

Simplifying a Computer Process May Pass Alice Step Two

DECEMBER 20, 2021

Cosmokey Solutions GMBH & Co. KG v. Duo Security LLC, FKA Duo Security, Inc., 2020-2043 (Fed. Cir. 2021)

Reversing the district court below, the Federal Circuit held that certain claims of the asserted patent are patent-eligible under *Alice* step two because they recited a specific improvement to a particular computer-implemented authentication technique.

The patent-at-issue was related to a method of authenticating the identity of a user performing a function on a computer involving an authentication function on that user's mobile device. Compared to prior-art systems, the invention purportedly simplified the authentication process by reducing the number of communication channels the process used.

The district court held that this was directed to an abstract concept, and that the elements of the claims did not transform the nature of the claims into a patent-eligible concept because they "merely teach[] generic computer functionality to perform the abstract concept of authentication[.]"

The Federal Circuit did not address step one of *Alice* because "even if [the Federal Circuit] accept[ed] the district court's narrow characterization of the [claims], the claims satisfy *Alice* step two." Proceeding to step two of *Alice*, the court held that the claim elements added material not known in the prior art, and that the ordered combination of the claims recited a specific technical improvement that reduced the complexity of the authentication process compared to prior-art systems.

Read the full decision [here](#).

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