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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte CLARK ALLAN HEYDON and
KENNETH WILLIAM BRANSON

Appeal 2020-001561
Application 12/623,572
Technology Center 3600

Before DONALD E. ADAMS, ERIC B. GRIMES, and
RICHARD M. LEBOVITZ, *Administrative Patent Judges*.

LEBOVITZ, *Administrative Patent Judge*.

DECISION ON APPEAL

The Examiner rejected the claims under 35 U.S.C. § 101 as reciting patent ineligible subject matter. Pursuant to 35 U.S.C. § 134(a), Appellant¹ appeals from the Examiner's decision to reject the claims. 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 Guidewire Software, Inc. Appeal Br. 1.

STATEMENT OF THE CASE

Claims 1–19, 21, 22, 25–30, and 35–38 stand finally rejected by the Examiner under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Final Act. 2–3.

Appellant did not argue the claims separately. Appeal Br. 12–13. We select claim 35 as representative. The claim, which is reproduced below, is annotated with bracketed numbers and letters for reference to the specific limitations in the claim:

35. A method comprising:

[1] storing a policy data revision, including:

[1a] storing a corresponding effective date on which the policy data revision is legally effective; and

[1b] storing a corresponding change date on which the policy data revision was made,

[1c] wherein the corresponding change date stored with the policy data revision is different from the corresponding effective date stored with the policy data revision;

[2] wherein an insurance policy is stored as a plurality of discrete temporally-sequential policy data revisions, and wherein a given policy data revision of the plurality of discrete temporally-sequential policy data revisions incorporates information from temporally prior revisions covering an effective date range of the given revision;

[3] receiving a query for a status of the insurance policy including:

[3a] a queried-for effective date; and

[3b] a queried-for change date, wherein the queried-for change date corresponds to a date that a claim was reported;

[4] determining a version of the insurance policy effective as of the queried-for effective date based at least in part on the queried-for change date, including:

[4a] identifying, based on corresponding effective dates stored with the policy data revisions, policy data revisions effective on the queried-for effective date;

[4b] locating a most temporally recent policy data revision that has a corresponding stored change date that is temporally prior to the queried-for change date corresponding to the date that the claim was reported; and

[4c] displaying the located policy data revision, wherein the located policy data revision is used to detect whether a damaged item associated with the claim was added retroactively to the insurance policy after the damage had occurred.

PRINCIPLES OF LAW

Under 35 U.S.C. § 101, an invention is patent-eligible if it claims a “new and useful process, machine, manufacture, or composition of matter.” However, not every discovery is eligible for patent protection. *Diamond v. Diehr*, 450 U.S. 175, 185 (1981). “Excluded from such patent protection are laws of nature, natural phenomena, and abstract ideas.” *Id.* The Supreme Court articulated a two-step analysis to determine whether a claim falls within an excluded category of invention. *Alice Corp. Pty. Ltd. v. CLS Bank Int’l*, 134 S.Ct. 2347 (2014); *Mayo Collaborative Servs. v. Prometheus Labs, Inc.*, 566 U.S. 66, 75–77 (2012).

In the first step, it is determined “whether the claims at issue are directed to one of those patent-ineligible concepts.” *Alice*, 134 S.Ct. at 2355. If it is determined that the claims are directed to an ineligible concept, then the second step of the two-part analysis is applied in which it is asked “[w]hat else is there in the claims before us?” *Id.* The Court explained that this step involves

a search for an ‘inventive concept’ — *i.e.*, 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, 134 S.Ct. at 2355 (citing from *Mayo*, 566 U.S. at 75–77).

Alice, relying on the analysis in *Mayo* of a claim directed to a law of nature, stated that in the second part of the analysis, “the elements of each claim both individually and ‘as an ordered combination’” must be considered “to determine whether the additional elements ‘transform the nature of the claim’ into a patent-eligible application.” *Alice*, 134 S.Ct. at 2355.

The PTO published revised guidance on the application of 35 U.S.C. § 101. USPTO’s January 7, 2019 Memorandum, *2019 Revised Patent Subject Matter Eligibility Guidance*, 84 Fed. Reg. 50, 51–57 (2019) (“Eligibility Guidance”). The Eligibility Guidance provides additional direction on how to implement the two-part analysis of *Mayo* and *Alice*.

Step 2A, Prong One, of the Eligibility Guidance, looks at the specific limitations in the claim to determine whether the claim recites a judicial exception to patent eligibility. In Step 2A, Prong Two, the claims are examined to identify whether there are additional elements in the claims that integrate the exception in a practical application, namely, is there a “meaningful limit on the judicial exception, such that the claim is more than a drafting effort designed to monopolize the judicial exception.” 84 Fed. Reg. 54 (2. Prong Two).

If the claim recites a judicial exception that is not integrated into a practical application, then as in the *Mayo/Alice* framework, Step 2B of the Eligibility Guidance instructs us to determine whether there is a claimed “inventive concept” to ensure that the claims define an invention that is significantly more than the ineligible concept, itself. 84 Fed. Reg. 56.

With these guiding principles in mind, we proceed to determine whether the claimed subject matter in this appeal is eligible for patent protection under 35 U.S.C. § 101.

DISCUSSION

Claim 35 is directed to a method. Following the first step of the *Mayo/Alice* analysis, we find that the claim is directed to a “method” which is also a “process” and therefore falls into one of the broad statutory categories of patent-eligible subject matter under 35 U.S.C. § 101. We thus proceed to Step 2A, Prong One, of the Eligibility Guidance.

Step 2A, Prong One

In Step 2A, Prong One, of the Eligibility Guidance, the specific limitations in the claim are examined to determine whether the claim recites a judicial exception to patent eligibility, namely whether the claim recites an abstract idea, law of nature, or natural phenomenon.

The Examiner found that the claims are directed to the “practice of insurance policy management” which “is a mental process, well-known, and extensively used for many years, with or without the involvement of technological means.” Ans.² 8. The Examiner also considered the claims to be directed to be a “commercial interaction,” which the Eligibility Guidance categorizes as a “method of organizing human activity.” *Id.*; *see also* Eligibility Guidance, 84 Fed. Reg. 52. Both of these categories, mental processes and methods of organizing human activity, are listed in the Eligibility Guidance as abstract ideas. Eligibility Guidance, 84 Fed. Reg. 52.

² Second Examiner’s Answer mailed Nov. 1, 2019 (“Ans.”).

As recognized by the Examiner, the steps of the claim of storing policy data revisions by date (steps [1], [2]), querying the stored information (step [3]), and then determining a version of the insurance policy effective as of the queried-for effective date (step [4]) are all steps that could be done, in part, by the human mind. For example, the data about the effective and change dates of the policy data (steps [1a], [1b]) could be stored in a file cabinet system and queried by a person searching the files manually (step [3]) and making an evaluation or judgment as to which files meet the criteria (step [4]). Thus, the Examiner properly found these steps to be mental processes.

In addition to this, the Eligibility Guidance lists “insurance” and “commercial . . . interactions” as falling in the category of abstract ideas of “certain method of organizing human action.” Eligibility Guidance, 84 Fed. Reg. 52. The steps of the claimed method of storing the “effective” and “change” dates of an insurance policy, querying the stored information, and then determining a version of the insurance policy effective as of the queried-for effective date are steps which carry out the commercial interaction of identifying the most current terms of an insurance policy agreement. These recited steps manage the policy, and as explained in the Specification, allow “insurance providers” to “accurately process claims and also monitor fraud activities and preserve information for auditing purposes or other legal reasons.” Spec. ¶ 73.

Appellant contends that it would be “impossible” to perform the steps of the claim mentally. Appeal Br. 7. We do not agree. As explained above, the changes in an insurance policy on a revision basis (e.g., separate copies, each with the change) could be sorted manually and filed, which a person

could then review and determine mentally which version meets the query as recited in step [4] of claim 35. For this reason, we do not think it is impossible that the steps could be performed mentally.

Appellant also argues that the claims include “non-mental process limitations.” Reply Br. 2. While this may be true, as explained above, the claim also recites steps that could be carried out mentally.

Appellant argues that “the claims are not merely directed to the practice of insurance policy management, but rather are directed to a specific implementation of a process for policy revisioning and a specific way of storing policies.” Reply Br. 3. Furthermore, Appellant argues that the steps in the claims “are not human activities but computerized revisioning and storage of insurance policies to facilitate fraud detection and data retention.” *Id.*

This argument is not persuasive. The Eligibility Guidance identifies commercial interactions as the abstract idea of “[c]ertain methods of organizing human activity. Eligibility Guidance, 84 Fed. Reg. 52. The Eligibility Guidance also lists “agreements in the form of contracts” as organizing human activity. *Id.* Insurance policies are described in the Specification as “complex agreements that specify items to be afforded coverage with respect to particular perils.” Spec. ¶ 2. *See also Bancorp Services, L.L.C. v. Sun Life Assur. Co. of Canada (U.S.)*, 687 F.3d 1266 (Fed. Cir. 2012) finding certain insurance policy methods to be patent-ineligible. As explained in *Bancorp*, it is immaterial that a computer is used to carry out the process because “[i]t is the management of the life insurance policy that is ‘integral to each of [Bancorp’s] claims at issue,’ not the computer machinery that may be used to accomplish it.” *Id.* at 1279.

In sum, for the foregoing reasons, we find that claim 35 recites an abstract idea. Accordingly, we proceed to Step 2A, Prong Two, of the Eligibility Guidance.

Step 2A, Prong Two

Prong Two of Step 2A under the 2019 Eligibility Guidance asks whether there are additional elements that integrate the exception into a practical application. We must look at the claim elements individually and “as an ordered combination” to determine whether the additional elements integrate the recited abstract idea into a practical application. “A claim that integrates a judicial exception in a practical application will apply, rely on, or use the judicial exception in a manner that places a meaningful limit on the judicial exception, such that the claim is more than a drafting effort designed to monopolize the judicial exception. Eligibility Guidance, 84 Fed. Reg. 54. Integration into a practical application is evaluated by identifying whether there are additional elements individually, and in combination, which go beyond the judicial exception. *Id.* at 54–55. As explained in the October 2019 Update to Subject Matter Eligibility,³ “first the specification should be evaluated to determine if the disclosure provides sufficient details such that one of ordinary skill in the art would recognize the claimed invention as providing an improvement.” PEG Update 12.

The Specification describes changes that are made to an insurance policy during its existing policy period. Spec. ¶ 2. “The effective date of a policy change is the date on which the change becomes legally effective and

³ Available at https://www.uspto.gov/sites/default/files/documents/peg_oct_2019_update.pdf (last accessed Nov. 15, 2019) (“PEG Update”).

can comprise a present, retroactive, or future date. The change date of a policy change is the date on which the change was actually made.” Spec. ¶ 3. Keeping track of the changes is important, the Specification explains, because the changes to a policy “trigger a series of follow-on computations, the most important of which is often a recalculation of the total cost of the policy to reflect the changes and the amount of time remaining in the policy period.” Spec. ¶ 3.

The Specification states a “significant problem lies in dealing with out-of-sequence endorsements (OOSE), wherein an endorsement (which comprises a change to an existing policy) has a change date that is temporally subsequent to an existing revision but has an effective date that legally precedes that existing revision.” Spec. ¶ 4. The Specification explains that an insurer “needs to be able to ask not only what was effective as of the date of loss, but also what changes had been made as of that date. Such information may be particularly helpful when detecting fraud or in creating a trail for audit purposes.” Spec. ¶ 5. The Specification states that existing systems “do not adequately address the concerns presented by OOSE’s.” Spec. ¶ 6. The Specification further states that in many cases only the effective date of the change is preserved. *Id.*

The Specification explains that the problem of existing insurance systems is addressed by storing an insurance policy “as a plurality of discrete temporally-sequential policy data revisions, wherein each revision incorporates information from temporally prior revisions covering an effective date range of the revision.” Spec. ¶ 22. The Specification further discloses the benefit:

So configured, an insurance policy period may be divided up into time intervals with multiple policy revisions corresponding to

each time interval. As a result, insurance providers may readily track insurance policy revisions and accurately process claims based on the effective dates and change dates of the revisions. Further, revisions occurring out of sequence will not result in the loss of information about the actual time of the change, and will instead preserve both the effective date and change date.

Spec. ¶ 25.

Consistent with the Specification, Appellant argues that the claim integrates the judicial exception into a practical application because

the claimed invention is directed to an improved way of revisioning and storing policies that allows for the achievement of various technical benefits and improvements over existing systems for handling out of sequence endorsements, such as improvements to data preservation/reservation, as well as enabling new functionality that existing systems are unable to perform, such as the ability to detect fraud and track audits.

Reply Br. 4. Specifically, Appellant identifies the “revisioning and storage of an insurance policy as a plurality of discrete temporally-sequential policy data revisions in the manner recited in the claims” as conferring an advantage and technical benefits. *Id.* at 5. Appellant further refers to the Specification which discloses:

The teachings, as set forth above, provide an advantageous approach to handling of an out of sequence revision by dividing an insurance policy period into time intervals and corresponding revision segments. In addition, information regarding the effective date and the actual change date will be retained despite the introduction of an out of sequence revision. As a result, insurance providers may accurately process claims and also monitor fraud activities and preserve information for auditing purposes or other legal reasons. Thus, the described embodiments provide for an effective and efficient approach for handling insurance policy revisions.

Spec. ¶ 73.

The stated improvement of storing the insurance policy “as a plurality of discrete temporally-sequential policy data revisions” (Spec. ¶ 22) and “dividing an insurance policy period into time intervals and corresponding revision segments” (Spec. ¶73) is reflected in steps [1], [1a], [1b], and [2] of claim 35. Step [1] of the claim comprises storing the policy effective date and change date. In [2], the claim requires them to be “stored as a plurality of discrete temporally-sequential policy data revisions.” Step [4c] displays the policy revisions “to detect whether a damaged item associated with the claim was added retroactively to the insurance policy after the damage had occurred.” Thus, the improvement cited by Appellant is described in the claim.

Integration into a practical application is evaluated by identifying whether there are additional elements individually, and in combination, which go beyond the judicial exception. Eligibility Guidance, 84 Fed. Reg. 54–55. Specifically, the Eligibility Guidance describe several considerations in determining whether the abstract idea is integrated into a practical application:

- An additional element reflects an improvement in the functioning of a computer, or an improvement to other technology or technical field

...

- an additional element implements a judicial exception with, or uses a judicial exception in conjunction with, a particular machine or manufacture that is integral to the claim

...

- an additional element applies or uses the judicial exception in some other meaningful way beyond generally linking the use of the judicial exception to a particular technological environment,

such that the claim as a whole is more than a drafting effort designed to monopolize the exception.

Eligibility Guidance, 84 Fed. Reg. 55.

In this case, the elements in the claim cited by Appellant and the Specification as the improvement are *storing* the effective and change dates of an insurance policy “as a plurality of discrete temporally-sequential policy data revisions.” Claim 35, limitations [1], [2]. The claim does not recite *how* the “storing” is accomplished. Only the result is described. Unlike in *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1339 (Fed. Cir. 2016), where a self-referential table was recited in the claims which the court found to be “a specific type of data structure designed to improve the way a computer stores and retrieves data in memory,” limitations [1] and [2] do not describe a specific data structure. The revisions are stored in a “temporally-sequential” order, but we fail to see how arranging changes to a policy in the order that they occurred is an improvement to a technical field or technology.

We recognize that the asserted improvement is storing the “revisions” in a temporal order, rather than the entire policy. However, no specific implementation is described which tells how to organize the policy data temporally as discrete units based on when they were changed.

First, we determine whether the claims at issue are directed to one of those patent-ineligible concepts. *Id.*, at —, 132 S.Ct., at 1296–1297. If so, we then ask, “[w]hat else is there in the claims before us?” *Id.*, at —, 132 S.Ct., at 1297. To answer that question, we consider the elements of each 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, 134 S.Ct. at 2355.

In this case, the claims are directed to a method of storing policy data revisions of an insurance policy in a temporal order, querying the status of the insurance policy, and displaying the located policy data revision. As explained above, several of these steps can be performed mentally, with the aid of pen and paper, and also constitute a method of organizing human activity. We therefore must ask “what else” is there in this claim besides the abstract idea. The elements that Appellant identifies as this “what else” is storing the policy data revisions in a sequential order. This improvement, however, could be accomplished using an old-fashioned filing system in which the policy revisions from each insurance policy are stored in discrete files in a temporal order. This is not the type of improvement that the courts have seen as conferring subject matter eligibility on a claim reciting abstract ideas. In *Intellectual Ventures I LLC v. Erie Indem. Co.*, 850 F.3d 1315, 1327 (Fed. Cir. 2017), the court found the claims to be directed to an abstract idea because the claimed “activity, i.e., organizing and accessing records through the creation of an index-searchable database, includes longstanding conduct that existed well before the advent of computers and the Internet.”

In contrast to the claims at issue in this appeal, the claims in *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299 (Fed. Cir. 2016) were determined by the court to be recited with sufficient specificity to avoid the judicial restrictions on patent eligibility under § 101. Appellant cites *McRO* to support the eligibility of the claims, however, as explained below, claim 35 does not have the hallmarks of eligibility that *McRO* did.

In *McRO*, the claim was directed to a “method for automatically animating lip synchronization and facial expression of three-dimensional

characters.” *McRO*, 837 F.3d, 1307–08. The claim recited a series of steps that “produce[d] lip synchronization and facial expression control of said animated characters.” *Id.* The court found that the claimed “automation goes beyond merely ‘organizing [existing] information into a new form’ or carrying out a fundamental economic practice.” *McRO*, 837 F.3d at 1315 (citation omitted). Instead, the court found that the “claimed process uses a combined order of specific rules that renders information into a specific format that is then used and applied to create desired results: a sequence of synchronized, animated characters.” *Id.* *McRO* found that the recited rules “are limiting in that they define morph weight sets as a function of the timing of phoneme sub-sequences.” *McRO*, 837 F.3d at 1313. The claims were found to be directed to a “technological improvement over the existing, manual 3-D animation techniques.” *McRO*, 837 F.3d at 1316.

In finding the claim patent-eligible, *McRO* noted that the “abstract idea exception has been applied to prevent patenting of claims that abstractly cover results where ‘it matters not by what process or machinery the result is accomplished.’ [*O’Reilly v. Morse*, 56 U.S. (15 How.) 62, 113,]; see also *Mayo*, 132 S.Ct. at 1301.” *McRO*, 837 F.3d at 1314. *McRO* stated that therefore, a court must “look to whether the claims in these patents focus on a specific means or method that improves the relevant technology or are instead directed to a result or effect that itself is the abstract idea and merely invoke generic processes and machinery.” *McRO*, 837 F.3d at 1314.

Here, the claimed steps recite the desired result of [1] “storing a policy data revision”, [3] “receiving a query for a status of the insurance policy”, and [4] “determining a version of the insurance policy effective as of the queried-for effective date based at least in part on the queried-for

change date.” Step [1] recites what dates are stored, and the order in which the data revisions are stored, but not how the “storing” step is implemented. Step [3] recites that dates are queried, but not how the query is received or carried out. In step [4], the version of the effective insurance policy is determined by [4a] identifying policy revisions and [4b] locating a most temporally recent policy data revision, but each of the steps only state the desired result without claiming how that result is accomplished.

While the claims may state an asserted improvement over existing systems, the steps in the claims are not stated with enough specificity that would deter preemption of the abstract idea recited in claim 35. In *McRO*, the court held that the “limitations in claim 1 prevent preemption of all processes for achieving automated lip-synchronization of 3-D characters.” *McRO*, 837 F.3d at 1315. The court explained that “[t]he specific structure of the claimed rules would prevent broad preemption of all rules-based means of automating lip synchronization.” *Id.* In contrast, the steps in rejected claim 35 are recited in general terms, namely, “storing,” “receiving,” and “providing.” Unlike *McRO*, none of these steps recite how the desired result is accomplished or implemented.

Bascom Global Internet Services, Inc. v. AT&T Mobility LLC, 827 F.3d 1341 (Fed. Cir. 2016), cited by Appellant (Appeal Br. 10), does not lead to a different result. The court in *Bascom* found the claim eligible because the claims were found to “carve out a specific location for the filtering system (a remote ISP server) and require the filtering system to give users the ability to customize filtering for their individual network accounts.” *Bascom*, 827 F.3d at 1351. While filtering content was “already a known concept,” the court found claims “recite a specific, discrete

implementation of the abstract idea of filtering content.” *Id.* at 1350. In contrast, the claims here do not “carve out” a specific way of storing the policy data revisions, etc., but rather would preempt all ways of doing so. *Id.* at 1352 (“As explained above, construed in favor of BASCOM as they must be in this procedural posture, the claims of the ’606 patent do not preempt the use of the abstract idea of filtering content on the Internet or on generic computer components performing conventional activities.”)

In sum, we have not been guided to an additional element in the claim, beyond the abstract idea, that integrates the judicial exception in practical application.

Step 2B

Because we determined that the judicial exception is not integrated into a practical application, we proceed to Step 2B of the Eligibility Guidelines, which asks whether there is an inventive concept. In making this Step 2B determination, we must consider whether there are specific limitations or elements recited in the claim “that are not well-understood, routine, conventional activity in the field, which is indicative that an inventive concept may be present” or whether the claim “simply appends well-understood, routine, conventional activities previously known to the industry, specified at a high level of generality, to the judicial exception, indicative that an inventive concept may not be present.” Eligibility Guidance, 84 Fed. Reg. 56 (footnote omitted). We must also consider whether the combination of steps perform “in an unconventional way and therefore include an ‘inventive step,’ rendering the claim eligible at Step 2B.” *Id.* In this part of the analysis, we consider “the elements of each 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*, 134 S.Ct. at 2354.

Appellant argues that “the claims include limitations that are significantly more because they do not include limitations that are well-understood, routine, and conventional in the field, and add unconventional steps that confine the claims to a particular useful application.” Reply Br. 8.

We do not agree with Appellant that the recited limitations are not well-understood, routine, and conventional in the field. Specifically, the steps in the claim comprise storing policy dates (step [1], querying the dates [step [3], and then determining “a version of the insurance policy effective as of the queried-for effective date based at least in part on the queried-for change date” and displaying it [step [4]). Storing information on a computer, receiving a query regarding that information, and determining what information is sought by the query is conventional computer activity as found by the Examiner. Ans. 11. *See Intellectual Ventures*, 850 F.3d at 1327 (Fed. Cir. 2017). In response, Appellant did not identify the specific limitation in the claim asserted to be non-routine and non-conventional.

Appellant also argues that the claimed method is “enabling new functionality that existing systems are unable to perform, such as the ability to detect fraud and track audits (e.g., ‘displaying the located policy data revision, wherein the located policy data revision is used to detect whether a damaged item associated with the claim was added retroactively to the insurance policy after the damage had occurred.’)”. Reply Br. 9.

The asserted “new functionality” is enabled in the claim by storing the effective date and change date of the policy data revision (step [1]). We are not persuaded that this step in combination with the other steps in the claim

is inventive. As discussed above, the claim does not specify how the “storing” is accomplished. Therefore, this step, alone, cannot be considered to operate in a non-routine way because the “way” in which the result is achieved is not recited in the claim. The “query” and the “determining” steps are also not recited with sufficient detail to establish that the manner in which they accomplish the result is not routine. The display step [4c] is also claimed generically and we consider it to be insignificant extra-solution activity. Eligibility Guidance, 84 Fed. Reg. 55. Appellant has not explained how these steps in combination are inventive.

Consequently, under Step 2B, we are not persuaded that the Examiner erred in determining that the additional limitations of claim 1 do not transform the claim into significantly more than the abstract idea.

Summary

For the foregoing reasons, the rejection of claim 35 under 35 U.S.C. § 101 is affirmed. Separate arguments were not made for claims 1–19, 21, 22, 25–30, and 36–38. These claims therefore fall with claim 35. 37 C.F.R. § 41.37(c)(1)(iv).

CONCLUSION

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1–19, 21, 22, 25–30, 35–38	101	Eligibility	1–19, 21, 22, 25–30, 35–38	

Appeal 2020-001561
Application 12/623,572

TIME PERIOD

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

AFFIRMED