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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte JENNIFER CAFFAREL, GIJS GELEIJNSE, and
PRIVENDER KAUR SAINI

Appeal 2020-001086
Application 14/962,529
Technology Center 3600

Before LARRY J. HUME, LINZY T. McCARTNEY, and
MICHAEL T. CYGAN, *Administrative Patent Judges*.

McCARTNEY, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant¹ seeks review under 35 U.S.C. § 134(a) of the Examiner's final rejection of claims 1–21. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

¹ Appellant identifies the real party in interest as Koninklijke Philips N.V. Appeal Brief 4, filed June 24, 2019 (Appeal Br.).

BACKGROUND

This patent application concerns “systems and methods for creating and adjusting a holistic care plan for a patient.” Specification 1:9–10, filed December 8, 2015 (Spec.). Claim 1 illustrates the claimed subject matter:

1. A method for creating a patient care plan for a target patient, the method including:

receiving inputs related to one or more social services and one or more medical services that are each associated with target patient data;

generating, based on the inputs, a profile vector of the patient using a first input-to-vector mapping process;

generating, based on the inputs, a status vector of the patient using a second input-to-vector mapping process;

selecting one or more social and medical services based on a target assessment using the profile vector and the status vector;

calculating a net care benefit for each of the selected services;

creating a patient care plan from outcomes including the selected services with a highest net care benefit.

Appeal Br. 15.

REJECTIONS

Claims	35 U.S.C. §	References/Basis
1–21	101	Eligibility
1–21	103	Merkin, ² Eiden ³

DISCUSSION

We have reviewed the Examiner’s rejections and Appellant’s arguments. Appellant has not persuaded us that the Examiner erred in

² Merkin (US 2014/0164005 A1; June 12, 2014).

³ Eiden et al. (US 2013/0191157 A1; July 25, 2013).

rejecting claims 1–21 under § 101. For this rejection, as consistent with the discussion below, we adopt the Examiner’s reasoning, findings, and conclusions on pages 4–8 and 21–24 of the Final Office Action mailed January 2, 2019 (Final Act.), the continuation sheet of the Advisory Action mailed April 18, 2019 (Advisory Act.), and pages 3–7 of the Examiner’s Answer mailed September 30, 2019 (Ans.). Appellant has persuaded us, however, that the Examiner erred in rejecting claims 1–21 under § 103. We address these rejections in turn.

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; *see also* USPTO, October 2019 Update: Subject Matter Eligibility at 1–2, 10–15, https://www.uspto.gov/sites/default/files/documents/peg_oct_2019_update.pdf (“October SME Update”) (providing additional guidance on determining whether a claim recites a judicial exception and whether a claim integrates a judicial exception into a practical application). 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 § 101 rejection. Appellant argues claims 1–21 together for this rejection, so as permitted by

37 C.F.R. § 41.37(c)(1)(iv), we decide the appeal for this rejection based on claim 1.

Directed To

The Revised Guidance explains that the abstract idea exception includes “mental processes,” that is, acts that people can perform in their minds or using pen and paper. Revised Guidance, 84 Fed. Reg. at 52 & nn.14–15. The Revised Guidance explains that the abstract idea exception also includes “certain methods of organizing human activity” such as (1) fundamental economic principles or practices, (2) commercial or legal interactions, and (3) managing personal behavior or relationships or interactions between people. Revised Guidance, 84 Fed. Reg. at 52. The Examiner determined that claim 1 recites subject matter that falls within these categories of abstract ideas. *See* Final Act. 4–6; Advisory Act., continuation sheet; Ans. 3, 4.

We agree with the Examiner that claim 1 recites mental processes. Claim 1 recites “[a] method for creating a patient care plan for a target patient” made up of several broadly worded, result-oriented steps. These steps focus on either collecting information (receiving inputs) or analyzing information (generating profile and status vectors, selecting social and medical services, calculating a net care benefit, and creating a patient care plan). *See* Appeal Br. 15. The Federal Circuit has repeatedly determined that claims similarly focused on collecting and analyzing information are directed to an abstract idea. *See, e.g., Elec. Power Grp., LLC v. Alstom S.A.*, 830 F.3d 1350, 1353–56 (Fed. Cir. 2016) (determining that claims focusing on “collecting information, analyzing it, and displaying certain results of the collection and analysis” are directed to an abstract idea); October SME

Update at 7 (explaining that the claims in *Electric Power Group* are examples of claims that recite mental processes); *see also In re Downing*, 754 F. App'x 988, 993 (Fed. Cir. 2018) (“This court has consistently treated inventions directed to collecting, analyzing, and displaying information as abstract ideas.”); *In re Rudy*, 956 F.3d 1379, 1384 (Fed. Cir. 2020) (“We have held in the computer context that ‘collecting information’ and ‘analyzing’ that information are within the realm of abstract ideas.”).

In addition, we see no meaningful difference between the method recited in claim 1 and a number of other methods that courts have determined are directed to mental processes. *See, e.g., In re Grams*, 888 F.2d 835, 837–41 (Fed. Cir. 1989) (method of diagnosing an abnormal condition in an individual); *SmartGene, Inc. v. Advanced Biological Labs., SA*, 555 F. App'x 950, 953–56 (Fed. Cir. 2014) (method for guiding the selection of a therapeutic treatment regimen for a patient with a known disease or medical condition); *Classen Immunotherapies, Inc. v. Biogen IDEC*, 659 F.3d 1057, 1067–68 (Fed. Cir. 2011) (method of determining whether an immunization schedule affects the incidence or severity of a chronic immune-mediated disorder); *see also CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366, 1370–77 (Fed. Cir. 2011) (method for verifying the validity of a credit card transaction over the Internet); *Synopsys, Inc. v. Mentor Graphics Corp.*, 839 F.3d 1138, 1146–52 (Fed. Cir. 2016) (translating a functional description of a logic circuit into a hardware component description of the logic circuit). Like the method steps in these decisions, the method steps in claim 1 are so broadly drawn that they encompass acts that people can perform in their minds or using pen and paper. We therefore agree with the Examiner that claim 1 recites mental processes.

Appellant has not persuaded us otherwise. Appellant contends that claim 1 is distinguishable from the claims in *Electric Power Group* because the recited steps do not involve “merely displaying information.” Appeal Br. 7. Appellant also argues that, unlike the claims in *Electric Power Group*, “the cited prior art fails to teach at least the use of a profile vector and a status vector in generating the patient care plan as claimed” and thus “the recited invention . . . make[s] use of a new source or type of information.” Appeal Br. 8.

We disagree. The method steps recited in claim 1 are analogous to the methods steps in *Electric Power Group* because they recite collecting and analyzing information at high level of generality, not because they recite displaying information. And even assuming that claimed method uses a new source or type of information, that alone does not show that claim 1 is patent eligible. *See, e.g., Uniloc USA, Inc. v. ADP, LLC*, 772 F. App’x 890, 902 (Fed. Cir. 2019) (“Similarly, even if a ‘user identity based policy’ is a new source or type of information, it is still abstract information that, as such, does not contribute to any inventive concept.”); *SAP Am., Inc. v. InvestPic, LLC*, 898 F.3d 1161, 1168 (Fed. Cir. 2018) (“As many cases make clear, even if a process of collecting and analyzing information is ‘limited to particular content’ or a particular ‘source,’ that limitation does not make the collection and analysis other than abstract.”). We therefore find these arguments unpersuasive.

Appellant next argues that the human mind cannot practically perform the steps recited in claim 1. *See* Appeal Br. 9; Reply Br. 3–4. For example, Appellant asserts that people cannot mentally perform the recited input-to-vector mapping processes because the written description teaches that “the

input-to-vector mapping process includes extracting context information values and inputting them into a pre-calculated lookup table, a neural network, or the like.” Reply Br. 3 (quotation marks omitted). But the written description does not limit the recited input-to-vector mapping processes to these conversion methods; the written description discloses that these methods are exemplary. *See* Spec. 12:30–13:16. Even if the recited input-to-vector mapping processes were limited to these methods, people can mentally recognize values in an input and compare those values to a pre-calculated lookup table to determine the associated vector. *Cf. Content Extraction & Transmission LLC v. Wells Fargo Bank, Nat. Ass’n*, 776 F.3d 1343, 1347 (Fed. Cir. 2014) (“The concept of data collection, recognition, and storage is undisputedly well-known. Indeed, humans have always performed these functions.”); *In re BRCA1- & BRCA2-Based Hereditary Cancer Test Patent Litig.*, 774 F.3d 755, 763 (Fed. Cir. 2014) (determining that “comparing BRCA sequences and determining the existence of alterations” is “an abstract mental process”). As for the remaining limitations, as discussed above, given their breadth, they also encompass acts that people can perform in their minds (or using pen and paper).

Appellant then contends that the Examiner erroneously determined that claim 1 recites mental processes because the Examiner relied on “an incorrect definition of vector as being a single scalar quantity.” Reply Br. 3. According to Appellant, “a vector is a quantity having a magnitude and a direction.” Reply Br. 2 (quotation marks omitted). Even assuming the claimed vectors have a magnitude and a direction, Appellant has not persuasively explained why this shows that the subject matter recited in claim 1 falls outside the mental processes category of abstract ideas. People

can process both vector and scalar quantities mentally or with the aid of pen and paper, and the claimed method requires generating and using only a small number of vectors. *See* Appeal Br. 15. We thus see no merit in this argument.

Appellant also asserts that claim 1 does not recite an abstract idea because the claim does not recite “a mathematical relationship, formula, or calculation.” Reply Br. 3–4. This assertion does not address the Examiner’s rejection. The Examiner found that claim 1 recites mental processes and certain methods or organizing human activity, not mathematical concepts. *See* Final Act. 4–6; Advisory Act., continuation sheet; Ans. 3, 4.

In any case, we also agree with the Examiner that claim 1 recites certain methods of organizing human activity. As discussed above, the method for creating a patient care plan for a target patient recited in claim 1 includes receiving inputs, generating profile and status vectors, selecting social and medical services, calculating a net care benefit, and creating a patient care plan. *See* Appeal Br. 15. This method of creating a patient care plan is similar to other methods that fall within the certain methods of organizing human activity category of abstract ideas. *See, e.g., In re Meyer*, 688 F.2d 789, 795 (CCPA 1982) (determining that an “invention . . . concerned with replacing, in part, the thinking processes of a neurologist with a computer” is directed to an abstract idea); Manual of Patent Examining Procedure § 2106.04(a)(2)(II)(C) (explaining that the claims in *Meyer* are examples of claims directed to managing human behavior); *see also In re Salwan*, 681 F. App’x 938, 941 (Fed. Cir. 2017) (determining that a claimed method for transferring patient health information “describes little more than the automation of a ‘method of organizing human activity’ with

respect to medical information”); *DietGoal Innovations LLC v. Bravo Media LLC*, 33 F. Supp. 3d 271, 283 (S.D.N.Y. 2014), *aff’d*, 599 F. App’x 956 (Fed. Cir. 2015) (computerized meal planning); *My Health, Inc. v. ALR Techs., Inc.*, No. 2:16-CV-00535-RWS, 2017 WL 1129904, at *2 (E.D. Tex. Mar. 27, 2017) (tracking compliance with treatment guidelines). We therefore agree with the Examiner that claim 1 recites certain methods of organizing human activity.

Appellant argues that claim 1 is not directed to an abstract idea because “the apparatus of claim 1 is not simply a device for automating a known, conventional activity.” Appeal Br. 8. According to Appellant, like the claims *McRO, Inc. v. Bandai Namco Games America Inc.*, 837 F.3d 1299 (Fed. Cir. 2016), “there is no evidence that the claimed combination is the same as a prior art process.” Appeal Br. 8.

We disagree. As an initial matter, claim 1 does not recite a device or an apparatus; claim 1 recites a method for creating a patient care plan that does not call for any particular hardware or software. *See* Appeal Br. 15. That aside, even if the recited method is novel and nonobvious, that does not mean that the method is patent eligible. “[A] claim for a *new* abstract idea is still an abstract idea.” *Synopsys*, 839 F.3d at 1151; *see also SAP Am.*, 898 F.3d at 1163 (“We may assume that the techniques claimed are ‘[g]roundbreaking, innovative, or even brilliant,’ but that is not enough for eligibility. Nor is it enough for subject-matter eligibility that claimed techniques be novel and nonobvious in light of prior art, passing muster under 35 U.S.C. §§ 102 and 103.” (alteration in original) (citations omitted)). For the reasons discussed above, we agree with the Examiner that

claim 1 recites abstract ideas, and Appellant’s assertion that the claimed invention is novel and nonobvious does not show that the Examiner erred.

Appellant also contends that the claim 1 is similar to the patent-eligible claims in *McRO* because claim 1 supposedly improves computer-related technology and describes a specific way of solving a problem. *See* Appeal Br. 9.

We disagree. The patent-eligible claims in *McRO* incorporated specific, limited rules that improved a technological process. *See* 837 F.3d at 1313–16. In contrast, claim 1 recites a series of broadly worded, result-oriented functions without meaningfully limiting how the claimed method performs those functions. *See* Appeal 15. And claim 1 does not improve technology or a technological process. At best, claim 1 recites an improved method of creating a patient care plan, which is a method of organizing human activity. *Cf. Trading Techs. Int’l, Inc. v. IBG LLC*, 921 F.3d 1084, 1093 (Fed. Cir. 2019) (“The claims of the ’999 patent do not improve the functioning of the computer, make it operate more efficiently, or solve any technological problem. Instead, they recite a purportedly new arrangement of generic information that assists traders in processing information more quickly.”); *Trading Techs. Int’l, Inc. v. IBG LLC*, 921 F.3d 1378, 1384 (Fed. Cir. 2019) (“The claims are focused on providing information to traders in a way that helps them process information more quickly, not on improving computers or technology.” (citation omitted)).

Because we determine that claim 1 recites abstract ideas, we next consider whether claim 1 integrates the abstract ideas into a practical application. *See* Revised Guidance, 84 Fed. Reg. at 51. In doing so, we evaluate the claim as a whole to determine whether the claim “integrate[s]

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 55; *see also* October SME Update at 12 (discussing the practical application analysis). That is, we consider any additional elements recited in the claim along with the limitations that recite an abstract idea to determine whether the claim integrates the abstract ideas into a practical application. *See* October SME Update at 12.

Here, each of the elements recited in claim 1 form part of the identified abstract ideas. Whether we consider these elements individually or as an ordered combination, these elements do not integrate the abstract ideas into a practical application. These elements simply state the abstract ideas. That is not enough to transform the abstract ideas into a practical application of the ideas. *Cf. Alice*, 573 U.S. at 223 (“Stating an abstract idea ‘while adding the words ‘apply it’” is not enough for patent eligibility.” (quoting *Mayo*, 566 U.S. at 72)); *Rudy*, 956 F.3d at 1385 (“But transformation of an abstract idea into a patent-eligible claim ‘requires more than simply stating the abstract idea while adding the words ‘apply it.’” (quoting *Alice*, 573 U.S. at 222)). These elements thus do not amount to “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).

Appellant contends that claim 1 integrates the recited abstract ideas into a practical application because the claim is similar to the patent-eligible method for treating patients in *Vanda Pharmaceuticals Inc. v. West-Ward Pharmaceuticals International Ltd.*, 887 F.3d 1117 (Fed. Cir. 2018). *See* Reply Br. 4. We disagree. In *Vanda*, the claims were directed to “a specific method of treatment for specific patients using a specific compound at

specific doses to achieve a specific outcome.” 887 F.3d at 1136. Here, although the method recited in claim 1 creates a patient care plan, the method does not require implementing that plan, let alone treating a specific patient using a specific compound to achieve a specific outcome.

Appellant next argues that claim 1 is patent eligible because it recites “other meaningful limitations that use the alleged abstract ideas to improve the previous care plan generation . . . such that the claim integrates the exceptions into a practical application.” Reply Br. 5. According to Appellant, unlike

existing systems that require clinician intervention[] and thus rely on *subjective* assessment and lack detailed *objective* information, the claimed invention involves the unconventional use of mapping inputs to vectors, using the vectors to select services, calculating a net care benefit for each of the selected services, and creating a care plan based on the services having a highest net care benefit.

Reply Br. 5 (emphases modified). Appellant also contends that like claim 1 of Example 42 of the Office’s subject matter eligibility examples,⁴ claim 1 here includes additional elements that “recite a specific improvement over prior art systems by allowing automated generation of a patient care plan that provides a highest net care benefit, integrating information from multiple sources of multiple data types.” Appeal Br. 10.

We disagree. As discussed above, the limitations recited in claim 1 form part of the identified abstract ideas, and merely reciting the abstract ideas does not integrate the abstract ideas into a practical application. *Cf.*

⁴ USPTO, Subject Matter Eligibility Examples: Abstract Ideas (Jan. 7, 2019), https://www.uspto.gov/sites/default/files/documents/101_examples_37to42_20190107.pdf.

Alice, 573 U.S. at 223; *Rudy*, 956 F.3d at 1385. And despite Appellant’s assertion to the contrary, claim 1 encompasses human intervention. Claim 1 does not explicitly limit who or what performs the method steps recited in claim 1, nor does claim 1 recite that the method steps are automatically performed. *See* Appeal Br. 15. As explained above, the method steps are so broadly drawn that they encompass acts that people can perform in their minds or using pen and paper. Although the inventors may have intended that a computer perform the claimed method, claim 1 does not explicitly require computer implementation or any hardware or software. *See* Appeal Br. 15. We therefore find Appellant’s arguments on this point unpersuasive. *See, e.g., Synopsys*, 839 F.3d at 1149 (“While Synopsys may be correct that the inventions of the Gregory Patents were intended to be used in conjunction with computer-based design tools, the Asserted Claims are not confined to that conception. The § 101 inquiry must focus on the language of the Asserted Claims themselves.”).

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). 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.

As discussed above, each of the claim elements recited in claim 1 form part of the identified abstract ideas, and nothing in these elements, whether considered individually or in an ordered combination, “transform[s] the nature of the claim’ into a patent-eligible application.” *Alice*, 573 U.S. at 217 (quoting *Mayo*, 566 U.S. at 78, 79).

Appellant argues for the first time in the Reply Brief that the Examiner failed to show that “inventive concept (e.g., the specifically-recited manner of generating a patient care plan) *as a whole* was well-understood, routine, and conventional.” Reply Br. 6. Appellant forfeited this argument because Appellant failed to raise it in the Appeal Brief and has not presented good cause for belatedly presenting it. *See* 37 C.F.R.

§§ 41.37(c)(1)(iv), 41.41(b)(2). Even if Appellant had timely raised this argument, we would have found it unpersuasive. The Examiner was not required to show that the recited abstract ideas—and all of the recited elements form part of the recited abstract ideas—were well understood, routine, and conventional. *See, e.g., BSG Tech LLC v. BuySeasons, Inc.*, 899 F.3d 1281, 1290 (Fed. Cir. 2018) (“[T]he relevant inquiry is *not* whether the claimed invention *as a whole* is unconventional or non-routine. . . . It has been clear since *Alice* that a claimed invention’s use of the ineligible concept to which it is directed cannot supply the inventive concept that renders the invention ‘significantly more’ than that ineligible concept.” (first and second emphases added)); *Bridge & Post, Inc. v. Verizon Commc’ns, Inc.*, 778 F. App’x 882, 892 (Fed. Cir. 2019) (“At *Alice* step two we assess ‘whether the claim limitations *other than* the invention’s use of the ineligible concept to which it was directed were well-understood, routine, and conventional.’” (quoting *BSG Tech*, 899 F.3d at 1290)).

Summary

For at least the above reasons, we agree with the Examiner that claim 1 is directed to an abstract idea and lacks an inventive concept. We thus sustain the Examiner's rejection of claim 1 under § 101.

Section 103 Rejection

Claim 1 recites “generating, based on the inputs, a profile vector of the patient using a first input-to-vector mapping process” and “generating, based on the inputs, a status vector of the patient using a second input-to-vector mapping process.” Appeal Br. 15. The Examiner determined that the “general definition of a vector is a quantity having a magnitude and a direction,” but concluded that the recited profile and status vectors encompass a one-dimensional value such as a matrix that has “[a] vector with one row and one column [that] may be a single number.” Ans. 8. Based on this interpretation, the Examiner found that Merkin's patient scores teach the recited status and profile vectors. *See* Ans. 8.

Appellant contends that the Examiner erred because as the Examiner acknowledged that “a vector is a quantity having a magnitude and a direction.” Reply Br. 8. Therefore, in Appellant's view, “a vector cannot be a single number because a single number is merely a scalar quantity, it is not a vector.” Reply Br. 8 (quotation marks omitted). Appellant also contends that the matrix described the Examiner “is merely a scalar quantity, not a vector.” Reply Br. 8.

Appellant has persuaded us that the Examiner erred. As argued by Appellant, the Examiner acknowledged that vectors generally have a magnitude and a direction, but the Examiner found that Merkin teaches the vectors recited in claim 1 because Merkin teaches a scalar quantity. *See* Ans.

8. This finding is inconsistent with the Examiner’s interpretation of “vector.” We therefore agree with Appellant that the Examiner erred. As a result, we do not sustain the Examiner’s rejection of claim 1 and its dependent claims under § 103.

CONCLUSION

The following table summarizes our decision for claims 1–21, the claims before us on appeal:

Claims Rejected	35 U.S.C. §	References/Basis	Affirmed	Reversed
1–21	101	Eligibility	1–21	
1–21	103	Merkin, Eiden		1–21
Overall Outcome			1–21	

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 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