

**U.S. Supreme Court Recent Decision on  
Alice Corp. v. CLS Bank (July 2014)**

Last month, the U.S. Supreme Court decided *Alice Corp. v. CLS Bank*, the latest in a string of decisions concerning subject matter patentability for computer-implemented inventions. The holding was very narrow, and confirmed the Court's recent jurisprudence in the area. The Court held that an abstract method of doing business cannot qualify for patentability merely because that abstract concept is implemented on a general purpose computer. This applies whether the claim is a method or an apparatus claim.

It is not the case that the holding suggests that computer-implemented methods are unpatentable. Rather, either the method being implemented must be concrete rather than abstract, or the computer must be a special-purpose computer (i.e., modified from a general-purpose computer). Furthermore, the less the subject concerns methods of doing business, the better for potential patentability. Of course, there are always gray areas with respect to such matters, and we are always ready to advise on that subject.