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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/607,686	01/28/2015	MARK UNAK	CU-100219	1049
124057 FLENER IP L <i>A</i>		O5/19/2017 C		
77 West Washin Suite 800			WEINER, A	ARIELLE E
Chicago, IL 600	502		ART UNIT	PAPER NUMBER
			3625	
			NOTIFICATION DATE	DELIVERY MODE
			05/19/2017	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	14/607,686		UNAK ET AL.	
Office Action Summary	Examiner ARIELLE WEINER	Art Unit 3625	AIA (First Inventor to File) Status Yes	
The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet with	the corresponder	nce address	
A SHORTENED STATUTORY PERIOD FOR REF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory perior - Failure to reply within the set or extended period for reply will, by statt Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	1.136(a). In no event, however, may a report will apply and will expire SIX (6) MONTHute, cause the application to become ABAI	ly be timely filed HS from the mailing date NDONED (35 U.S.C. § 13	of this communication. 33).	
Status				
1) \boxtimes Responsive to communication(s) filed on <u>01.</u>	/28/2015.			
A declaration(s)/affidavit(s) under 37 CFR				
` ,	nis action is non-final.			
3) An election was made by the applicant in res	sponse to a restriction require	ment set forth dur	ing the interview on	
; the restriction requirement and electi	on have been incorporated in	to this action.		
4) Since this application is in condition for allow	vance except for formal matter	rs, prosecution as	to the merits is	
closed in accordance with the practice unde	r <i>Ex parte Quayle</i> , 1935 C.D.	11, 453 O.G. 213		
Disposition of Claims*				
5) Claim(s) 1-21 is/are pending in the application 5a) Of the above claim(s) is/are withdress 6) Claim(s) is/are allowed. 7) Claim(s) 1-21 is/are rejected. 8) Claim(s) is/are objected to. 9) Claim(s) are subject to restriction and	rawn from consideration. I/or election requirement.			
If any claims have been determined <u>allowable</u> , you may be	e eligible to benefit from the Pater	nt Prosecution Hig	hway program at a	
articipating intellectual property office for the corresponding	g application. For more informatio	n, please see		
<u>ttp://www.uspto.gov/patents/init_events/pph/index.jsp</u> or se	nd an inquiry to <u>PPHfeedback@</u> u	uspto.gov.		
Application Papers 10) The specification is objected to by the Exami 11) The drawing(s) filed on 01/28/2015 is/are: a) Applicant may not request that any objection to the Replacement drawing sheet(s) including the corre	D⊠ accepted or b) objected or b) o	e. See 37 CFR 1.8	ō(a).	
Priority under 35 U.S.C. § 119				
12) Acknowledgment is made of a claim for foreign Certified copies: a) All b) Some** c) None of the: 1. Certified copies of the priority document copies of the priority document copies of the certified copies of the papplication from the International Bure	ents have been received. ents have been received in Ap riority documents have been r	pplication No		
application from the international bure See the attached detailed Office action for a list of the cert	· · · · · · · · · · · · · · · · · · ·			
See the attached detailed Office action for a list of the cer	uned copies not received.			
attachment(s)				
) Notice of References Cited (PTO-892)	3) 🔲 Interview Su	mmary (PTO-413)		
\	Paper No(s)	Mail Date		



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The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION

This action is in reply to the original application filed on 01/28/2015.

Claim(s) 1-21 is/are rejected.

Claim(s) 1-21 is/are currently pending and have been examined.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention is directed to non-statutory subject matter. Claims 8-14 are directed to a computer readable medium. Claims are given their broadest reasonable interpretation consistent with the specification during proceedings before the USPTO. See In re Zletz, 893.2d 319 (Fed. Cir. 1989). The broadest reasonable interpretation of a claim drawn to a computer readable medium typically covers forms of non-transitory media and transitory propaganda signals per se in view of the ordinary and customary meaning of computer readable media, particularly when the specification is silent. See MPEP 2111.01. Signals per se are non-statutory subject matter, therefore claims 8-14 are non-statutory. See In re Nuijten, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (See Kappos Memo dated January 26, 2010).

Claims 1-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., law of nature, a natural phenomenon, or an abstract idea) without significantly more.

Claims 1-21 are directed to an abstract idea (judicial exception).

Representative claim 1 broadly claims a computer-implemented method for creating a catalog from information from another catalog. Specifically claim 1 requires receiving information from an electronic catalog, processing product information from the electronic catalog, associating product



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information from one catalog to predefined sections of another catalog, and mapping a product from one catalog to a section of another catalog. The limitations of claim 1 represent concepts similar to those found by courts to be abstract.

The concepts recited in claim 1 also represent "an idea 'of itself'" as they represent an idea standing alone such as an uninstantiated concept, plan or scheme, as well as a mental process (thinking) that "can be performed in the human mind, or by a human using a pen and paper" [see USPTO July 2015 Update to Subject Matter Eligibility, section III (C)]. Specifically, the concepts recited in claim 1 seek to receive information from one catalog and proceed to process, associate, and map said information to form another catalog for display. These concepts are similar to those analyzed in *Electric Power Group* in which the courts found concepts related to collecting information, analyzing it, and displaying certain results of the collection and analysis to be abstract [see *Electric Power Group, LLC, v. Alstom,* 830 F.3d 1350, 119 U.S.P.Q.2d 1739 (Fed. Cir. 2016)].

Additionally, the processes of claim 1, represent process that could be readily performed in the human mind or by a human using a pen and paper.

Under Step 2B of the Mayo framework, the Examiner acknowledges that the claims contain additional limitations (e.g. computing device). Although reciting additional elements, the additional elements merely act as an attempt to further define the field of use of the abstract idea, thus attempting to generally link the use of the abstract idea to a particular technological environment e.g. computing networks and/or the internet. Additionally, the additional limitations recited in the claims are recited in a broad manner specified at a high level of generality. Similar to those functions cited in *Electric Power Group*, claim 1 recites functions without specifying even arguably new physical components or specifying processes defined other than by the functions themselves. The claimed functions can be carried out in existing computers long in use, no new machinery being necessary. Claim 1 merely assumes the availability of physical components for collecting information, analyzing it, and displaying certain results of the collection and analysis [see *Electric Power Group, LLC, v. Alstom,* 830 F.3d 1350, 119 U.S.P.Q.2d 1739 (Fed. Cir. 2016)].



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As an additional consideration, the additional limitations recited in claim 1 do not amount to significantly more than the abstract idea itself since the additional elements are merely recited in a generic manner and operate using well-understood, routine and conventional functions [see USPTO July 2015 Update to Subject Matter Eligibility, section IV, pg. 7], such as

- performing repetitive calculations (e.g. associating product identifiers to a catalog section)
- receiving, processing, and storing data (e.g. receiving information from an electronic catalog, processing product information, associating product information, and mapping a product)
- receiving or transmitting data over a network (e.g. receiving information from an electronic catalog)
- automating mental tasks (e.g. receiving information from an electronic catalog, processing product information, associating product information, and mapping a product)

Even considered as an ordered combination, the additional limitations of claim 1 do not add anything further than when looking at the elements taken individually. As a whole, the claim simply recites an abstract idea and instructions to "apply it" on generic computer specified at a high level of generality.

Thus, under Step 2B of the Mayo framework, representative claim 1 does not recite additional elements which result in significantly more than the abstract idea itself. Claim 1 is therefore ineligible.

Dependent claims 2-7 add little, if anything, to the eligibility of claim 1.

For example, claims 2-7 merely recite more complexities descriptive of the abstract idea that may be used in conjunction with those recited in claim 1. Such complexities do not provide additional elements in addition to the abstract ideas themselves.

Thus, claims 2-7 are ineligible for at least similar reasons discussed above.



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