

Claims Directed to Presenting Allegedly Unique Financial Information on a Generic Computer Display Are Not Patent Eligible

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Trading Technologies International, Inc. v. IBG LLC et al., No. 2017-2323, 2019 (Fed. Cir. Apr. 30, 2019)

The Federal Circuit affirmed a Patent Trial and Appeal Board (PTAB) opinion holding that U.S. Patent No. 7,783,556's claims 1-22 are eligible for covered business method review (CBM) and patent ineligible under 35 U.S.C. § 101. The claims relate to a method and code for displaying financial market information on a screen. This opinion follows close on the heels of a similar opinion in *Trading Technologies International, Inc. v. IBG LLC et al.*, No. 2018-1063.

For CBM eligibility, the panel summarized the “problem that the patent seeks to solve” as providing highly relevant financial information to an electronic exchange trader. CBM review was found appropriate because “providing a trader with new or different information in an existing trading screen is not a technical solution to a technical problem” that would be barred from CBM review under the American Invents Act § 18(d)(1) and 37 C.F.R. § 42.301(b).

For the § 101 determination, the panel, under *Alice* step one, characterized the claims as directed to the abstract idea of “a process of gathering and analyzing information of a specified content, then displaying the results, . . . [without] inventive technology for performing those functions.” The panel rejected arguments that the claims provide a non-abstract “particular graphical user interface” that presents information in a unique manner – by reasoning that arranging information on the display as claimed “does not improve the functioning of the computer, make it operate more efficiently, or solve any technological problem.” Under *Alice* step two, the panel found that the recited display of allegedly unique information (e.g., profit and loss values along an axis) does not save the claims, because “a claimed invention’s use of the ineligible concept to which it is directed cannot supply the inventive concept that renders the invention ‘significantly more’ than that ineligible concept.” As a comparison, a prior panel, in *Core Wireless Licensing S.A.R.L. v. LG Electronics, Inc.*, 880 F.3d 1356, 1359 (Fed. Cir. 2018), held claims “directed to a particular manner of summarizing and presenting information in electronic devices” were patent eligible because they were not abstract.

[A copy of the opinion can be found here](#)

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