The following examples should be used in conjunction with the *2019 Revised Patent Subject Matter Eligibility Guidance* (2019 PEG). The examples below are hypothetical and only intended to be illustrative of the claim analysis under the 2019 PEG. These examples should be interpreted based on the fact patterns set forth below as other fact patterns may have different eligibility outcomes. That is, it is not necessary for a claim under examination to mirror an example claim to be subject matter eligible under the 2019 PEG. All of the claims are analyzed for eligibility in accordance with their broadest reasonable interpretation.

Note that the examples herein are numbered consecutively beginning with number 37, because 36 examples were previously issued.

The examples are illustrative only of the patent-eligibility analysis under the 2019 PEG. All claims must be ultimately analyzed for compliance with every requirement for patentability, including 35 U.S.C. 102, 103, 112, and 101 (utility, inventorship and double patenting) and non-statutory double patenting. The analyses provided below do not address considerations other than subject matter eligibility under Section 101.

Example 37 – Relocation of Icons on a Graphical User Interface

Background:

Traditionally, computer users are limited in the ways in which they can organize icons on their display. Additionally, computer users may have a large number of icons on their display, making it difficult to find the icons most used. The typically available ways to organize icons are alphabetically, by file size, and by file type. If a computer user wants a non-typical arrangement of icons, the user would need to manually manipulate the icons on their display. For example, traditional software does not automatically organize icons so that the most used icons are located near the "start" or "home" icon, where they can be easily accessed. Therefore, what is needed is a method that allows for such non-traditional arrangements to be performed automatically.

Accordingly, applicant's invention addresses this issue by providing a method for rearranging icons on a graphical user interface (GUI), wherein the method moves the most used icons to a position on the GUI, specifically, closest to the "start" icon of the computer system, based on a determined amount of use. In a first preferred embodiment, the amount of use of each icon is automatically determined by a processor that tracks the number of times each icon is selected or how much memory has been allocated to the individual processes associated with each icon over a period of time (*e.g.*, day, week, month, etc.). In another embodiment, the user can choose to manually enter which icons are used most often using any of a number of ordering and/or ranking systems known to those skilled in the art.

Claim 1:

A method of rearranging icons on a graphical user interface (GUI) of a computer system, the method comprising:

receiving, via the GUI, a user selection to organize each icon based on a specific criteria, wherein the specific criteria is an amount of use of each icon;

determining, by a processor, the amount of use of each icon over a predetermined period of time; and

automatically moving the most used icons to a position on the GUI closest to the start icon of the computer system based on the determined amount of use.

Step	Analysis
1: Statutory Category?	**Yes.** The claim recites a series of steps and, therefore, is a process.
2A - Prong 1: Judicial Exception Recited?	**Yes**. The claim recites the limitation of determining the amount of use of each icon over a predetermined period of time. This limitation, as drafted, is a process that, under its broadest reasonable interpretation, covers performance of the limitation in the mind but for the recitation of generic computer components. That is, other than reciting "by a processor," nothing in the claim element precludes the step from practically being performed in the mind. For example, but for the "by a processor" language, the claim encompasses the user manually calculating the amount of use of each icon. The mere nominal recitation of a generic processor does not take the claim limitation out of the mental processes grouping. Thus, the claim recites a mental process.
2A - Prong 2: Integrated into a Practical Application?	**Yes**. The claim recites the combination of additional elements of receiving, via a GUI, a user selection to organize each icon based on the amount of use of each icon, a processor for performing the determining step, and automatically moving the most used icons to a position on the GUI closest to the start icon of the computer system based on the determined amount of use. The claim as a whole integrates the mental process into a practical application. Specifically, the additional elements recite a specific manner of automatically displaying icons

	to the user based on usage which provides a specific improvement over prior systems, resulting in an improved user interface for electronic devices. Thus, the claim is **eligible** because it is not directed to the recited judicial exception.
2B: Claim provides an Inventive Concept?	**N/A.**

Claim 2:

A method of rearranging icons on a graphical user interface (GUI) of a computer system, the method comprising:

receiving, via the GUI, a user selection to organize each icon based on a specific criteria, wherein the specific criteria is an amount of use of each icon;

determining the amount of use of each icon using a processor that tracks how much memory has been allocated to each application associated with each icon over a predetermined period of time; and

automatically moving the most used icons to a position on the GUI closest to the start icon of the computer system based on the determined amount of use.

Step	Analysis
1: Statutory Category?	**Yes.** The claim recites a series of steps and, therefore, is a process.
2A - Prong 1: Judicial Exception Recited?	**No**. The claim does not recite any of the judicial exceptions enumerated in the 2019 PEG. For instance, the claim does not recite a mental process because the claim, under its broadest reasonable interpretation, does not cover performance in the mind but for the recitation of generic computer components. For example, the "determining step" now requires action by a processor that cannot be practically applied in the mind. . In particular, the claimed step of determining the amount of use of each icon by tracking how much memory has been allocated to each application associated with each icon over a predetermined period of time is not practically performed in the human mind, at least because it requires a processor accessing computer memory indicative of application usage. Further, the claim does not recite any

	method of organizing human activity, such as a fundamental economic concept or managing interactions between people. Finally, the claim does not recite a mathematical relationship, formula, or calculation. Thus, the claim is **eligible** because it does not recite a judicial exception.
2A - Prong 2: Integrated into a Practical Application?	**N/A.**
2B: Claim provides an Inventive Concept?	**N/A.**

Claim 3:

A method of ranking icons of a computer system, the method comprising:

determining, by a processor, the amount of use of each icon over a predetermined period of time; and

ranking the icons, by the processor, based on the determined amount of use.

Step	Analysis
1: Statutory Category?	**Yes.** The claim recites a series of steps and, therefore, is a process.
2A - Prong 1: Judicial Exception Recited?	**Yes**. The claim recites the limitations of determining the amount of use of each icon over a predetermined period of time and ranking the icons based on the determined amount of use. The determining limitation, as drafted, is a process that, under its broadest reasonable interpretation, covers performance of the limitation in the mind but for the recitation of generic computer components. That is, other than reciting "by a processor," nothing in the claim precludes the determining step from practically being performed in the human mind. For example, but for the "by a processor" language, the claim encompasses the user manually calculating the amount of use of each icon. This limitation is a mental process. The ranking limitations, as drafted, is also a process that, under its broadest reasonable

	interpretation, covers performance of the limitation in the mind but for the recitation of generic computer components. That is, other than reciting "by a processor," nothing in the claim precludes the ranking step from practically being performed in the human mind. For example, but for the "by a processor" language, the claim encompasses the user thinking that the most-used icons should be ranked higher than the least-used icons. Thus, this limitation is also a mental process.
2A - Prong 2: Integrated into a Practical Application?	**No**. The claim recites one additional element: that a processor is used to perform both the ranking and determining steps. The processor in both steps is recited at a high level of generality, i.e., as a generic processor performing a generic computer function of processing data (the amount of use of each icon, or the ranking of the icons based on the determined amount of use). This generic processor limitation is no more than mere instructions to apply the exception using a generic computer component. Accordingly, this additional element does not integrate the abstract idea into a practical application because it does not impose any meaningful limits on practicing the abstract idea. The claim is directed to the abstract idea.
2B: Claim provides an Inventive Concept?	**No.** As discussed with respect to Step 2A Prong Two, the additional element in the claim amounts to no more than mere instructions to apply the exception using a generic computer component. The same analysis applies here in 2B, i.e., mere instructions to apply an exception using a generic computer component cannot integrate a judicial exception into a practical application at Step 2A or provide an inventive concept in Step 2B. The claim is **ineligible**.

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