



THINK FORWARD

Subject Matter Eligibility for Graphical User Interfaces

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In *Core Wireless Licensing S.A.R.L. v. LG Electronics, Inc.* (Jan. 25, 2018), the Federal Circuit affirmed a district court decision denying summary judgment that certain claims of two patents, 8,713,476 and 8,434,020, were directed to invalid subject matter under 35 U.S.C. §101. The pertinent claims of the '476 and '020 patents are directed to displaying a graphical user interface.

An example claim from the '476 patent is:

A computing device comprising a display screen, the computing device being configured to display on the screen a menu listing one or more applications, and additionally being configured to display on the screen an application summary that can be reached directly from the menu, wherein the application summary displays a limited list of data offered within the one or more applications, each of the data in the list being selectable to launch the respective application and enable the selected data to be seen within the respective application, and wherein the application summary is displayed while the one or more applications are in an un-launched state.

The Federal Circuit held that the claims were not directed to an abstract idea. In particular, the Federal Circuit reasoned that "[a]lthough the generic idea of summarizing information certainly existed prior to the invention, these claims are directed to a particular manner of summarizing and presenting information in electronic devices."

In support of its decision, the Federal Circuit differentiated the claimed subject matter from the generic idea of summarizing information. The Federal Circuit placed special emphasis on limitations that require a particular manner by which data is accessed and limitations that restrain the type of data displayed. The Federal Circuit also recited numerous excerpts from the patent publications that demonstrate how "the claims are directed to an improvement in the functioning of computers, particularly those with small screens." The Federal Circuit further reasoned that the claimed subject matter enables a user to see the most relevant data and improves the speed of the user's navigation through various views and windows.

This decision is likely to carry more weight than the previous Federal Circuit decision related to graphical user interfaces. In *Trading Technologies International, Inc. v. CQG, Inc.* (Jan. 18, 2017) the Federal Circuit agreed, in a non-precedential publication, that certain claims with graphical user interface features are eligible under 35 U.S.C. §101 when the features improve the speed and accuracy by which a user performs a task. With this latest case, the Federal Circuit provides a precedential decision with additional examples of graphical user interface subject matter that are eligible under 35 U.S.C. §101.

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