Patent Public Advisory Committee
Quarterly Meeting

International Dialogue:
Patent Eligible Subject Matter

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<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 23, 2018</td>
<td>Life Sciences</td>
</tr>
<tr>
<td>October 24 &amp; 25, 2018</td>
<td>Computer-Implemented Inventions</td>
</tr>
</tbody>
</table>
Goals and Objectives

• Develop a deep understanding behind the reasons and motivations for the practices amongst the IP5 offices in both life sciences and computer-implemented inventions.
• Representatives from CNIPA, EPO, JPO, and KIPO participated in the dialogue.
Life Sciences: Diagnostic & Treatment Methods

- Overview of Patent Eligibility Laws and Practices in IP5 Jurisdictions
  - Each office provided a brief presentation on their laws and practices on subject matter eligibility in the area of diagnostics & medical treatment

- Workshop Examples (3 sessions)
  - Discussion and analysis of sample claims relating to (1) diagnostic methods, (2) medical treatment claims, and (3) genetic-based methods of diagnosis and treatment
Sample Claims
--methods of diagnosing diseases by ex vivo and in vitro detection of compounds
--methods of optimizing treatment and dosing regimens
--methods of screening for genetic alterations
--methods of diagnosis and treatment based on genetic findings
--methods of treatment based on genotype
Computer-Related Inventions

- Overview of Patent Eligibility Laws and Practices in IP5 Jurisdictions
  - Each office provided a brief presentation (15 minutes) on their laws and practices on subject matter eligibility in the area of computer related inventions

- Workshop Examples (4 sessions)
  - Discussion and analysis of sample claims relating to (1) software applications (2) internet-related applications (3) Internet of Things (IoT) and (4) Cryptography and Cybersecurity
Computer-Related Inventions

Sample Claims
-- a method of filtering content on the internet
-- a method of sending and monitoring the delivery of audio/visual information
-- a method of encrypting data using a novel mathematical function
-- a method of performing a virus scan
-- a method of recommending products based on received biometric measurements
-- a method of detecting and analyzing events in real time
Key Takeaways

- **Life Sciences**
  - Medical methods performed on the human body are excluded by law in other IP5 jurisdictions
  - Claim drafting is critical to protecting innovations in the diagnosis and treatment of human conditions in IP5 jurisdictions

- **Computer-Related Inventions**
  - Test for eligibility in other IP5 jurisdictions focuses on whether there is a “technical” aspect of the invention, such as technical “effect,” “idea,” or “solution.”
Thank you

Questions?

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