



## PATENTS ACT 1977

APPLICANT Motorola Solutions, Inc.

ISSUE Whether patent application GB1810113.9 complies with section 1(2) of the Patents Act 1977

HEARING OFFICER Phil Thorpe

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## DECISION

### Introduction

- 1 Patent application GB1810113.9 was filed on 20 June 2018 and was published on 20 February 2019 as GB 2565630.
- 2 There have been several rounds of correspondence between the applicant and the examiner and several amendments made to the application. Nevertheless, they have been unable to agree that the application complies with section 1(2) of the Patents Act 1977 (“the Act”) and specifically whether it consists of a method for doing business, or a program for a computer. Consequently, the matter came before me at a hearing on 28 February 2020 at which the applicant was represented by Ms. Pippa Tolfts of Optimus Patents Limited.
- 3 Along with skeleton arguments supporting the claims as amended, Ms. Tolfts provided two auxiliary requests in the form of amended claims and accompanying arguments.

### The invention

- 4 The invention is concerned with assisting users, such as first responders by updating information in a timeline record of a public safety incident.
- 5 According to paragraph 12 of the application, a timeline application installed on a communication device

*“may store actions of the public safety officer (for example, incoming and outgoing calls and messages and the like) and details of the environment of the public safety officer (for example, weather conditions, traffic conditions, and the like)” and “may store events (for example, the arrival of back-up, communication to and from public safety officers handling the incident, and the like) that occur during the public safety incident”.*

- 6 Such a timeline application may store such information by monitoring for and gathering the information in real-time.

7 The application, in discussing the problem to be overcome by the invention notes that:

*“manually storing information for use with the timeline application as described above may be inconvenient and time-consuming”*

and in relation for example to weather or traffic conditions notes:

*“when the communication device is capable of determining such conditions, these conditions may not always be relevant at a given public safety incident. When the timeline application stores such irrelevant information, a public safety officer using the timeline application to view the information may be less likely to recognize more relevant information.”*

8 Therefore, the invention provides a method, device, and system for an electronic digital assistant to update information in a timeline of a public safety incident. The electronic digital assistant may update timeline information stored for use with the timeline application described above based on a user query related to the public safety incident. The process by which this is achieved is shown in figure 4:

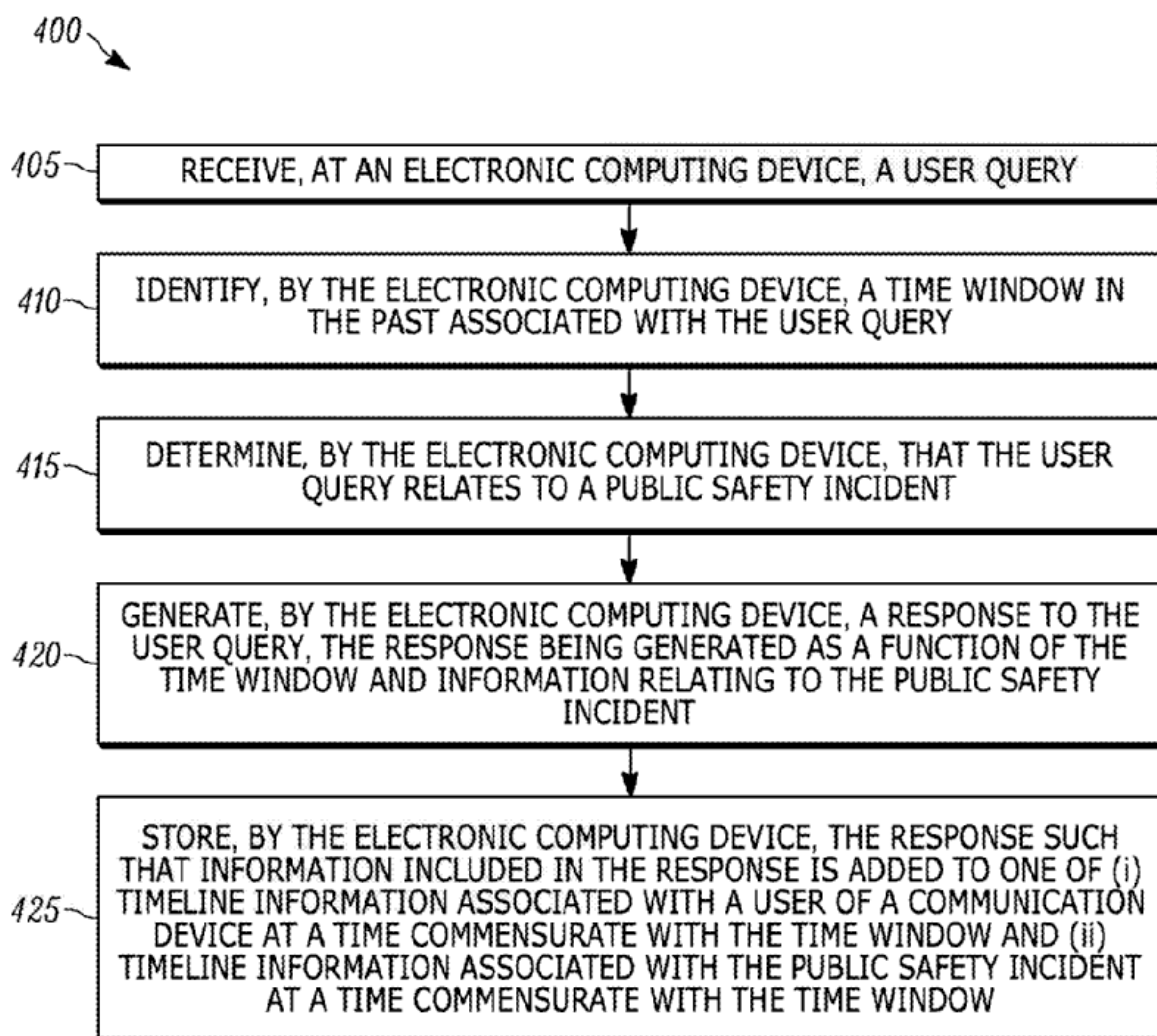


FIG. 4

- 9 The user query at block 405 is an oral query and the time window is identified at block 410 using natural language processing of the oral query. Similarly, natural language processing is used at block 415 to determine that the user query relates to a public safety incident. For example, the device may identify past tense words in a query asking about the weather at a time when a traffic accident occurred on a previous date. Based on such a user query, the electronic computing device may determine that the user query relates to the traffic accident.
- 10 The application explains that the response generated at block 420 may derive from a number of sources:

*“For example, should a user inquire about the traffic conditions at the time of the traffic accident at the corner of First Street and Main Street yesterday. To generate a response, the electronic computing device may request information from a traffic database 164 relating to the traffic conditions at First Street and Main Street yesterday at the determined time of the accident.”*

it goes on to explain that

*“the information included in the response includes a plurality of types of information (for example, weather information, traffic information, traffic device functionality information, construction information, criminal record information, and the like). Continuing the above example with respect to a user query relating to the traffic conditions at the time of the specified traffic accident, the electronic computing device may also generate other information related to the traffic accident in addition to traffic conditions in response to the user query.”*

- 11 Having generated the response, it is then stored at block 425 by adding it to a timeline, associated either with a user or with an incident.
- 12 The response may also be provided at an output device such as an audio or visual output device and the response provided by the output device may only include the type of information with the highest relevance (for example, relevant information) while the information stored as timeline information may include at least one of the relevant information and additional information included in the response (for example, peripheral information).
- 13 Figures 3 and 5 exemplify a timeline displayed on a screen before and after being updated according to the invention:

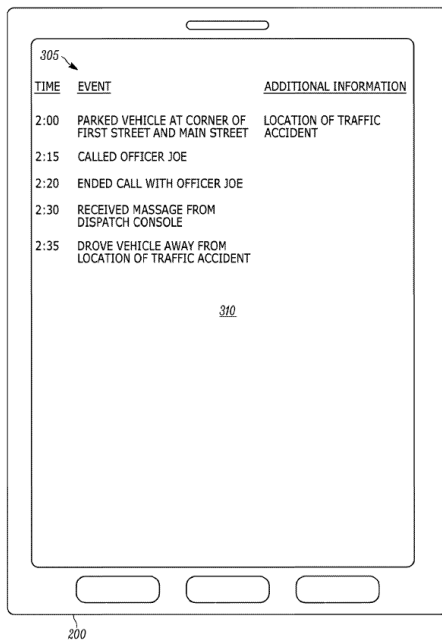


FIG. 3

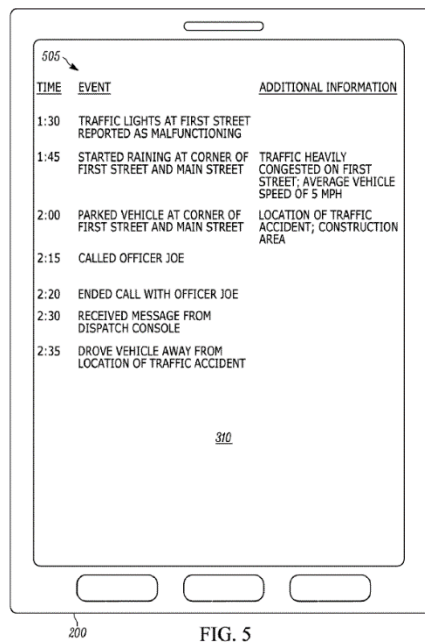


FIG. 5

14 The application also describes the potential for transmitting information included in the response to a second communication device associated with another user to potentially be included in a second timeline.

15 The claims as currently amended were filed on 19 November 2019. There are coterminous independent method and apparatus claims and claim 1 is as follows:

1. *A method for updating information in a timeline of a public safety incident, the method comprising:*

*receiving, at an electronic computing device with a microphone, an oral query from a user;*

*identifying, by the electronic computing device and using natural language processing to determine that one or more words included in the oral query indicate that the oral query relates to the past, a time window in the past associated with the oral query;*

*determining, by the electronic computing device and using natural language processing to analyze one or more words included in the oral query, that the oral query relates to a public safety incident;*

*generating, by the electronic computing device, a response to the oral query, the response to the oral query being generated as a function of the time window and information relating to the public safety incident; and*

*storing, by the electronic computing device, the response to the oral query such that information included in the response to the oral query is added to one of (i) timeline information associated with the user of a communication device at a time commensurate with the time window and (ii) timeline information associated with the public safety incident at a time commensurate with the time window.*

16 As I noted earlier Ms. Tolfts has also provided two auxiliary requests and their respective claims 1 are as follows with the changes highlighted:

First auxiliary request

1. A method for updating information in a timeline of a public safety incident, the method comprising:

receiving, at an electronic computing device with a microphone, an oral query from a user;

identifying, by the electronic computing device and using natural language processing to determine that one or more words included in the oral query indicate that the oral query relates to the past, a time window in the past associated with the oral query;

determining, by the electronic computing device and using natural language processing to analyze one or more words included in the oral query, that the oral query relates to a public safety incident;

generating, by the electronic computing device, a response to the oral query, the response to the oral query being generated as a function of the time window and information relating to the public safety incident; and

storing, by the electronic computing device, the response to the oral query such that information included in the response to the oral query is added to one of (i) timeline information associated with the user of a communication device at a time commensurate with the time window and (ii) timeline information associated with the public safety incident at a time commensurate with the time window;

further comprising providing the response with an output device of the communication device; and

generating, with an electronic processor on a screen of the communication device, a timeline including the timeline information;

wherein the information included in the response includes a plurality of types of information, and further comprising determining a relevance level of each of the types of information;

wherein providing the response with the output device includes providing the response with the output device, the response only including the type of information with the highest relevance level among the plurality of types of information;

wherein storing the response includes storing the information included in the response, the information included in the response including at least two of the types of information among the plurality of types of information, the plurality of types of information including at least two selected from the group consisting of weather information, traffic information, traffic device functionality information, construction information, and criminal record information.

Second auxiliary request.

1. A method for updating information in a timeline of a public safety incident, the method comprising:

receiving, at an electronic computing device with a microphone, an oral query from a user;

identifying, by the electronic computing device and using natural language processing to determine that one or more words included in the oral query indicate that the oral query relates to the past, a time window in the past associated with the oral query;

determining, by the electronic computing device and using natural language processing to analyze one or more words included in the oral query, that the oral query relates to a public safety incident;

*generating, by the electronic computing device, a response to the oral query, the response to the oral query being generated as a function of the time window and information relating to the public safety incident; and*

*storing, by the electronic computing device, the response to the oral query such that information included in the response to the oral query is added to one of (i) timeline information associated with the user of a communication device at a time commensurate with the time window and (ii) timeline information associated with the public safety incident at a time commensurate with the time window;*

*identifying, by the electronic computing device, a second communication device associated with a second user based on at least one selected from the group consisting of a current communication status of the communication device, a previous communication status of the communication device at a time during the time window, a previous location of the communication device at a time during the time window, and a previous incident status of the communication device at a time during the time window; and*

*transmitting, with the electronic computing device, the information included in the response to the second communication device to be stored such that the information included in the response is added to second timeline information associated with the second user of the second communication device.*

## **The law**

- 17 The examiner has raised an objection under section 1(2) of the Patents Act 1977 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 with added emphasis below:

1(2) *It is hereby declared that the following (amongst other things) are not inventions for the purpose of the Act, that is to say, anything which consists of*

—

(c) *a scheme, rule, or method for...**doing business, or a program for a computer;***

—

*but the foregoing provisions shall prevent anything from being treated as an invention for the purposes of the Act only to the extent that a patent or application for a patent relates to that thing as such.*

- 18 As explained in the notice published by the UK Intellectual Property Office (IPO) on the 8th December 2008<sup>1</sup>, the starting point for determining whether an invention falls within the exclusions of section 1(2) is the judgment of the Court of Appeal in *Aerotel/Macrossan*<sup>2</sup>.

- 19 The interpretation of section 1(2) has been considered by the Court of Appeal in *Symbian*<sup>3</sup>. *Symbian* arose under the computer program exclusion, but as with its

<sup>1</sup> <http://www.ipo.gov.uk/pro-types/pro-patent/p-law/p-pn/p-pn-computer.htm>

<sup>2</sup> *Aerotel Ltd v Telco Holdings Ltd and Macrossan's Application* [2006] EWCA Civ 1371; [2007] RPC 7

<sup>3</sup> *Symbian Ltd v Comptroller-General of Patents*, [2009] RPC 1

previous decision in *Aerotel* the Court gave general guidance on section 1(2). Although the Court approached the question of excluded matter primarily on the basis of whether there was a technical contribution, it nevertheless (at paragraph 59) considered its conclusion in the light of the *Aerotel* approach. The Court was quite clear (see paragraphs 8-15) that the structured four-step approach to the question in *Aerotel* was never intended to be a new departure in domestic law; that it remained bound by its previous decisions, particularly *Merrill Lynch*<sup>4</sup> which rested on whether the contribution was technical; and that any differences in the two approaches should affect neither the applicable principles nor the outcome in any particular case.

20 Subject to the clarification provided by *Symbian*, it is therefore appropriate to proceed on the basis of the four-step approach explained at paragraphs 40–48 of *Aerotel* namely:

- (1) *Properly construe the claim.*
- (2) *Identify the actual contribution (although at the application stage this might have to be the alleged contribution).*
- (3) *Ask whether it falls solely within the excluded matter.*
- (4) *If the third step has not covered it, check whether the actual or alleged contribution is actually technical.*

21 Lewison J (as he then was) set out in *AT&T/CVON*<sup>5</sup> five signposts that he considered to be helpful when considering whether a computer program makes a technical contribution. In *HTC*<sup>6</sup> the signposts were reformulated slightly in light of the decision in *Gemstar*<sup>7</sup> and so they are as follows:

- 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.*

### **Applying the Aerotel test**

22 Since the auxiliary requests each add additional steps to claim 1 as currently amended, I will first consider claim 1 as currently amended and then, if necessary go

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<sup>4</sup> *Merrill Lynch's Appn.* [1989] RPC 561

<sup>5</sup> *AT&T Knowledge Ventures/CVON Innovations v Comptroller General of Patents* [2009] EWHC 343 (Pat); [2009] FSR 19

<sup>6</sup> *HTC v Apple* [2013] EWCA Civ 451

<sup>7</sup> *Gemstar-TV Guide International Inc v Virgin Media Ltd* [2009] EWHC 3068 (Pat); [2010] RPC 10

on to consider whether the additional steps proposed in the auxiliary requests lead me to a different conclusion.

*Step 1 - Properly construe the claim*

- 23 Both the examiner and Ms. Tolfts seem to share a view that there is no difficulty interpreting the claims as currently amended. At the hearing we discussed the meaning of timeline information associated with the user from the end of the claim and I agree that the claims as amended are clear and need no interpretation.

*Step 2 - Identify the actual contribution*

- 24 The examiner believes the contribution to lie in a computer-implemented method of determining that a public safety incident has taken place during a time period based on a received oral query, and processing data to compute information relevant to the incident. The information being used to update a timeline.
- 25 Ms. Tolfts however was keen to stress that the invention improves the usefulness of the data being stored by storing information in response to an oral query only after identifying certain characteristics of the information. Ms Tolfts goes on to argue that the invention provides efficient use of memory since it only stores information for use in a timeline application that is determined to be relevant based on a user query related to the information. The invention also improves the use of a user interface of the electronic computing device by not displaying irrelevant information on a displayed timeline.
- 26 The approach to determining the contribution is probably best summed up by Jacob LJ. in *Aerotel/Macrossan* where he notes that *“What has the inventor really added to human knowledge perhaps best sums up the exercise.”* Jacob LJ goes on to say *“[i]n the end the test must be what contribution has actually been made, not what the inventor says he has made”*.
- 27 As Ms Tolfts rightly pointed out, no search has been done yet on the application. The application however appears to provide some insight into what is already known. Paragraphs 2 and 3 acknowledge that electronic digital assistants are known that have the capability of completing tasks in response to the user’s voice input. Paragraph 12 of the description further notes that timeline applications installed on a communication device are already known and that such an application:

*“stores timeline information associated with a public safety officer or a public safety event (that is, an event, occurrence, or situation affecting or potentially affecting the safety of one or more citizens that the public safety officer is tasked with protecting).”*

It goes on to note that

*“The timeline application may store such information by monitoring for and gathering the information in real-time. For example, the communication device may monitor transmitted and received communications and maintain stored information related to the communications (for example, in a call log, a message log, or the like). The timeline application may also allow a user to*



*manually enter information in the timeline in real-time or after an event has occurred. For example, the timeline application may allow a public safety officer to enter the weather conditions at a given time and at a given public safety incident during the public safety incident or after the public safety officer returns to a public safety command center.”.*

28 It would seem to follow that what the inventor has really added to human knowledge must be something over and above such a conventional application. It seems to me that the contribution lies in a computer-implemented method for updating the information in such a conventional timeline for a past event by, in response to an oral query, determining that the information to be added relates to the past event and then adding that information to the timeline.

*Step 3 - Ask whether it falls solely within the excluded matter*

*Step 4 - Check whether the actual or alleged contribution is actually technical*

29 I will consider steps 3 and 4 together.

30 The examiner has argued that this application falls foul of two different categories in section 1(2), namely a method for doing business and a program for computer.

31 I will begin by looking at whether the invention is excluded as a computer program as such. In his last communication to the applicant, the examiner discussed all five of the signposts from HTC. At the hearing Ms. Tolfts focussed on signposts (iii) to (iv). Given that the steps in the method forming the invention largely take place within the electronic computing device and that the effect is very much tied up with the data being processed in the form of the oral query and its response, I think Ms Tolfts was right not to seek support from signposts i) and ii). I would add for completeness that it might be argued that there is an effect outside the computer in the sense that the updated timeline is made available to a user, however that effect is clearly not technical.

32 Ms. Tolfts argues that the invention causes the computer to operate in a new way and hence the third signpost is present. Referring to dependent claim 3 she argues that a typical computer does not respond to an oral query by providing a response at an output device and storing information in a timeline. At the hearing I pressed Ms Tolfts on what it was that made the computer operate in a new way. She accepted that the language processing engine used in the invention was conventional. It is also clear that the hardware used in the invention is conventional; this being evident from the lack of any technical detail of any new hardware in the application. There is also nothing in the application to indicate that the way that the data is stored or retrieved is new in a technical sense. Ms Tolfts however was keen to emphasise that what made the computer operate in a new way was its ability to extract the relevant information from a mass of information in response to the oral query and then present it to the user. I can accept that the computer does do something new but that is not what signpost iii) requires otherwise any computer running a new program would satisfy it. Rather what signpost ii) requires is that the computer operates in a new way that is technical. That does not happen with the invention here. Rather what it does is just process the data in a new way in response to an oral query. That does not satisfy signpost iii).

- 33 The argument from Ms. Tolfts regarding the fourth signpost is rather similar, arguing that it is a more efficient computer that both outputs the response and identifies information to be stored in a timeline in response to a single oral query. I can see that administratively this is more efficient than a system that required two queries to achieve the same ends, but it is not clear to me how this results in a computer running more efficiently and effectively as a computer in a technical sense.
- 34 The examiner and Ms. Tolfts disagree as to the perceived problem to which the fifth signpost should be judged against. The examiner identified the inconvenience of manually recording details during a public safety incident whereas Ms. Tolfts argued the problem was how to efficiently respond to an oral query received by an electronic computing device. Guidance on the problem that the invention seeks to overcome can I believe be found in paragraph 13 of the description where it notes:
- “However, manually storing information for use with the timeline application as described above may be inconvenient and time-consuming. Additionally, using the communication device to monitor for and gather real-time information to be stored for use with the timeline application may not be possible in some situations and for all types of information. For example, the communication device may not be capable of determining the weather conditions or the traffic conditions at a public safety incident. Even when the communication device is capable of determining such conditions, these conditions may not always be relevant at a given public safety incident. When the timeline application stores such irrelevant information, a public safety officer using the timeline application to view the information may be less likely to recognize more relevant information.”*
- 35 It seems to me that the invention overcomes this problem of manually storing information even though the process is initiated by a user query. It also avoids the need to record real time information since it is specifically concerned with a time window in the past. The invention is capable of overcoming the problem of storing irrelevant information, although this is not a feature of the invention as it is claimed most broadly. For example, dependent claim 5 as amended discusses determining relevance levels of information but claim 1 does not. It seems to me though that the problems themselves are not in fact technical, but rather administrative, in effect automating processes that the user might perform following an incident. For signpost v) to be satisfied the problem that the invention overcomes needs to be a technical problem and that is not the case here.
- 36 Hence in conclusion I do not believe that any of the HTC signposts point to the contribution of the invention here being technical in nature.
- 37 For completeness I will also consider the business method exclusion. The examiner argued that the contribution lies in the automation of an administrative task used to help plan the running of an organisation. He noted that the expression "doing business" is also not restricted to financial or commercial activities, but embraces administrative, organisational and managerial activities. He concluded that recording information about a public safety incident is an administrative activity and by implication that the present application falls into a category excluded from patentability.

- 38 The examiner also made passing reference to an earlier decision of mine (BL O/800/18 in which I refused another application from Motorola Solutions Inc. as being a method for doing business. That application was concerned with a computer implemented method for determining a cornering and capture strategy for a fugitive and outputting information relating to that strategy to pursuit assets. Ms Tolfts describes the inventions in her client's two applications as being totally different from one another such that my earlier decision is not particularly relevant here. I accept that it can be dangerous in trying to read too much from other cases with different factual backgrounds.
- 39 In this instance I do not believe that the invention is used to assist first responders in the context of a public safety incident is decisive one way or the other here. The question remains whether the matter at hand amounts to "doing business", be that financial, commercial, administrative, organisational or managerial activities. Updating information held in a timeline strikes me as an essentially administrative activity. That the activity could be enabled by a sophisticated computer-based system does not change the underlying nature of the activity. Hence the invention is also excluded as a method of doing business.
- 40 Finally, it should be clear that the contribution is not in my view technical.

#### First Auxiliary request

*Step 1 - Properly construe the claim*

*Step 2 - Identify the actual contribution*

- 41 The first auxiliary request, as I detailed above, adds a number of additional steps to the method of claim 1. In part these steps determine relevance levels for information in the response, outputting only information with the highest relevance level and storing several types of information.
- 42 I have no great difficulty construing the claim at step 1 and nor does Ms. Tolfts. I previously found that the contribution in claim 1 as amended lay in a computer-implemented method for updating the information in a conventional timeline for a past event by, in response to an oral query, determining that the information to be added relates to the past event and then adding that information to the timeline. This applies at least in part for the auxiliary requests since all of the steps of claim 1 as amended remain present. In her skeleton arguments Ms. Tolfts discusses the contribution in the first auxiliary request and comments that there "*is provided a more efficient way of presenting relevant information, and not overloading the user with additional irrelevant information*". This seems to me a worthwhile addition to the contribution that I identified previously.

*Step 3 - Ask whether it falls solely within the excluded matter*

*Step 4 - Check whether the actual or alleged contribution is actually technical*

- 43 In her skeleton arguments Ms. Tolfts does not address the question of the alleged invention in the first auxiliary request being a business method. For my part I do not see that the additional steps added to claim 1 as amended fundamentally change anything in this respect and the contribution still lies in an administrative activity and a method of doing business.

- 44 Turning to the question of whether the contribution falls solely within the excluded matter of a program for a computer and the signposts from *HTC*. Once again Ms. Tolfts focussed on signposts (iii) to (iv) but for completeness I will also consider (i) and (ii).
- 45 The steps in the method still largely take place within the electronic computing device and hence signpost i) is absent. There remains an effect outside the computer in the sense that the updated timeline is made available to a user and explicitly a timeline is now generated on a screen. It is still my view that the effect is not technical.
- 46 Since the effect continues to be very much tied up with the data being processed in the form of the oral query and its response, signpost ii) is similarly absent.
- 47 Again Ms. Tolfts argues that the computer does indeed operate in a new way and hence signpost iii) is present. She argues that a typical computer does not respond to an oral query by retrieving different types of information and determining a relevance level for the retrieved information. That may indeed be the case but the way in which the computer does that is not by having the computer operate in a new way in the technical sense. Rather it is a function of how the data is processed. Hence for the same reasons as the current claim 1, signpost iii) is not met by the invention in the first auxiliary request.
- 48 Regarding signpost iv), Ms. Tolfts argues that it is a more efficient computer that only retrieves data relevant to the query while more efficiently processing retrieved data to enhance user interaction. Again, I am prepared to accept that the process by which the timeline is updated is more efficient because of the invention but that is not because of the computer itself operating more effectively or efficiently. Hence signpost iv) is not met.
- 49 For signpost v), Ms. Tolfts sees the problem in question being how to efficiently generate a robust response to a user query in a user-friendly manner. This does not strike me as an unreasonable formulation of the problem. However, once again it is my view that this problem is not technical, but rather administrative, and again I cannot see that signpost v) can be present.
- 50 In a similar vein I cannot agree with Ms. Tolfts at step 4 that the contribution is technical. The contribution is implemented by a computer and a computer is undeniably a technical device, but I remain of the view that the contribution is not technical.

#### Second Auxiliary request

*Step 1 - Properly construe the claim*

*Step 2 - Identify the actual contribution*

- 51 The second auxiliary request also retains all the steps of claim 1, adding further steps concerned with transmitting information in the response to a second communication device associated with a second user. I agree with Ms. Tolfts that there is no difficulty construing the claim. In her discussion of the contribution she mentions that it allows for more efficient sharing of information between distinct

devices and this seems to be a useful addition to the contribution I identified for claim 1 as amended. Hence, I would characterise the contribution in the second auxiliary request as lying in a computer-implemented method for updating the information in a conventional timeline for a past event by, in response to an oral query, determining that the information to be added relates to the past event and then adding that information to the and sharing the information with a second communication device.

*Step 3 - Ask whether it falls solely within the excluded matter*

*Step 4 - Check whether the actual or alleged contribution is actually technical*

- 52 In here skeleton arguments Ms. Tolfts moves straight to *HTC* signpost (iii). For my part I do not see the transmission steps as changing anything regarding the business method exclusion. The contribution does not lie in some technical aspect of the transmission, but in the administrative utility of generating and sharing information. This is a method of doing business for these purposes.
- 53 Again, the steps in the method largely take place within the electronic computing device and hence signpost i) is absent. There remains an effect outside the computer in the sense that the updated timeline is made available to a user and to a second communication device and hence by implication to a second user. It remains my view that the effect is not technical.
- 54 It may be that the computer used in the method operates slightly differently from other computers, as Ms. Tolfts argues. However, it remains the case that the only real difference is that the computer is performing the particular method steps required by the software running on that computer. In that sense this is no different from any new software, which would be to say that any new software provides signpost ili) and that I do not accept.
- 55 Ms. Tolfts argues that the system is made more efficient by virtue of the second communication device receiving information that it may otherwise not have received or that it would have to retrieve itself. I do not think that this amounts to “*running more efficiently and effectively as a computer*”. Information that is never received makes no difference to the running of the computer, although it may have an administrative effect, and there is no difference made to the efficiency or effectiveness of the computer when it retrieves information for itself.
- 56 In considering signpost v), Ms. Tolfts sees the problem as how to respond to an oral query received by an electronic computing device, which is the same problem she identified for the main request. As in the main request, the problem of manually storing information is overcome and the need to record real time information is avoided. In addition, a problem of manually sharing timeline information between users is overcome or alternatively multiple users need not retrieve the same information for the same purpose. Any or all of these may be advantageous, but they are not technical and the fifth absent is again absent.
- 57 Checking at step 4, it seems clear to me that the contribution is not actually technical.

## **Conclusion**

- 58 I have considered the arguments from the applicant and it is my opinion that the problem addressed by the claimed invention is entirely administrative in nature. My view is not affected by the fact that that the invention is performed by means of a computer. The contribution is not rendered technical simply by use of a such a device.
- 59 I therefore find that the invention claimed in GB1810113.9 falls solely within matter excluded under section 1(2) as a program for a computer as such and a method of doing business as such. I have carefully considered the specification as a whole and I can see nothing that could be reasonably expected to form the basis of a valid claim. Therefore I refuse this application under section 18(3).

### **Appeal**

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

**PHIL THORPE**

Deputy Director, acting for the Comptroller