

From: [Gross, Matthew](#)
To: [Eligibility2019](#)
Subject: 2019 Revised Patent Subject Matter Eligibility Guidance - Comment
Date: Saturday, January 12, 2019 11:15:30 AM

To whom it may concern,

I would like to express my objection to the proposed rule, in particular on Step 2A on p. 55, the first "exemplary consideration:"

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

The rule is clearly taken from the holding in *Alice Corp v. CLS Bank*, but not quite verbatim, in particular, I feel they have been altered to rob the court's holding of its clear meaning:

"They do not, for example, purport to improve the functioning of the computer itself or effect an improvement in any other technology or technical field"

I would suggest that the missing "itself" is necessary and should be inserted in the rule above.

Yours,

Matthew Gross