.

With regard to Appellant’s first reason, Appellant identifies four instances in which we allegedly misapprehended or overlooked Appellant’s contentions or evidence. First, Appellant contends that we misapprehended or overlooked differences between browser and non-browser applications. *Id.* at 2–8. Second, Appellant contends that we misapprehended or overlooked the inherent recitation of “*relevant digital artifacts*” in independent claims 1, 10, and 19. *Id.* at 9–27. Third, Appellant contends that we misapprehended or overlooked improvements to computer technology recited in dependent claims 22–29. *Id.* at 27–29, 43–59; *see* Appeal Br. 50. Fourth, Appellant contends that we misapprehended or overlooked evidence that the independent claims recite non-conventional elements and an ordered combination of non-conventional elements. Req. Reh’g 29–36. For the reasons below, we are not persuaded that we misapprehended or overlooked Appellant’s contentions or evidence, and we deny the request for rehearing.

A. Appellant’s First Reason: Step 2A, Prong Two, Analysis

1. Support for Non-Browser Based Application With Graphical User Interface

a. “With a Graphical User Interface”

In the Reply Brief, Appellant contends that the claims are limited to a “non-browser based application [that] is a mobile operating system platform non-browser based application with a graphical user interface that is preinstalled or downloaded and installed on the mobile communications device, wherein the graphical user interface includes a graphical icon.”

Reply Br. 23. Appellant demonstrates that the non-browser application is disclosed in patent publications incorporated by reference into the

Specification. Req. Reh’g 3–4. Thus, Appellant contends that the claims implement or use the identified abstract idea “in conjunction with, a particular machine or manufacture that is integral to the claim.” *Id.* (citing MPEP § 2106.05(b)).

In determining patent eligibility, we focus on the language of the claims. *In re Morris*, 127 F.3d 1048, 1053 (Fed. Cir. 1997) (“[T]he PTO applies to the verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description contained in the applicant’s specification.”). “It is the applicants’ burden to precisely define the invention, not the USPTO’s.” *Id.* at 1056.

In our Decision, we noted, “the pending claims do not recite, ‘the graphical user interface includes a graphical icon.’” Dec. 15 (quoting Appeal Br. 63–68). Instead, claim 1 recites, “the non-browser based mobile application *is not browser based with a graphical user interface and is preinstalled or downloaded and installed on a mobile device.*” Appeal Br. 63 (Claim App.) (emphasis added). Independent claims 10 and 19 include corresponding limitations. The phrase “graphical user interface” only appears in pending claims 1, 10, and 19, and, in each of those claims, Appellant recites, “the non-browser based mobile application *is not browser based with a graphical user interface.*” *Id.* (emphases added). Because claim terms generally are used consistently throughout a patent, the usage of a term, in one claim may illuminate the meaning of the same term in other claims. *See Rexnord Corp. v. Laitram Corp.*, 274 F.3d 1336, 1342 (Fed. Cir.

2001).

Appellant shows where the incorporated publications may disclose a non-browser application with a graphical user interface including a graphical icon. Req. Reh’g 5–8. Nevertheless, we do not read limitations from the Specification into the claims, and, as we understand it, the recited non-browser application is not limited to ones having “a mobile operating system platform non-browser based application with a graphical user interface that is preinstalled or downloaded and installed on the mobile communications device, wherein the graphical user interface includes a graphical icon.” Reply Br. 23. Therefore, we are not persuaded we misapprehended or overlooked contentions or evidence presented in Appellant’s briefing that the non-browser based application must have a graphical user interface graphical including a graphical icon, and that the presence of a graphical user interface graphical including a graphical icon in the non-browser application implements or claimed invention uses the recited abstract idea in conjunction with, a particular machine or manufacture that is integral to the claim.

b. “Non-Browser Based Application”

In our Decision, we determined,

the Specification describes the recited methods as applying to applications broadly and does not differentiate between browser and non-browser applications in the functioning of the disclosed methods. *See* Spec. ¶ 28 (“In operation, a user opens an application ([e.g.], a web-browser) on a computing device (a mobile communication device). The application queries the management Server for an artifact, providing pageId (scene identifier) and userId, where the pageId can represent a specific screen, scene or real-estate property. The query can be initiated/triggered via following mechanisms, but not limited to:

Browsing a particular screen/web page that specify unique real-estate; leveraging proximity services (NFC/Contactless, etc.) that specify unique code or identifier; geographic location (LBS, Bluetooth, etc.).”); see also id. ¶¶ 4–6 (discussing "applications" generally).

Dec. 15 (emphasis added).

Regarding the disclosure of “screen/web page,” Appellant contends, “[t]hose skilled in the art know that, ‘Slashes are commonly used to signify alternatives as in ‘and/or’ and ‘his/her,’ and they can also appear in place of the word ‘and,’ as in ‘She’s a writer/producer/actor.’ Source: <https://www.dictionary.com/e/slash/>”. Req. Reh’g 2. This interpretation was not presented in Appellant’s briefing, but, even if accepted, it does not alter our analysis. If we interpret a “slash” as “and/or,” the Specification discloses, “browsing” a screen, a web page, or a screen and a web page.

We are not persuaded that Appellant’s recitation of a non-browser based application integrates the claimed methods, servers, or computer-readable media into a practical application of the abstract idea for two reasons. First, although browser and non-browser applications may be different embodiments, browsing screens and web pages are disclosed as alternatives. Moreover, neither the claims nor the Specification differentiates between browser and non-browser applications in the functioning of the disclosed methods. *See* Spec. ¶ 28 (“In operation, a user opens *an application (e.g, a web-browser)* on a computing device (a mobile communication device).” (emphasis added)). Second, independent claim 1 recites,

receiving at a remote management server a request for the digital artifact from a non-browser based mobile application, wherein the request is automatically triggered *when a user browses a specific non-browser based mobile application generated*

screen, . . . the specific non-browser based mobile application generated screen corresponds to a specific screen, scene, or area of the non-browser based mobile application; . . . and

sending, by the remote management server, the digital artifact from the remote management server to the non-browser based mobile application for a display within the specific non-browser based mobile application generated screen.

Appeal Br. 63 (Claims App.). Each of the remaining independent claims contain limitations commensurate in scope. Although a browser based application calls up a web page and a non-browser based application generates a screen, the claims merely describe the screen in terms of where the request is triggered from, what content appears on the screen, and where the digital artifacts are displayed. Thus, in the context of these claims, the screen is merely an interface through which the user triggers performance of or receives the results from the method steps. On this record, we are not persuaded that we misapprehended or overlooked contentions or evidence demonstrating the use of a non-browser application, as opposed to a browser application, implements or uses the recited abstract idea in conjunction with, a particular machine or manufacture that is integral to the claim.

2. “Relevant” Digital Artifacts

In our Decision, we determined, “although the Specification recites that ‘relevant’ digital artifacts may be identified and distributed, the claims do not recite that only ‘relevant’ digital artifacts are requested, selected, or sent/or display.” Dec. 16; *see* Req. Reh’g 9. Appellant disagrees.

Initially, we note only independent claims 1, 10, and 19 recite “digital artifacts,” but none of those claims recites “relevant digital artifacts.” *E.g.*, Appeal Br. 63 (Claims App.). As noted above, we give the recited claim

terms their broadest reasonable interpretation “taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description contained in the applicant’s specification.” *Morris*, 127 F.3d at 1053. Here, the Specification describes “artifacts” as “one or more of an advertisement, receipt, ticket, coupon, media, or content” (Spec. ¶ 5) and “digital artifacts” as “payment information and other digital artifacts (e.g., receipts, tickets, coupons, etc.)” (*id.* ¶ 18). The Specification further describes “artifacts . . . *more relevant* to the likes and tastes of the user, and which are more likely to be acted upon by the user” (*id.* ¶ 19 (emphasis added); *see id.* ¶ 24), as well as “*relevant* artifacts” (*id.* ¶¶ 21, 23 (emphasis added)). Thus, the Specification distinguishes the meanings of these terms in the Specification. Consequently, we do not limit the term “digital artifacts,” as recited in claims 1, 10, and 19, to “*relevant* digital artifacts.” *See* Dec. 16.

Appellant contends that we misapprehended or overlooked that the ordinary and customary meaning of digital artifacts is “relevant digital artifacts” (Req. Reh’g 9–10) or, alternatively, that “relevant” is inherent in the recitation of “digital artifacts” (*id.* at 10–12). In particular, Appellant contends:

Clearly, the ordinary and customary meaning of “relevant” digital artifact is evidenced by the words of the specification which states that when the management server sends artifacts, ***“based on user profile information and/or a transaction history (or payment trends) associated with a user of the mobile communication device 102”, the artifacts are relevant. Since relevant is inherent, it is respectively submitted that Claims need not be amended to include this adjective.***

Id. at 10. Nevertheless, Appellant only relies on the Specification’s disclosure to support these contentions. As noted above, the Specification

distinguishes between “artifacts,” “digital artifacts,” “more relevant artifacts,” and “relevant artifacts” and does not support either of Appellant’s contentions.

Because Appellant relies on limitations that are not recited in the independent claims and distinctions between claimed and unclaimed embodiments that are not supported by the Specification, we do not reach Appellant’s remaining contentions, which are based on Appellant’s proposed interpretation of the claims language. Req. Reh’g 12–26. Appellant does not persuade us that we misapprehended or overlooked contentions or evidence demonstrating the independent claims integrate the abstract idea into a practical application.

3. *Improvement to Computer Technology*

Appellant contends that each of dependent claims 22–29 recites methods or servers, which achieve improvements to computer technology. Req. Reh’g 26–28. In particular, Appellant contends that the methods and servers of claims 22–29 “improve[] efficiency, usability, reliability, [and] flexibility.” *Id.*; *see id.* at 43–54. Appellant contends that we misapprehended or overlooked either the limitations of these claims or the improvements to computer technology that they achieve, or both.

Nevertheless, these contentions were addressed in our Decision. Dec. 16–18. We determined the claims do not recite how these alleged improvements are achieved. In particular, we determined,

the claims do not recite how the method achieves faster processing, less CPU utilization and memory utilization, improved reliability, and security; and we do not find an explanation of how these advantages are achieved in the Specification. *See* Final Act. 16 (“Regarding reliability, security

and flexibility, Examiner first notes that none of these features have been recited in the claims and hence Applicant's arguments are inapplicable to the current set of claims."); Ans. 27 ("[W]ith regard to assertions of reliability, flexibility, performance, user experience, etc., Examiner notes that none of the above terms have been recited in the appealed claims and therefore they have no relevance to the present appeal. In the case of reliability, Appellant merely repeats previous arguments of online mode and retransmitting tickets — which, as pointed out above, are inherent properties of digital communication."); *see also Am. Axle & Mfg., Inc. v. Neapco Holdings LLC*, 939 F.3d 1355, 1363 (Fed. Cir. 2019) ("We have repeatedly held that features that are not claimed are irrelevant as to step 1 or step 2 of the *Mayo/Alice* analysis.").

Id. at 16–17; *see id.* at 16 n.11. Appellant does not persuade us that we misapprehended or overlooked contentions or evidence demonstrating these dependent claims integrate the abstract idea into a practical application.

4. *Unconventional Components in an Ordered Combination*

In our Decision, we determined:

Although Appellant contends that the claims recite “***an unconventional ordered combination unlike the prior art***,” the contention conflates the novelty and obviousness analyses with the eligibility analysis. The claims merely recite generic hardware and software components performing their known functions in a logical order, namely, receiving a request for an artifact, selecting the artifact according to predetermined parameters in response to that request, and sending the selected artifact for display. *See* Ans. 22 (“The claimed features of receiving digital content, selecting digital content and sending digital content from a server to a client device are focused on using computers and networks expressly what they were designed for.”). Consequently, taken individually or as an ordered combination, the claim limitations recite an abstract idea, and the computer technology recited in the claims is generic and merely serves to tie the abstract idea to a technological environment.

Dec. 18; *see* Req. Reh’g 28–29. Appellant contends we misapprehended or overlooked contentions or evidence demonstrating that the mobile devices, applications, and techniques recited in the claims are unconventional and recitations of an ordered combination satisfying an industry need. Req. Reh’g 28–35.

As we noted in our Decision, however, the Examiner found:

Figure 2 [of the application] discloses generic mobile communication devices (*see, e.g.*, Spec. ¶ 5 (“The mobile communication device can be a cellular phone or a wireless personal digital assistant (PDA).”)); Figure 9 discloses generic computing devices (*see, e.g.*, Spec. ¶28 (“In operation, a user opens an application ([e.g.], a web-browser) on a computing device (a mobile communication device).”)); and Figures 5 and 6 disclose flowcharts describing the conventional steps of updating user targeting parameters and sending artifacts to users based on target parameters. Ans. 19–20; *see* Final Act. 5.

Dec. 20–21; *see id.* at 15 (discussing the disclosure of Spec. ¶ 28), 18 (“The claims merely recite generic hardware and software components performing their known functions in a logical order, namely, receiving a request for an artifact, selecting the artifact according to predetermined parameters in response to that request, and sending the selected artifact for display.”).⁵

Although the Specification, via the incorporated patent publication disclosures, may describe deficiencies in “conventional wireless mobile devices” and “conventional application[s]” (*id.* at 29–30), Appellant does not indicate where the claims recite “unconventional” mobile devices or applications. Instead, we note that the claims merely recite, “*the non-browser based mobile application* is not browser based with a graphical user

⁵ *See* Dec. 14 n.10.

interface and is preinstalled or downloaded and installed *on a mobile device.*” E.g., Appeal Br. 63 (Claim App.). Moreover, the “techniques” appear merely to refer to the results of the recited methods. See Req. Reh’g 11, 30, 31, 34, 35, 39, 40.

Further, Appellant contends that the Specification distinguishes between the recited “mobile devices” and “conventional systems.” Req. Reh’g 30. In particular, Appellant notes the Specification discloses:

Updating the targeting parameters in a user profile permits more relevant artifacts to be sent to a user based on transactions made by a user through a mobile communication device. In general, as usage of mobile communication devices for payment transactions increases in everyday use, ***the techniques described herein will permit more relevant artifacts to be sent to users than conventional systems.***

Id. at 30 (quoting Spec. ¶ 23; Appellant’s emphases). Nevertheless, as discussed above, this distinction relies on sending “relevant” digital artifacts, and the claims are not so limited. See *supra* Section A.2.; see also Dec. 16 (“[A]lthough the Specification recites that ‘relevant’ digital artifacts may be identified and distributed, the claims do not recite that only ‘relevant’ digital artifacts are requested, selected, or sent for display. See Appeal Br. 63-68 (Claims App.); Spec. ¶¶ 19, 21, 23, 24 . . .” (citation omitted)).

Appellant also contends, “***since the Specification positively recites elements that are NON-CONVENTIONAL and thus they represent a NON-CONVENTIONAL and non-generic arrangement of NONCONVENTIONAL the elements which the courts have ruled is patent eligible.***” Req. Reh’g 31 (Appellant’s emphasis). Further, Appellant relies on our determination that “***we are not persuaded that the Examiner has shown that Barnes teaches or suggests all of the limitations of claim 1,***

as well as those of claims 10 and 19” to demonstrate that the claims recite an unconventional, ordered combination of elements. *Id.* at 33 (quoting Dec. 28; Appellant’s emphasis).

For the reasons given above and in our Decision, Appellant does not persuade us that we misapprehended or overlooked contentions or evidence demonstrating that the recited claim elements are non-conventional. Further, Appellant’s reliance on our reversal of the Examiner’s obviousness rejections of the pending claims is misplaced. First, we do not conflate the patent eligibility analysis with the obviousness analysis. *Synopsys, Inc. v. Mentor Graphics Corp.*, 839 F.3d 1138, 1151 (Fed. Cir. 2016) (“[A] claim for a *new* abstract idea is still an abstract idea. The search for a § 101 inventive concept is thus distinct from demonstrating § 102 novelty.”); *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1315 (Fed. Cir. 2016) (same for obviousness). Second, we determined only that the Examiner fails to demonstrate that Barnes teaches or suggests a single limitation. Dec. 27 (“Thus, Appellant contends Barnes discloses delivering advertisements *to the Advertisements Store* and delivering advertisements to the non-browser application/ram *the Advertisements Store*. Appeal Br. 10; Reply Br. 5, 7. This is different from what is recited in claim 1.”). Third, we determined only that the Examiner erred in finding the pending claims are *obvious on this record*. Consequently, Appellant does not persuade us that we misapprehended or overlooked contentions or evidence demonstrating the claims recite unconventional devices, applications or techniques or an unconventional ordered combination of such elements, such that the claims integrate the abstract idea into a practical application.

For the reasons given above, we are not persuaded by Appellant’s first

reason for requesting rehearing.

B. Appellant's Second Reason: Step 2B Analysis

In our Decision, we determined, “[c]laims 1, 10, and 19 recite generic computer components performing generic computer and software functions, which, considered individually or as an ordered combination, are well-understood, routine, and conventional; and these claims do not recite ‘significantly more’ than the identified abstract idea. Final Act. 4–6; Ans. 19–21.” Dec. 21. Appellant disagrees and contends (1) that the Examiner bases the determination that the claim element are well-understood, routine, and conventional on conclusory findings (Req. Reh’g 36–38) and (2) that we misapprehended or overlooked that the claims recite unconventional mobile devices, applications, and techniques in an unconventional ordered combination (*id.* at 38–41).

As the Office has explained:

A citation to an express statement in the specification . . . that demonstrates the well-understood, routine, conventional nature of the additional element(s). A specification demonstrates the well-understood, routine, conventional nature of additional elements when it describes the additional elements as well-understood or routine or conventional (or an equivalent term), as a commercially available product, or in a manner that indicates that the additional elements are sufficiently well-known that the specification does not need to describe the particulars of such additional elements to satisfy 35 U.S.C. § 112(a).

USPTO Memorandum of April 19, 2018, “*Changes in Examination Procedure Pertaining to Subject Matter Eligibility, Recent Subject Matter Eligibility Decision (Berkheimer v. HP, Inc.)*” 3–4 (Apr. 19, 2018), available at <https://www.uspto.gov/sites/default/files/documents/memo-berkheimer-20180419.PDF>. With respect to Appellant’s first contention

regarding the nature of the Examiner's findings, we determined the Examiner found that the Specification shows that the additional elements are well-understood, routine, and conventional. Dec. 20–21 (citing Ans. 19–20; *see, e.g.*, Spec. ¶¶ 5 (describing known applications and devices), 19–21 (describing known applications), 28 (describing known applications and devices)). Here, we are persuaded that the Specification adequately demonstrates that the components of the claimed methods, computer program products, or computer systems are well-understood, conventional, and routine, and we determined the Examiner's findings were sufficient to support the conclusion that the additional elements recited in the claimed methods, servers, and computer-readable media were well-understood, routine, and conventional. Dec. 20–21 (citing *Berkheimer v. HP Inc.*, 881 F.3d 1360 (Fed. Cir. 2018)). Thus, Appellant does not persuade us that we misapprehended or overlooked the conclusory nature of the Examiner's findings.

With respect to Appellant's second contention that the claims recite unconventional mobile devices, applications, and techniques in an unconventional ordered combination, we addressed that contention above. *See supra* Section A.4. Similar to our analysis under Step 2A, Prong Two, Appellant does not persuade us that we misapprehended or overlooked contentions or evidence demonstrating the claims recite unconventional devices, applications or techniques or an unconventional ordered combination of such elements, such that the claims amount to significantly more than the abstract idea.

For the reasons given above, we are not persuaded by Appellant's second reason for requesting rehearing.

DECISION

Appellant's Request for Rehearing is denied.

Outcome of Decision on Rehearing:

Claims Rejected	35 U.S.C. §	Basis/Reference(s)	Affirmed	Reversed
1-30	101	Eligibility	1-30	
1, 2, 4, 6-11, 13, 15-30	103	Barnes		1, 2, 4, 6-11, 13, 15-30
3, 5, 12, 14	103	Barnes, Pond		3, 5, 12, 14
Overall Outcome			1-30	

Final Outcome of Appeal after Rehearing:

Claims Rejected	35 U.S.C. §	Basis/Reference(s)	Affirmed	Reversed
1-30	101	Eligibility	1-30	
1, 2, 4, 6-11, 13, 15-30	103	Barnes		1, 2, 4, 6-11, 13, 15-30
3, 5, 12, 14	103	Barnes, Pond		3, 5, 12, 14
Overall Outcome			1-30	

DENIED