### August 2017: Interim Eligibility Guidance Quick Reference Sheet

#### Decisions Holding Claims Eligible

#### Claims eligible in Step 2A

<table>
<thead>
<tr>
<th>Claim</th>
<th>Description</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Claim is not directed to an abstract idea</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DDR Holdings</td>
<td>(matching website &quot;look and feel&quot;) see Example 2</td>
<td></td>
</tr>
<tr>
<td>Enfish</td>
<td>(self-referential data table) see May 19, 2016 Memo</td>
<td></td>
</tr>
<tr>
<td>McRO</td>
<td>(rules for lip sync and facial expression animation) see Nov 2016 Memo</td>
<td></td>
</tr>
<tr>
<td>Thales Visionix</td>
<td>(using sensors to more efficiently track an object on a moving platform)</td>
<td></td>
</tr>
<tr>
<td>Trading Tech. v. CQG †</td>
<td>(GUI that prevents order entry at a changed price)</td>
<td></td>
</tr>
<tr>
<td>Visual Memory</td>
<td>(enhanced computer memory system)</td>
<td></td>
</tr>
<tr>
<td><strong>Claim is not directed to a law of nature or natural phenomenon</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eibel Process</td>
<td>(gravity-fed paper machine) see Example 32</td>
<td></td>
</tr>
<tr>
<td>Rapid Lit. Mgmt. v. CellzDirect</td>
<td>(cryopreserving liver cells) see July 14, 2016 Memo</td>
<td></td>
</tr>
<tr>
<td>Tilghman</td>
<td>(method of hydrolyzing fat) see Example 33</td>
<td></td>
</tr>
<tr>
<td><strong>Claim is not directed to a product of nature</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chakrabarty</td>
<td>(genetically modified bacterium) see Example 13 (NBP-5)</td>
<td></td>
</tr>
<tr>
<td>Myriad</td>
<td>(cDNA with modified nucleotide sequence) see Example 15 (NBP-7)</td>
<td></td>
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</tbody>
</table>

#### Claims eligible in Step 2B

(claim as a whole amounts to significantly more than the recited judicial exception, i.e., the claim recites an inventive concept)

<table>
<thead>
<tr>
<th>Claim</th>
<th>Description</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abele</td>
<td>(tomographic scanning)</td>
<td></td>
</tr>
<tr>
<td>Amdocs</td>
<td>(field enhancement in distributed network)</td>
<td></td>
</tr>
<tr>
<td>BASCOM</td>
<td>(filtering Internet content) see Nov 2016 Memo &amp; Example 34</td>
<td></td>
</tr>
<tr>
<td>Classen</td>
<td>(processing data about vaccination schedules &amp; then vaccinating)</td>
<td></td>
</tr>
<tr>
<td>Diehr</td>
<td>(rubber manufacturing) see Example 25</td>
<td></td>
</tr>
<tr>
<td>Mackay Radio</td>
<td>(antenna)</td>
<td></td>
</tr>
<tr>
<td>Myriad CAFC</td>
<td>(screening method using transformed cells)</td>
<td></td>
</tr>
<tr>
<td>RCT</td>
<td>(digital image processing) see Example 3</td>
<td></td>
</tr>
<tr>
<td>SiRF Tech</td>
<td>(GPS system) see Example 4</td>
<td></td>
</tr>
</tbody>
</table>

† indicates a non-precedential decision that was issued with a written opinion
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Identifying Abstract Ideas

“An Idea ‘Of Itself’”

• Anonymous loan shopping (Mortgage Grader)
  • Assigning hair designs to balance head shape (Brown)†
  • Collecting and analyzing information to detect misuse and notifying a user when misuse is detected (FairWarning)
  • Collecting and comparing known information (Classen)
  • 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)†
  • Comparing data to determine a risk level (Perkin-Elmer)†
  • 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)†
  • Data recognition and storage (Content Extraction)
  • Delivering user-selected media content to portable devices (Affinity Labs v. Amazon.com)
  • Determining a price, using organizational and product group hierarchies (Versata)
  • Diagnosing an abnormal condition by performing clinical tests and thinking about the results (Grams)
  • Displaying an advertisement in exchange for access to copyrighted media (Ultramercial)
  • Gathering financial information of potential borrowers (Clarillogic)†
  • Generating a second menu from a first menu and sending the second menu to another location (Ameranth)
  • Mental process for logic circuit design (Synopsis)
  • Migration or transitioning of settings (Transition)†
  • Obtaining and comparing intangible data (CyberSource)
  • Organizing and manipulating information through mathematical correlations (Digitech)
  • Providing out-of-region access to regional broadcast content (Affinity Labs. v. DirecTV)
  • Providing restricted access to resources (Prism Techs.)†
  • Remotely accessing and retrieving user-specific information (Int. Ventures v. Erie Indemnity ‘002 patent)
  • Retaining information in navigation of online forms (Internet Patents)
  • Storing, gathering, and analyzing data (TDE Petroleum)†
  • Using categories to organize, store and transmit information (Cyberfone)†

“Fundamental Economic Practices”

• Billing insurance companies and organizing patient health information (Salwan)†
• Conditioning and controlling access to data based on payment (Smartflash)†
• Creating a contractual relationship (BuySAFE)
• Hedging (Bilski claims 1-3 & 9)
• Mitigating settlement risk (Alice)
• Coordinating loans (LendingTree)†
• Financial instruments that are designed to protect against the risk of investing in financial instruments (Chorna)†
• Offer-based price optimization (OIP Tech)
• Processing an application for financing a purchase (Credit Acceptance)
• Rules for conducting a wagering game (Smith)

“Certain Methods of Organizing Human Activity”

• Arbitration (Comiskey)
• Billing insurance companies and organizing patient health information (Salwan)†
• Budgeting (Int. Ventures v. Cap One Bank ‘137 patent)
• Cataloging labor data (Shortridge)†
• 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)
• Creating a contractual relationship (BuySAFE)
• Creating an index, and using that index to search for and retrieve data (Int. Ventures v. Erie Indemnity ‘434 patent)
• Encoding and decoding image data (RecogniCorp)
• Filtering content (BASCOM)
• Generating menus on a computer (Ameranth)
• Generating rule-based tasks for processing an insurance claim (Accenture)
• Hedging (Bilski claims 1-3 & 9)
• Managing a game of bingo (Planet Bingo)†
• Managing a stable value protected life insurance policy (Bancorp)
• Mental process that a neurologist should follow when testing a patient for nervous system malfunctions (Meyer)
• Mitigating settlement risk (Alice)
• Organizing and manipulating information through mathematical correlations (Digitech)
• Processing loan information (Dealertrack)
• Providing a vehicle valuation through the collection and use of vehicle information (Audatex N. America)†
• Receiving, authenticating, and publishing data (Easyweb Innovations)†
• Receiving, screening, and distributing e-mail (Int. Ventures v. Symantec ‘050 patent)
• Relaying mailing address data (Return Mail)
• Selecting and sorting information by user interest or subject matter (Evolutionary Intelligence)†
• Structuring a sales force or marketing company (Ferguson)
• Tailoring content based on information about the user (Int. Ventures v. Cap One Bank ‘382 patent)
• Tax-free investing (Fort Properties)
• Testing operators of any kind of moving equipment for any kind of physical or mental impairment (Vehicle Intelligence)†
• 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)
• Virus screening (Int. Ventures v. Symantec ‘610 patent)

“Mathematical Relationships / Formulas”

• A formula describing certain electromagnetic standing wave phenomena (Mackay Radio)
• A formula for computing an alarm limit (Flock)
• A mathematical formula for hedging (Bilski claims 4-8, 10, 11)
• An algorithm for calculating parameters indicating an abnormal condition (Grams)
• An algorithm for converting binary coded decimal to pure binary (Benson)
• An algorithm for calculating and comparing regions in space (Coffelt)†
• 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)
• The Arrhenius equation (Diehr)
• Using an algorithm for determining the optimal number of visits by a business representative to a client (Maucorps)

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