

DETAILED ACTION

1. Claims 15-35 are pending in the Instant Application.
2. Claims 15-35 are rejected (Non-Final Rejection).

Notice of Pre-AIA or AIA Status

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

Examiner Notes

As a result of the Petition Decision on 10 January 2018, Examiner has reviewed the most recent set of amended claims from 15 August 2017.

Claim Objections

Claim 22 is objected to because of the following informalities: the word "at" is repeated. Appropriate correction is required.

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.

Claim 15-35 are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an

abstract idea) without significantly more. Claim(s) 15, 22 and 28 is/are directed to an abstract idea that can be performed mentally. The Instant Application describes a system for classifying (categorizing) documents by reviewers using elementary facts. The claims in the Instant Application are similar to those in *Int. Ventures v. Eerie Indemnity*. In that case, the Court ruled that the claims, identifying and categorizing illicit files, could be done by a human. Applicant in his REMARKS, makes similar statements regarding document classification with regards to the Instant Application. The specification of the Instant Application describes how the computer can beat the human on page 30. This inherently means that a human can do the classification, and using the logic of the Court, would be abstract for the same reasons as in *Int. Ventures v. Eerie Indemnity*. The Instant Application states that a computer could perform the task faster and with more accuracy. The Court in *Int. Ventures v. Eerie Indemnity* stated this specifically as a distinction from *Enfish*, stating that the claims were abstract as not improving a way a computer operates, but rather using a computer to perform a task better. The claim(s) does/do not include additional elements that are sufficient to amount to significantly more than the judicial exception because matching "elementary facts" to locate and classify documents is that of a generic computer function. The Court stated in the above case, "generic functions, even if performed by a computer, that are not inventive because selecting files based on identifiers and matching different files/identifiers is just what computers do." This is explicitly what the Instant Application accomplishes and is still considered abstract.

The dependent claims are also either abstract or are not significantly more.

Claims 16, 18, 19, 21, 23, 25, 27, 29, 31 and 33 describe generating results and displaying results, a generic computer function that is not considered significantly more.

Claim 17, 24, 34 and 35 describe performing a search, a generic computer function that is not considered significantly more.

Claim 20, 26 and 30 describe an interface, a generic computer function that is not considered significantly more.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a)(1) the claimed invention was patented, described in a printed publication, or in public use, on sale or otherwise available to the public before the effective filing date of the claimed invention.

4. Claim(s) 15-21 is/are rejected under 35 U.S.C. 102(a)(1) as being unpatentable by Kunisaki et al. ("Kunisaki"), United States Patent Application Publication No. 20090157759.

As per claim 15, Kunisaki discloses a method for improving document review performance of at least one user using a review system comprising at least one server and at least one client computer in a network or the internet, the method comprising: assigning or creating at least one review account ([0087] wherein reviewers are assigned to a document pool);