

# July 2018: Eligibility Quick Reference Sheet

## Identifying Abstract Ideas (Part 1)

### “Fundamental Economic Practices” – MPEP 2106.04(a)(2) Part (I)

#### A. Concepts Relating To Agreements Between People Or Performance Of Financial Transactions

- Billing insurance companies and organizing patient health information (*Salwan*)<sup>†</sup>
- Conditioning and controlling access to data based on payment (*Smartflash*)<sup>†</sup>
- Coordinating loans (*LendingTree*)<sup>†</sup>
- Creating a contractual relationship (*BuySAFE*)
- Hedging (*Bilski* claims 1-3 & 9)
- Local processing of payments for remotely purchased goods (*Inventor Holdings*)

- Offer-based price optimization (*OIP Tech*)
- Processing an application for financing a purchase (*Credit Acceptance*)
- Promoting the purchase of a product with the incentive being a spot in a television program, i.e., product promotion (*Eberra*)<sup>†</sup>
- Rules for conducting a wagering game (*Smith*)

#### B. Concepts Relating To Mitigating Risks

- Financial instruments that are designed to protect against the risk of investing in financial instruments (*Chorna*)<sup>†</sup>
- Mitigating settlement risk (*Alice*)
- Hedging (*Bilski* claims 1-3 & 9)

### “Certain Methods of Organizing Human Activity” – MPEP 2106.04(a)(2) Part (II)

#### A. Concepts Relating To Managing Relationships Or Transactions Between People, Or Satisfying Or Avoiding A Legal Obligation

- Arbitration (*Comiskey*)
- Creating a contractual relationship (*BuySAFE*)
- Generating rule-based tasks for processing an insurance claim (*Accenture*)
- Hedging (*Bilski* claims 1-3 & 9)
- Managing a stable value protected life insurance policy (*Bancorp*)
- Mitigating settlement risk (*Alice*)
- Processing loan information (*Dealertrack*)
- Tax-free investing (*Fort Properties*)

#### B. Concepts Relating To Advertising, Marketing, & Sales Activities Or Behaviors

- Generating menus on a computer (*Ameranth*)
- Structuring a sales force or marketing company (*Ferguson*)
- Using advertising as an exchange or currency (*Ultramercial*)
- Using an algorithm for determining the optimal number of visits by a business representative to a client (*Maucorps*)

#### C. Concepts Relating To Managing Human Behavior

- Budgeting (*Int. Ventures v. Cap One Bank* ‘137 patent)
- Filtering content (*BASCOM*)
- Managing a game of bingo (*Planet Bingo*)<sup>†</sup>
- Mental process that a neurologist should follow when testing a patient for nervous system malfunctions (*Meyer*)

#### D. Concepts Relating To Tracking or Organizing Information

- Billing insurance companies and organizing patient health information (*Salwan*)<sup>†</sup>
- Cataloging labor data (*Shortridge*)<sup>†</sup>
- Collecting and organizing information about available real estate properties and displaying this information on a digital map that can be manipulated by the user (*Move v. Real Estate Alliance*)<sup>†</sup>
- Classifying and storing digital images in an organized manner (*TLI Comms.*)
- Collecting information, analyzing it, and displaying certain results of the collection and analysis (*Electric Power Group*)

- Collecting, transmitting, analyzing, & storing data to detect fraudulent and/or invalid clicks based on the time between two requests by the same device or client (*Zuili v. Google*)<sup>†</sup>
- Creating an index, and using that index to search for and retrieve data (*Int. Ventures v. Erie Indemnity I*: ‘434 patent)
- Encoding and decoding image data (*RecogniCorp*)
- Filtering content (*BASCOM*)
- Identification of unwanted files in a particular field (*Int. Ventures v. Erie Indemnity II*)<sup>†</sup>
- Measuring delivery of real-time information for commercial purposes (*Two-Way Media* ‘686 patent)
- Monitoring delivery of real-time information to users (*Two-Way Media* ‘622 patent)
- Organizing and manipulating information through mathematical correlations (*Digitech*)
- Parsing and comparing data (*Berkheimer*)
- Providing a vehicle valuation through the collection and use of vehicle information (*Audatex N. America*)<sup>†</sup>
- Receiving, authenticating, and publishing data (*Easyweb Innovations*)<sup>†</sup>
- Receiving, screening, and distributing e-mail (*Int. Ventures v. Symantec I* ‘050 patent)
- Selecting and sorting information by user interest or subject matter (*Evolutionary Intelligence*)<sup>†</sup>
- Sending information, directing sent information, and monitoring and accumulating records about receipt of sent information (*Two-Way Media* ‘187 and ‘005 patents)
- Tailoring content based on information about the user (*Int. Ventures v. Cap One Bank* ‘382 patent)
- Using a marking affixed to the outside of a mail object to communicate information about the mail object (*Secured Mail Solutions*)

#### E. Other Concepts

- Relaying mailing address data (*Return Mail*)
- Testing operators of any kind of moving equipment for any kind of physical or mental impairment (*Vehicle Intelligence*)<sup>†</sup>
- Virus screening (*Int. Ventures v. Symantec I* ‘610 patent)
- Voting, verifying the vote, and submitting the vote for tabulation (*Voter Verified*)

# July 2018: Eligibility Quick Reference Sheet

## Identifying Abstract Ideas (Part 2)

### "An Idea 'Of Itself'" – MPEP 2106.04(a)(2) Part (III)

#### A. Concepts Relating To Data Comparisons That Can Be Performed Mentally Or Are Analogous To Human Mental Work

- Anonymous loan shopping (*Mortgage Grader*)
- Collecting and comparing known information (*Classen*)
- Comparing data to determine a risk level (*Perkin-Elmer*)<sup>†</sup>
- Comparing information regarding a sample or test subject to a control or target data (*Ambry/Myriad CAFC*)
- Comparing new and stored information and using rules to identify options (*Smartgene*)<sup>†</sup>
- Diagnosing an abnormal condition by performing clinical tests and thinking about the results (*Grams*)
- Obtaining and comparing intangible data (*CyberSource*)

#### B. Concepts Relating To Organizing Or Analyzing Information In A Way That Can Be Performed Mentally Or Is Analogous To Human Mental Work

- Collecting and analyzing information to detect misuse and notifying a user when misuse is detected (*FairWarning*)
- Collecting, displaying, and manipulating data (*Int. Ventures v. Cap One Financial*)
- Collecting information, analyzing it, and displaying certain results of the collection and analysis (*Electric Power Group; West View*<sup>†</sup>; *SAP America*)
- Collection, storage, and recognition of data (*Smart Systems Innovations*)
- Creating an index, and using that index to search for and retrieve data (*Int. Ventures v. Erie Indemnity I: '434 patent*)
- Data recognition and storage (*Content Extraction*)
- Determining a price, using organizational and product group hierarchies (*Versata*)
- Encoding and decoding image data (*RecogniCorp*)
- Identification of unwanted files in a particular field (*Int. Ventures v. Erie Indemnity II*)<sup>†</sup>
- Mental process for logic circuit design (*Synopsis*)
- Organizing and manipulating information through mathematical correlations (*Digitech*)
- Parsing and comparing data (*Berkheimer*)

- Relaying mailing address data (*Return Mail*)
- Retaining information in navigation of online forms (*Internet Patents*)
- Storing, gathering, and analyzing data (*TDE Petroleum*)<sup>†</sup>
- Using categories to organize, store and transmit information (*Cyberfone*)<sup>†</sup>

#### C. Concepts Described As Ideas Having No Particular Concrete Or Tangible Form

- Assigning hair designs to balance head shape (*Brown*)<sup>†</sup>
- Determining a price, using organizational and product group hierarchies (*Versata*)
- Displaying an advertisement in exchange for access to copyrighted media (*Ultramercial*)
- Phonetic symbol system formed by phonetic symbols using letters of the English alphabet (*Wang*)<sup>†</sup>
- Providing someone an additional set of information without disrupting the ongoing provision of an initial set of information (*Interval Licensing*)

#### D. Other Concepts

- Backing up data (*Int. Ventures v. Symantec II*)<sup>†</sup>
- Decentralized delivery controlled by the owner of a plurality of devices (*Maxon*)<sup>†</sup>
- Delivering user-selected media content to portable devices (*Affinity Labs v. Amazon.com*)
- Gathering financial information of potential borrowers (*Clarilogic*)<sup>†</sup>
- Generating a second menu from a first menu and sending the second menu to another location (*Ameranth*)
- Migration or transitioning of settings (*Tranxition*)<sup>†</sup>
- Providing out-of-region access to regional broadcast content (*Affinity Labs. v. DirecTV*)
- Providing restricted access to resources (*Prism Techs.*)<sup>†</sup>
- Remotely accessing and retrieving user-specified information (*Int. Ventures v. Erie Indemnity I: '002 patent*)
- Voting, verifying the vote, and submitting the vote for tabulation (*Voter Verified*)

### "Mathematical Relationships / Formulas" – MPEP 2106.04(a)(2) Part (IV)

#### A. Concepts Relating To Mathematical Relationships Or Formulas

- The Arrhenius equation (*Diehr*)
- An algorithm for converting binary coded decimal to pure binary (*Benson*)
- An algorithm for calculating and comparing regions in space (*Coffelt*)<sup>†</sup>
- A formula describing certain electromagnetic standing wave phenomena (*Mackay Radio*)
- A formula for computing an alarm limit (*Flook*)
- A mathematical formula for hedging (*Bilski* claims 4-8, 10, 11)

#### B. Concepts Relating To Performing Mathematical Calculations

- An algorithm for calculating parameters indicating an abnormal condition (*Grams*)
- Calculating the difference between local and average data values (*Abele*)
- Managing a stable value protected life insurance policy (*Bancorp*)
- Organizing and manipulating information through mathematical correlations (*Digitech*)
- Performing statistical analysis (*SAP America*)
- Using an algorithm for determining the optimal number of visits by a business representative to a client (*Maucorps*)
- Using a formula to convert geospatial coordinates into natural numbers (*Burnett*)<sup>†</sup>

<sup>†</sup> indicates a non-precedential decision that was issued with a written opinion