Intellectual Property Office

BL O/0873/23

15 September 2023

PATENTS ACT 1977

APPLICANT	Australian Bond Exchange Holdings Limited
ISSUE	Whether patent application GB 2107804.3 complies with Section 1(2) of the Patents Act 1977
HEARING OFFICER	Ben Buchanan

DECISION

Background

1 This decision relates to whether patent application GB 2107804.3 ("the application") entitled "System and Computer Implemented Method for Facilitating the Transaction and Settlement of a Financial Instrument" complies with Section 1(2) of the Patents Act 1977 ("the Act").

2 This application is the national phase, published as GB 2593997A, of a PCT application filed on 4 November 2019. The PCT application was originally published as WO 2020/087136 A1 and has an earliest priority date of 02 November 2018.

3 A first examination report was issued on 9 May 2022, the report being confined to the issues of patentability, novelty and conciseness. In the examination report the examiner objected that the invention relates to a method for doing business and/or a program for a computer as such and so is excluded from patent protection under s.1(2)(c).

4 There followed several rounds of correspondence, with no agreement reached. The latest claims are those filed on 24 April 2023.

5 With the issue unresolved the applicant asked to be heard and the matter came before me at a hearing on 23 June 2023, at which the applicant was represented by their attorney Mr Nathan Gillott-Jones of Kilburn & Strode LLP.

6 Skeleton arguments were helpfully provided by the attorney in advance of the hearing and these are sincerely appreciated.

7 I note that the (extended) compliance period for the application expired on 9 July 2023. A two month extension to the compliance period has now been retrospectively requested by the applicant; as I indicated at the hearing, this extension will be allowed as the decision was being awaited at the time.

The invention

8 The application relates to a system and method for facilitating the settlement of financial transactions. In order to transfer a security from a seller to a buyer, the transfer must go through a settlement process. This process creates a delay between the time a trade is made and when it settles. This delay has reduced over the years through advances in technology and communications; however, most financial systems cannot reduce the delay to less than one day. This is because centralised clearing systems and banks typically run batch processes overnight to allow net transfers. As part of this system each major clearing and settlement facility is required to hold large quantities of funds, including a margin on each transaction, to protect against the risk of defaulting parties. The present invention seeks to overcome these problems, by providing a centralised trading system that allows the instantaneous settlement of financial transactions.

9 The method and system of the invention comprise an electronic trading platform. A client wishing to trade registers with the system, and information that identifies their trading account is validated. Once validation is complete the registration information is held in a record that can be accessed by a central counterparty system. The client can then place buy or sell orders on the platform. A buy order is electronically validated by checking there are sufficient funds (or other trading stock) available for completing the trade in the client's trading account. A sell order is electronically validated by checking the client's inventory account has sufficient inventory to complete the trade. When a matching order is determined, the trade is immediately executed and settled. The execution and settlement step include the actions of the central counterparty system novating and clearing the trade; withdrawing funds or the equivalent stock from the client's trading account; and updating inventory records for both clients in a centralised register. Figure 4 below illustrates this process.

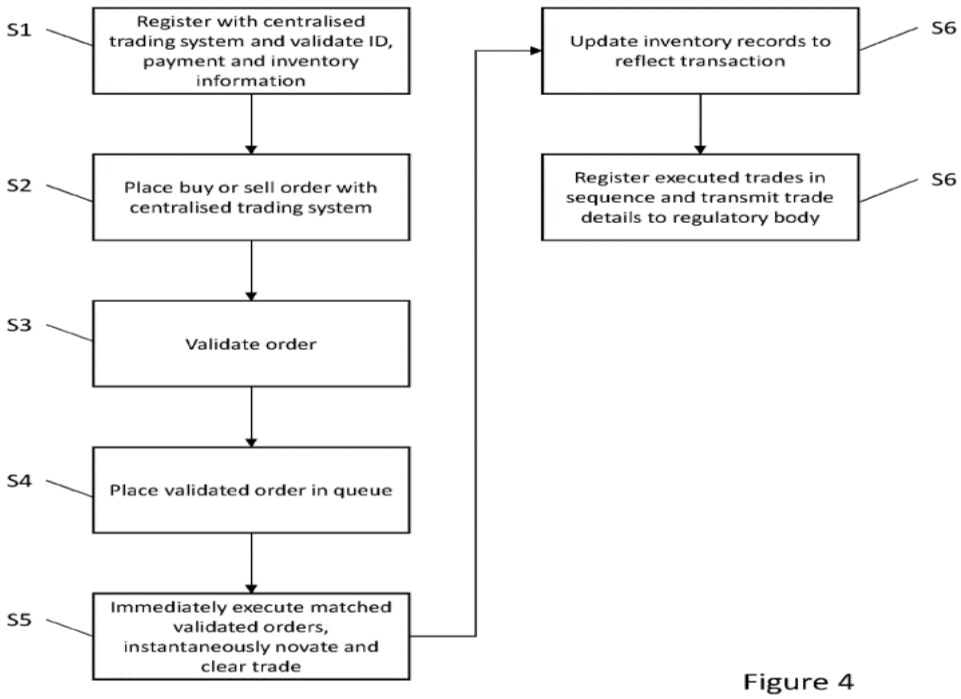

Figure 4

The law

10 The examiner has raised an objection under section 1(2) of the Act that the invention is not patentable because it relates to one or more categories of excluded matter. The relevant provisions of this section of the Act are shown in bold below:

> *1(2) It is hereby declared that the following (among other things) are not inventions for the purposes of this Act, that is to say, anything which consists of*
>
> *(a) a discovery, scientific theory or mathematical method;*
> *(b) a literary, dramatic, musical or artistic work or any other aesthetic creation whatsoever;*
> *(c) a scheme, rule or* ***method for*** *performing a mental act, playing a game or* ***doing business****, or* ***a program for a computer****;*
>
> *(d) the presentation of information;*
>
> *but the foregoing provision shall prevent anything from being treated as an invention for the purposes of this Act only to the extent that a patent or application for a patent relates to that thing as such.*

11 The examiner and the applicant agree that the assessment of patentability under section 1(2) is governed by the judgment of the Court of Appeal in *Aerotel*[1], as further interpreted by the Court of Appeal in *Symbian*[2].

12 In *Aerotel* the court reviewed the case law on the interpretation of Section 1(2) and set out a four-step test to decide whether a claimed invention is patentable:

> *(1) Properly construe the claim;*
>
> *(2) identify the actual contribution;*
>
> *(3) ask whether it falls solely within the excluded subject matter;*
>
> *(4) check whether the actual or alleged contribution is actually technical in nature.*

13 Subsequently, the Court of Appeal in *Symbian* made it clear that the four-step test in *Aerotel* was not intended to be a new departure in domestic law; it was confirmed that the test is consistent with the previous requirement set out in case law that the invention must provide a "technical contribution". Paragraph 46 of *Aerotel* states that applying the fourth step of the test may not be necessary because the third step should have covered the question of whether the contribution is technical in nature. It was further confirmed in *Symbian* that the question of whether the invention makes a technical contribution can take place at step 3 or 4.

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[1] *Aerotel Ltd v Telco Holdings Ltd & Ors Rev 1* [2007] RPC 7
[2] *Symbian Ltd v Comptroller General of Patents* [2009] RPC 1

14 Lewison J (as he then was) in *AT&T/CVON*[3] set out five signposts that he considered to be helpful when considering whether a computer program makes a technical contribution. In *HTC/Apple*[4] the signposts were reformulated slightly in light of the decision in *Gemstar*[5]. The signposts are:

> *i) whether the claimed technical effect has a technical effect on a process which is carried on outside the computer*
>
> *ii) whether the claimed technical effect operates at the level of the architecture of the computer; that is to say whether the effect is produced irrespective of the data being processed or the applications being run*
>
> *iii) whether the claimed technical effect results in the computer being made to operate in a new way*
>
> *iv) whether the program makes the computer a better computer in the sense of running more efficiently and effectively as a computer*
>
> *v) whether the perceived problem is overcome by the claimed invention as opposed to merely being circumvented.*

15 There was no disagreement at the hearing that applying the *Aerotel* test is the correct approach here.

Application of the *Aerotel* approach

Step (1): Properly construe the claim

16 The latest claims are those filed on 24 April 2023. There are three independent claims: claim 1 to a computer system, claim 17 to a computer implemented method and claim 18 to a computer readable medium. Claim 1 reads as follows:

> *1. A computer system for facilitating near real-time transaction and settlement of a financial transaction by a central counterparty system, comprising:*
> *an electronic trading platform configured to:*
> *receive a registration request from a client wanting to trade a financial instrument or other instrument of value;*
> *responsive to receiving the registration request, electronically validate trading information for the client, the trading information comprising information identifying a trading account that is accessible by the central counterparty system;*
> *responsive to electronically validating the trading information, complete the registration for the client and store the validated information in an electronic client record maintained or accessible by the central counterparty system;*
> *post registration, receive a buy or sell order placed by the registered client or other authorised party operating on the client's behalf for the instrument;*
> *electronically validate the buy or sell order, wherein, for a buy order, the*

[3] *AT&T Knowledge Ventures/CVON Innovations v Comptroller General of Patents* [2009] EWHC 343 (Pat)
[4] *HTC v Apple* [2013] EWCA Civ 451
[5] *Gemstar-TV Guide International Inc v Virgin Media Ltd* [2010] RPC 10

step of electronically validating comprises electronically evaluating the trading account to establish that there are sufficient funds or other trading stock available for completing the trade and wherein, for a sell order, the step of electronically validating comprises electronically evaluating an inventory account to ensure that the client has sufficient inventory available to complete the trade;
determining whether another registered client has placed an order that matches the buy or sell order;
responsive to determining a matching order, immediately execute and settle the trade and wherein the step of executing and settling the trade comprises:
the central counterparty system novating and clearing the trade;
withdrawing funds or tradable stock corresponding to the traded amount from the client's trading account using a near real-time funds transfer process; and
updating inventory records for both clients in a centralised register to reflect the executed trade.

Claim 17 reads as follows:

17. A computer implemented method for facilitating near real-time transaction and settlement of a financial transaction by a central counterparty system, comprising:
receiving a registration request from a client wanting to trade a financial instrument or other instrument of value;
responsive to receiving the registration request, electronically validating trading information for the client, the trading information comprising information identifying a nominated funds account that is accessible by the central counterparty system;
responsive to electronically validating the trading information, completing the registration for the client and maintaining an electronic client record storing the validated information;
post registration, receiving a buy or sell order placed by the registered client or other authorised party operating on the client's behalf for the instrument;
determining whether another registered client has placed a matching order;
electronically validating the matching orders, wherein, for a buy order, the step of electronically validating comprises electronically evaluating the nominated funds account to establish that there are sufficient funds or other tradable stock available for completing the trade and wherein, for a sell order, the step of electronically validating comprises electronically evaluating an inventory account to ensure that the client has sufficient inventory available to complete the trade;
responsive to electronically validating the orders, immediately executing and settling the trade and wherein the step of executing and settling the trade comprises:
the central counterparty system either novating and clearing the trade or acting as principal at the time of trade to both sides of the transaction to immediately buy to the seller and sell to the buyer;
near real-time withdrawing funds or tradable stock corresponding to the traded amount from the buying client's nominated funds account; and

updating the inventory records for both clients in a centralised register to reflect the executed trade.

17 There are some differences in the scope of claims 1 and 17. The differences have been underlined in the reproductions above. There was discussion of these differences at the hearing.

18 Claim 1 refers to a trading account, whereas claim 17 refers to a nominated funds account. From the description it can be inferred that these terms are interchangeable and it was agreed that any difference is immaterial.

19 In claim 1, a buy or sell order is made, the buy or sell order is validated electronically, and then if there is a matching order the trade is immediately executed and settled. In claim 17, the buy or sell order is made, the system determines if there is a matching order, and then electronically validates the matching orders before immediately executing and settling the trade. The attorney explained at the hearing that claim 17 is effectively a more limiting embodiment of the same invention; in claim 1 one side of the order is validated, in claim 17 both sides of the order are validated.

20 It was also noted that claim 17 defines the central counterparty system as optionally functioning in two different ways: either novating and clearing a trade; or acting as principal at the time of the trade to both sides of the transaction (to immediately buy to the seller and sell to the buyer). Claim 1 defines the central counterparty system as novating and clearing the trade only. The attorney explained that they did not believe there was an appreciable difference between the two options that would have a material effect on the contribution of the claims. However the central counterparty system operates, the problem to be solved and the advantages of the invention defined in both claims is the same. I will keep this in mind when construing the contribution.

21 In discussing the differences above, it was pointed out that although claim 1 defines the funds or stock as being withdrawn using a real-time funds transfer process, the wording of claim 17 differs by defining the near real-time withdrawing of funds, without specifying a process used. The attorney requested that claim 17 be construed as being identical to claim 1 in this regard when drafting the decision. I indicated that I was happy to do so.

Step (2): Identify the actual or alleged contribution

22 Guidance on how to identify the contribution is given in paragraph 43 of *Aerotel*, where the court accepted the proposition that identifying the contribution is:

> *"an exercise in judgment probably involving the problem said to be solved, how the invention works, what its advantages are. What has the inventor really added to human knowledge perhaps best sums up the exercise. The formulation involves looking at substance not form."*

23 The examiner identifies the contribution as:

"The integration of various electronically implemented trade and settlement steps within one system – notably including (a) electronically validating trading information (including information identifying a nominated funds account that will be used to satisfy the settlement obligation) prior to receiving an order; (b) electronically validating a subsequent buy or sell order (including evaluating the nominated funds account to establish that there are sufficient funds available for the settlement of a corresponding trade); and (c) subsequently electronically executing and settling the trade (comprising the various sub steps identified in the independent claims) – in order to (i) significantly reduce the time between execution of a trade and its subsequent settlement, (ii) to remove the requirement to carry out steps 5 to 9 of the trade lifecycle and (iii) reduce or remove counterparty default risk."

24 At the hearing the attorney largely agreed with this formulation of the contribution, although they argued that it should also include a reference to the use of a real-time funds transfer process. They felt the contribution lies in the reduction of the time needed to settle a trade along with the removal of batch processing as part of the process, and the reduction of risk and the consequential need to hold a margin. The stages of the trade lifecycle, including the batch processing stages, can be seen in the document entitled "Bond Trade Lifecycle in 4 stages", filed 24 April 2023.

25 It is clear from this discussion that the attorney believes it is the real-time settlement that is the basis of the contribution. What is it in the invention that allows real-time settlement? The attorney explained that in prior art systems, trades are made using communication protocols that only allow short messages with limited client data, for example OMNeT API. This limits the amount of information that can be transferred. The messages used to place an order cannot include enough information to validate whether a trade can be settled or not. I can find no support for this assertion in the specification, but I am happy to take the argument at face value. The invention allegedly solves this problem by including a pre-registration step. Pre-registration enables validation of an order when it is made, and validation enables real-time settlement. These are the essential features.

26 Although a search was made in the international phase, we do not have the benefit of the examiner's full assessment of novelty and inventive step for us to determine if prior art systems in relevant fields would allow trades to be settled in real-time. I will therefore accept that this feature forms part of the alleged contribution.

27 With these points in mind, I identify the contribution of claims 1 and 17 to be:

"A method and system for facilitating near real-time transaction and settlement of financial transactions, including (a) a pre-registration step that electronically validates trading information of a client (including information identifying a trading account that will be used to satisfy the settlement obligation) prior to receiving an order; (b) electronically validating a subsequent buy or sell order by evaluating the trading account to establish that there are sufficient funds available for the settlement of a corresponding trade; and (c) immediately electronically executing and settling the trade, including the step of withdrawing funds or tradable stock from the client's trading account using a near real-time funds process in order to (i) significantly reduce the time between execution of a trade and its subsequent

settlement, (ii) remove the requirement to carry out batch processing steps of the trade lifecycle", (iii) reduce the risk of default and the consequential need to hold a margin.

Steps (3) & (4): Does the contribution fall solely within excluded subject matter; check if the contribution is actually technical.

28 In this case, the arguments concerning whether the invention is excluded are very much wrapped up with the question of whether the contribution is technical in nature. Given that, I have considered the third and fourth steps together.

29 In their letters to the Office, the attorney argued that the invention is not excluded for a number of reasons. These may be summarised as:

- The claims do not define merely a method for doing business as they include a technical feature relating to real-time data transmission. This technical feature has an effect on the computer itself and on related computer systems;

- The real-time data transmission removes the need for a proportion of computer systems used during the trade lifecycle. The removal of the need for these systems is an effect external to the claimed computer systems, unlike *Lantana*[6] and has parallels with the effect in *Lenovo*[7], satisfying signpost (i);

- Signpost (iv) is satisfied because there is a reduction in processing required in the claimed system and in the trade settlement process as a whole. Unlike *Gale*[8] and *Raytheon*[9], this reduction arises from a technical feature: how and when the data is transmitted; namely in real-time.

30 In support of their first point, the attorney expanded on the importance of the real-time data transmission and subsequent near real-time funds transfer. The pre-registration step defined in the claims allows an order to be validated without the batch processing steps of prior art systems. Certain phases of the trade lifecycle that involve computing infrastructure and human activity are made redundant by the claimed invention; these are the phases that are conventionally "downstream" of an order being placed and matched. Without these batch processing steps, the claimed invention allegedly results in a more efficient computerised trading system overall, as well as reducing the computing resource required to complete a trade. The attorney pointed out that the claimed invention does not achieve these goals by a change to a known process – the batch processing steps are not merely "skipped" or "left out" to achieve efficiency gains. Instead, the claims define a new method and system that simply doesn't require them.

Method for doing business

31 It is clear that the applicant believes it is *how* the transaction is completed that provides the technical character. In their report of 10 May 2023, the examiner argued that removing batch processing steps from the trade lifecycle and freeing up

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[6] *Lantana v Comptroller General of Patents [2013] EWHC 2673 (Pat)*
[7] *Lenovo (Singapore) PTE Ltd v Comptroller General of Patents [2020] EWHC 1706 (Pat)*
[8] *Gale's application [1991] RPC 305*
[9] *Raytheon Company v Comptroller General of Patents [2007] EWHC 1230 (Pat)*

computer resources as a result of a different method of completing trades is no more than a better business method. They relied on *Halliburton*[10] to point out that simply providing a faster, more efficient method is immaterial to section 1(2)(c) regarding a method for doing business.

32 In *Halliburton*, Birss J at paragraph 35 noted that the use of a computer to implement a better business method did not confer patentability: *"The business method cases can be tricky to analyse by just asking whether the invention has a technical effect or makes a technical contribution. The reason is that computers are self evidently technical in nature. Thus when a business method is implemented on a computer, the patentee has a rich vein of arguments to deploy in seeking to contend that his invention gives rise to a technical effect or makes a technical contribution. For example the computer is said to be a faster, more efficient computerized book keeper than before and surely, says the patentee, that is a technical effect or technical advance. And so it is, in a way, but the law has resolutely sought to hold the line at excluding such things from patents."*

33 The pre-registration and validation steps of the claims, along with the near real-time funds transfer, allows the claimed method/system to complete a trade far more quickly than prior art systems. I can appreciate the time and cost saving is considerable due to the removal of the need for overnight batch processing and the reduction of risk and margin. Nevertheless, this is still confined to completing a financial transaction as the end result. As Fox LJ teaches in *Merrill Lynch*[11]*:*

34 *"The section draws no distinction between the method by which the mode of doing business is achieved. If what is produced in the end is itself an item excluded from patentability by section 1(2), the matter can go no further."*

35 For the reasons outlined above, it is clear to me that the invention as described and claimed is a business method. As claimed, it uses technical means in the form of a suitably programmed computer carrying out a number of processing steps to complete financial trades. In view of the teaching in *Merrill Lynch* and *Halliburton,* this makes no difference if the end result is wholly a method for doing business.

Program for a computer

36 Notwithstanding that the invention is excluded as a method for doing business, given the claimed invention is implemented by means of a computer program I will consider whether the invention is any more than a program for a computer as such.

37 Although the contribution is implemented using a computer program, that does not mean that it should immediately be excluded. In *Symbian*, the Court of Appeal stated that a computer program may not be excluded if it makes a technical contribution. In order to determine if the contribution is technical in nature, I will make use of the *AT&T* signposts. The examiner has made reference to the signposts in their examination reports. In the assessment of the five signposts the examiner determined that the contribution failed to satisfy any of the signposts.

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[10] *Halliburton Energy Services Inc's Application [201] RPC 129*
[11] *Merrill Lynch's Application [1089] RPC 561*

Signpost (i) Whether the claimed technical effect has a technical effect on a process which is carried on outside the computer

38 The first signpost asks whether the claimed technical effect has a technical effect on a process which is carried on outside the computer. To decide this, it must first be established what is "the computer"?

39 The attorney referred to the High Court judgment of *Lantana*. As previously explained, the claimed method/system renders obsolete the conventional batch processing steps of clearing trades. The attorney argued that these steps therefore take place on a system, or "computing infrastructure", outside of the system defined by the claims. There would therefore be an effect outside the computer (defined by the claims), unlike the situation in *Lantana.*

40 It was established in *Lantana* that a system operating as a network can be considered as "the computer" for the purposes of the first signpost, which was noted in paragraph 30:

> *"I start by noting that this invention consists entirely of software running on a conventional computing arrangement. I use the term "computing arrangement" rather than computer because the applicant is at pains to point out that this system requires two computers connected by a "telecommunications network". So it does but at the relevant date (2008) two computers connected across the internet was an entirely conventional computing arrangement. The fact that two computers and the internet are required is not what makes a software invention patentable."*

41 What constitutes the "computing infrastructure" outside of that defined in the claims is unclear. The examiner noted that the claims do not define any particular hardware. He also referred to BLO/1045/22[12], where it was held that removing a device from the claimed system had no effect on the world outside this system. I believe this is also the case here. As in *Lantana*, everything happens within a computing arrangement. The system of the claims may function differently to prior art systems, but this does not create an effect outside of it. Furthermore, there is no new hardware, communication protocol or architecture; merely the configuration of hardware required to put into effect the computer program. It is the computer program which is new, and which underpins the contribution.

42 The attorney pointed out that the removal of "infrastructure" may also refer to the removal of staff and office space. Any effect imparted outside of the computer in this regard is not technical. Instead the effect resides in the arrangement of an office where computerised trading takes place. The improved speed of transactions carried out using the system/method of the claims may be an advantage to a client, or a commercial relationship, but it is not solving a technical problem nor is it having a

[12] [Geodesixs Inc.]

technical effect on a process carried on outside of the computer. Therefore, in my view this points away from there being a technical contribution and the first signpost being met.

43 The attorney also compared the contribution to that in *Lenovo.* The invention in *Lenovo* concerned the automatic splitting of payments between multiple contactless payment cards presented to a card reader during a purchase transaction, the automatic split being based on user preferences acquired and stored previously. The invention was described as solving the problem of "card clash". The invention was able to overcome this problem by allowing a purchase to be split across multiple cards presented to and identified by the reader in accordance with user preferences stored in advance. In his judgment, Birss J found that the prior art solution of the user having to press a button to choose which card to use or to split payment was no longer necessary, because the allocation of payment across the cards was handled automatically at the point of sale. As a result of this automatic feature, he said that the card clash problem experienced with contactless payment cards is solved without the user having to take any extra physical step at the point they use their contactless card. He said that this is an effect of the invention which is neither a computer program as such nor a method of doing business as such, nor a combination of the two.

44 The acquisition and storage of user preferences in *Lenovo* could be seen as analogous to the pre-registration step of the present invention. The user preferences in *Lenovo* were used in a very specific way however: to remove a manual step performed by a user at a point of sale to solve a technical problem of card clash; the undesirable interaction of two physical entities. This resulted in the user having a different physical interaction with the world outside of the computer, compared to the prior art. I cannot see that this is analogous to the present invention. Although the pre-registration step of the claims allows trades to be settled more quickly, the real world end result is still the same – a trade is settled. There is no different physical interaction with the world outside the computer when compared to what has gone before. Although the invention may remove the need for the batch processing steps, the fact that these steps may be carried out by a different computer, in a different office, to the computer matching the orders is an administrative and business decision rather than a technical one. The removal of these steps does not equate to a different interaction with the real world. I therefore do not consider the first signpost to be met for the same reasoning as set out in *Lenovo.*

Signposts (ii) – (iii)

45 I note that the applicant has not relied on signposts (ii)-(iii) during prosecution. I agree with the examiner's assessment of signposts (ii)-(iii) and do not believe they assist the applicant.

Signpost iv) whether the program makes the computer a better computer in the sense of running more efficiently and effectively as a computer

46 The attorney was of the mind that the removal of the need for batch processing steps of the prior art demonstrated an effect outside of the claimed computer system, satisfying signpost (i). If this was not the case, they argued, then the claims themselves define a better computer because it is more efficient. The real-time data

processing is a technical improvement that results in a more efficient computer infrastructure. The attorney disagreed with the examiner's interpretation of *Autonomy*[13] in light of *Gale* and *Raytheon*. In *Gale* there was a reduction in processing, but this was achieved using a different mathematical method than the prior art with the result that the processor did less work. In *Raytheon*, the computer program was carrying out reduced processing around synthesising representations of equipment, but this was achieved by carrying out less synthesis.

47 The attorney felt that the claims could be contrasted to these scenarios as the system requires less processing time not by merely omitting steps or producing a lesser product, but by the implementation of the pre-registration step along with the near real-time funds transfer process. The system operates more efficiently overall because real-time processing renders previously essential batch processing steps obsolete.

48 The computer in this case is carrying out electronic trading. I do not agree that a computer operating according to the instruction of a program that completes these trades in a reduced timeframe compared to that which is standard in the art must automatically be a better computer. As noted above, there is no new hardware; merely the hardware required to conventionally put into effect the computer program. The computer is operating under the instruction of the computer program as intended. I agree with the examiner that the contribution is not providing a generally applicable way of operating a computer or a system, but instead it is providing a better software implementation for the purpose of facilitating instantaneous settlement of a financial transaction. Following the reasoning in *Autonomy* I do not agree this signpost has been met.

> *Signpost (v) whether the perceived problem is overcome by the claimed invention as opposed to merely being circumvented*

49 The fifth signpost looks at the technical character of an alleged invention by means of the problem addressed. When the problem is a technical one, an invention solving that problem can be considered to have a technical nature leading to it falling outside the exclusion. The attorney argued that there is a technical prejudice in the prior art to use limited messaging systems as part of electronic trading which results in batch processing being required. This may be true, but the problem also arises from the regulatory requirements as explained in the background to the invention on pages 1-3 of the description, which incur delay and expense. The problem is addressed by implementing the pre-registration and validation steps, which avoids the limitations of the prior art and permits real-time settlement and near real-time transfer of funds.

50 In this case I am minded to agree with the examiner that the overall problem to be solved is not technical in nature. The contribution relates to reducing the time taken to clear a trade. This reflects a business problem which has been solved by the use of a computer implemented method. I also agree with the examiner that the inefficiencies in the electronic trading systems of the prior art have not been solved, they have instead been circumvented by removing the need for batch processing altogether.

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[13] *Autonomy Corp Ltd v Comptroller General [2008] EWCH 146 (Pat)*

51 I note the examiner has further relied on UK IPO decisions BL O/761/19, BL O/420/19 and BL O/360/19 [Adobe Systems Incorporated], but I do not need to go into further detail on those decisions here.

52 I consider the contribution identified above to relate to a program for a computer as such.

Conclusion

53 Since the invention fails to comply with Section 1(2)(c) of the Act because it is a method for doing business and a program for a computer as such, the application is refused under Section 18 of the Act.

Appeal

54 Any appeal must be lodged within 28 days after the date of this decision.

BEN BUCHANAN

Deputy Director, acting for the Comptroller