

Insights: Publications

Update on 101 Rejections at the USPTO: Prospects for Computer-Related Applications Continue to Improve Post-Guidance

IP Watchdog

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The Supreme Court's 2014 decision in [*Alice v. CLS Bank*](#) made it significantly more difficult to obtain patents for some computer-related technologies. It is, at best, questionable whether court decisions since then have been coherent and consistent. Similarly, marked variation has been observed across art units and across post-Alice time periods as to how examiners are applying Section 101. However, the U.S. Patent and Trademark Office's (USPTO's) [2019 Patent Eligibility Guidance](#) added some much-needed clarity and predictability as to how eligibility of computer-related patent applications is being assessed at the agency.