

## ***Biosig*, Refined by *Alice*, Increases the Robustness of ET CI Patents: A Tutorial about this Key to Increasing Robustness of ET CI Patents**

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### **I. SURVEY ABOUT THE TUTORIAL**

By its *Biosig* decision, the Supreme Court clarified the fundamental notion of “definiteness” of an ET CI<sup>1</sup>. It enables inventors/investors to protect their ET (hence high risk) R&D investments by much more robust patents on ET CIs than hitherto possible – due to an ET CI’s peculiarities its patent may be very vulnerable. I.e.: The classic claim construction for classic technology (“CT”) CIs, hitherto used by SPL precedents, is definitively unable to guarantee to ET CIs the same high protection as to CT CIs – due to ETs’ total destruction of the “CT paradigm”, especially as to its definiteness aspects. I.e., a validity attack on a CT paradigm based ET patent questioning its definiteness is (almost) mandatory.

This tutorial explains how many and which requirements the notion of “definiteness of an ET CI based patent (application)” comprises, and that failing to meet one of them definitively destroys of this patent (application) its protection by 35 USC §§ 101/102/103/112, as interpreted by the Supreme Court’s *Biosig* decision.

Although this explanation in principle is independent of other recent SPL<sup>1</sup> decisions of the Supreme Court – its *KSR/Bilski/Mayo/Myriad/Alice* decisions – taking them into account, especially *Mayo/Alice*, facilitates the presentation of this explanation and demonstrates the consistency of this line of the Supreme Court’s unanimous SPL decisions as to ET CIs. Hence, this tutorial is a continuation of [150], which provided this explanation, in particular as to its *Mayo/Alice* decisions.

In more detail: For increasing the robustness of patents on ET CIs, the Supreme Court’s new paradigm MUST be used – the “refined claim construction” – which it had to underlie its *Mayo* interpretation of 35 USC §§ 101/102/103/112 for achieving this robustness [92]. Without this paradigm shift from some vague classical [121] to the well-defined refined claim construction [121,92], robust patents on ET CIs are logically impossible, due to the former’s incompleteness: It invites the only rudimentary ET understanding of all of us to lead to inconsistent SPL decisions about ET CIs – in particular as to their definiteness – thus destabilizing patents on them. I.e.: While only vague ideas exist today about bio tech, genetics, molecular bonding forces, nano tech, ..., and complex relations between and the more with them, we yet need legally absolutely safe patents on ET CIs manipulating e.g. such relations, vastly or totally unknown. These peculiarities of ETs and CIs based on them, pose hitherto unknown questions as to the definiteness of patents on ET CIs.

As to this definiteness issue of an ET CI patent, the Supreme Court’s *Biosig* decision provides clear and strong guidance, how to analyze it in an unquestionable way – not yet reflected by courts, e.g. [152]. Hence this tutorial.

In Section IV this tutorial shows – led by this *Biosig* guidance and the guidance provided by the *Mayo/Alice* decision [150] – why this ET CI’s quantified inventive concept (induced by this guidance) greatly facilitates supplementing the Supreme Court’s nonoperational *Biosig* test such as to make it an operational definiteness test – almost trivial but risky, or elaborate but dependable .

Section III explains, prior to this *Alice/Biosig* based guidance, the all decisive aspect of the definiteness issue: The Supreme Court in *Biosig* declared that any CI’s claim interpretation by the BRI contradicts the Constitution. Indeed the BRI is logically a grotesque error, but today nevertheless very popular as extremely convenient (often being the case if socially wishful thinking trumps rationality). This important clarification by the Supreme Court is recapitulated from [121<sup>s.IV</sup>] – as it is vastly ignored, strangely, by court decisions [152].

Thus, the Supreme Court puts SPL testing of ET CIs based patents (applications) onto a higher stage of SPL understanding – by clarifying in *Biosig* their definiteness issue and in *Mayo/Alice* their other robustness issues, for the first time and in an absolutely unquestionable as clear cut scientific manner.

This is important to notice<sup>1</sup>), as alone the perception, SPL were heading into rough sea – conveyed to the community of investors by the patent practitioners’ critics of the Supreme Court’s above quoted decisions [92<sup>s.III</sup>] – would block urgently needed ET R&D. Actually, these disorienting communications unfortunately impacted already on many patent examiners, which completely misunderstand this “SPL Initiative” of the Supreme Court as a charter for unscrupulously issuing “non-patent-eligibility/-definiteness” rejections of patent applications for ET CIs. For healing this damage, the preceding tutorial [150] clarified the meanings of *Alice*’s key terms. As mentioned above, using them greatly facilitates explaining the “definiteness” key message, conveyed by this *Biosig* decision about an ET CI based patent (application) under SPL test.

Section II explains the reason for this facilitation, shown in Section IV: By *Mayo/Alice* the ET CI’s compound inventive concept may be quantified twice, by its BED-inCs [150] and its BID<sup>SPL</sup>-Cs, not yet elaborated on in [150] but now here.

Thus, an ET CI’s inventive concept, explicitly introduced by *Mayo/Alice* – thereby inducing its double quantification – trivializes its hitherto very complex (in)definiteness issue, thus enabling dependably/objectively/unquestionably determining the many various potential causes of its indefiniteness and removing them. The higher scrutiny needed for screening/excluding all potential causes of indefiniteness from an ET CI patent, is clearly outweighed by its vast robustness increase.

This tutorial should have provided exemplary applications of these deep *Biosig/Alice* impacts on SPL precedents. For clarifications in [150] it had to get out fast, though pretty prematurely. The examples will come separately, very soon.

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<sup>1</sup> ET CI = Emerging Technology Claimed Invention, SPL = Substantive Patent Law. “Reference List items” may identify S./p./ftn./..., e.g. [121<sup>s.IIIII</sup>], [92<sup>9</sup>]. Being a tutorial, this paper is highly redundant [150<sup>s.I</sup>].

## II. THE SECOND QUANTIFICATION OF A CI's INVENTIVE CONCEPT

The Supreme Court's *Mayo/Alice* opinions induce determining for an ET CI's inventive concept two different kinds of quantifications – an “independent thought”-kind and an “SPL concern”-kind of quantification/refinement – and supplementing by them this CI's originally nonoperational *Biosig*-tests, thus achieving its operability. This tutorial shows how to achieve both these refinements of the *Biosig*-test.

Both supplementations of the *Biosig*-test – by these two quantifications of its CI's inventive concept – are derived from the FSTP-Test<sup>2)3)</sup> [121<sup>9)</sup>], as principally explained by the item list (a)-(c) below. This explanation considers the FSTP-Test sometimes as a “super-test” of the original *Biosig*-test (e.g. in (a) for recognizing the latter's shortcomings), sometimes as being tested by the latter (e.g. in (c) for recognizing how the supplemented *Biosig*-test, being an FSTP-Test sub-test, were seen by *Alice*).

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- <sup>2)</sup> The FSTP-Test ::=  $\wedge^{1 \leq o \leq 10} \text{FSTP-test.o}$ , [58<sup>3)</sup>] – FSTP-test.o,  $1 \leq o \leq 10$ , abbr. by **1)-10)** – is quoted from [150<sup>8)</sup>]:
- 1) The FSTP-Test prompts the user to input <no “**multi-interpretable CI**”, i.e.  $\exists 1 \text{ S only}$  [58]>
    - (a)  $\forall \text{TT.i} \wedge 0 \leq i = | \text{RS} | \wedge 1 \leq n \leq N : \forall \text{BAD-crCin of TT.0}$ ;
    - (b)  $\forall 1 \leq n \leq N$  justof: **BAD-crC0n** is **definite**; <see [137]>
    - (c)  $\text{S} ::= \{ \text{BED-crC0kn} \mid 1 \leq n \leq N : \text{BAD-crC0n} \stackrel{\text{duc}}{=} \wedge^{1 \leq k \leq K} \text{BED-crC0kn} \wedge \text{K} ::= \sum^{1 \leq n \leq N} \text{K}^n \}$ ;
    - (d)  $\forall 1 \leq k \leq K \wedge 1 \leq n \leq N$  justof: **BED-crC0kn** is **definite**;
    - (e)  $\text{TT0} ::= \wedge^{1 \leq n \leq N} \wedge^{1 \leq k \leq K} \text{BED-inC0kn}$  is **definite**; <i.e. TT0's total inventivity [150<sup>5,d)5.a)</sup>], see [137]>
  - 2)  $\wedge \forall \epsilon \in \text{S}$  for justof: their **lawful disclosure**;
  - 3)  $\wedge \forall \epsilon \in \text{S}$  for justof: their **enablement of TT.0**;
  - 4)  $\wedge \forall \epsilon \in \text{S}$  for justof: their **independence**; <see [137]>
  - 5)  $\wedge \forall \epsilon \in \text{S}$  for justof by **KSR-test**<sup>i)</sup>: **S  $\cap$  (posc  $\cup$  RSc) =  $\emptyset$** ; <see [137]>
  - 6)  $\wedge \forall \epsilon \in \text{S}$  for justof by **Biosig-test**: **S is definite**; <see Section IV>
  - 7)  $\wedge$  for S justof by **Bilski-test**<sup>ii)</sup>: **S is non-preemptive**; <see Section IV>
  - 8)  $\wedge$  for S define **BED\*-AN** matrix by  $\text{BED}^* \text{-inCik} ::= N \forall 1 \leq k \leq K \wedge 0 \leq i \leq I$ ;  
 $\text{BED}^* \text{-inC0k} ::= A$  if  $\text{BED-inC0k} \in \text{posc}$ ; <see [137]>  
 $\text{BED}^* \text{-inCik} ::= A$  if  $\text{BED-inCik} = \text{BED-inC0k}$ ,  $1 \leq i \leq I$ ;
  - 9)  $\wedge$  for S justof by **Alice-test**: **S is patent-eligible** as  $\text{P}^{\text{FSTP}} \gg \wedge^{1 \leq n \leq N} \text{BAD-crC0n}$ ;
  - 10)  $\wedge$  for S justof by **Graham**<sup>iii)</sup>-test: **S is patentable on S<sup>pat-el</sup>  $\subset$  S**; <see [137]>
- i) The “**KSR-Test**” tests S that  $\forall \text{BED-crC0k} \notin (\text{posc} \cup \text{RSc}^4)$ , i.e. their domains are pairwise disjoint  $\vee$  different.
- ii) The “**Bilski-Test**” – testing TT0 for not being preemptive, as of *Alice* – prompts the user for input&justof:
- 1)  $\text{P}^{\text{Alice}} ::=$  being more than  $\wedge^{1 \leq n \leq N} \text{BAD-crC0n}$ , is **definite**; <i.e.,  $\text{P}^{\text{Alice}}$  may describe a TT0\* embodying less or more inventivity than the known TT0's total inventivity [150<sup>5,d)</sup>] and potentially being  $\epsilon$  scope(TT0)>
  - 2) If enlarging TT0's truth set alternatively its scope [58], any such new TT0\* does not belong to scope(TT0). <If 1) & 2) apply, then TT0 is “not an abstract idea”, hence not preemptive [151,137]>
- iii) The “**Graham-Test**” – determining the semantic/pragmatic height of TT0 over RS – works with all non-cherry-picking, i.e. element-wise, “anticipation combinations, ACs” of RS as to S [5,6,7,11]:
- 1) It starts from the “anticipation/non-anticipation, AN” matrix of FSTP-test.8, any one of the I+1 lines of which shows, by its K column entries for any  $i = 1, 2, \dots, I$ , which of the peer TT.0 entries is anticipated/ non-anticipated by the i-line one, and for  $i=0$  is anticipated/non-anticipated by posc.
  - 2) It automatically derives from the AN matrix the set  $\{\forall \text{ACs}\}$  with minimal  $\text{Q}^{\text{pmgp}}$  of “N” entries [5,6].
- <sup>3)</sup> The FSTP-Test<sup>2)</sup> is a logical/mathematical model of the Supreme Court's *Mayo* interpretation of 35 USC §§ 101/102/103/112, hence a complete SPL-test scheme [150<sup>6)</sup>], hence comprising all operational subtests checking CI for all potential causes of its indefiniteness. It hence comprises the original *Biosig*-test (see Section IV). From this program scheme of all SPL/eligibility/definiteness (sub)tests [150<sup>6)</sup>] follows:
- Being a logical model of 35 USC §§ 101/102/103/112, the above FSTP-Test<sup>2)</sup> is even more abstract than a program scheme [150<sup>6)</sup>]: It is a conjunction of 10 algorithms terminating with T/F (“truth functions”) [121<sup>1.a)</sup>], most of which may be executed in an arbitrary sequence. The above presentation tries to emphasize this generality, but leads to questions (e.g. asking, why there is the second line in **8)** in spite of **5)** – e.g. because of “dummies”<sup>4)2).i)</sup> [5-7] – or why **8)** deals with BED-inCs in spite **4)**, and definiteness tests are indispensable not only in **6)** and **9)** but also in any other test test.o – thereby dealing with different kinds of indefiniteness, as explained in Section IV). Transforming such logic expression efficiently into sequential programs is an evergreen problem in automatic language translation: how to transform a declarative statement into a computer executable program – hence it is not elaborated on, here. This shows: Checking, whether CI meets all 10 SPL concerns/requirements [58<sup>9)</sup>], is not really performed 1 concern per test.o.

- (a) The *Biosig*-test must apply highest scrutiny and a refined claim construction<sup>3)</sup>, as potential causes of “indefiniteness” are evidently lurking in any test.o – for the total number of such potential causes of indefiniteness, see [58]. More precisely: It must apply this scrutiny as to the
- “independent thought”-wise quantifications of CI’s inventive concept in FSTP-test.1, i.e. the disaggregation of the single  $BOD-crC0 ::= \bigwedge_{1 \leq n \leq N} BAD-crC0n$  into  $S ::= \{BED-crC0kn \mid 1 \leq n \leq N: BAD-crC0n = \bigwedge_{1 \leq kn \leq Kn} BED-crC0kn \wedge K ::= \sum_{1 \leq n \leq N} K^n\}$ , just as to the
  - 10 “SPL concern”-wise quantifications of this so resulting set S of (principally<sup>3)</sup>) K inventive concepts  $BED-crC0kn$  by the FSTP-Test’s 10 FSTP-test.o.
- (b) If the original *Biosig*-test is to be refined to an operational definiteness test of a CI, it needs in test.1 the tentative total inventivity of the CI [150<sup>5.d)</sup>], the BED/BID-inCs of which are checked for passing all 10 test.o’s, o=1,2,...,10. Any test.o is a specific invariant (over all CIs) predicate.o, on any CI over principally all its N/K BAD/BED/BID-inCs, the latter implying that for a CI (principally) any element of the domain of any one of these  $BED-crC0kn$ ’s is referred to by any one of the 10 predicates.o/test.o’s – often 1 such element 1/n times in 1 resp. m CI-implementations, n>1, m>1. A predicate.o models its peer mirror concept by  $BID^{SPL-C.o}$ <sup>4)</sup> [150<sup>7.a)</sup>] – here not needed in detail, but important in Section IV.
- (c) The 10 FSTP-test.o’s – as such being CI independent but (Supreme Court’s) SPL interpretation specific [150<sup>5.c)</sup>] – are, together with these N/K BAD/BED/BID-inCs, the FSTP-test’s “*Alice* building blocks ohi”, in the refined *Alice*-test presentation [150], and seen as  $BID^{SPL-C.o}$  they are properties of the FSTP-test’s 10 “*Alice* elements” (as *Alice* denotes building blocks, too). In AIT terminology, the  $BID^{SPL-C.o}$  are called 10 “SPL invariants” over all CIs satisfying SPL.

An ET CI is defined to be “**definite**”, if it passes all 10 FSTP-test.o, i.e. its 10 SPL invariants hold. Section IV shows that this definition of a CI’s definiteness is absolutely equivalent to the one given by the *Biosig*-test.

For a definite ET CI also its N/K BAD/BED-inC are defined to be definite. Note that the inverse definition were erroneous. I.e.: Decisive is not, whether its N BAD-inCs are allegedly definitely defined by its/their K BED-inC – but whether the 10  $BID^{SPL-C}$ s exist (which in this case evidently need not hold).

In total: For any ET CI, these 10  $BID^{SPL-C.o}$ ’s – existing if it satisfies SPL – quantify in a second way its total inventive concept by  $\bigwedge_{1 \leq n \leq N} \bigwedge_{1 \leq kn \leq Kn} BID-inC0kn = \bigwedge_{1 \leq o \leq 10} BID^{SPL-C0o}$ , of any SPL/patent-eligibility-/definiteness-test. I.e.: This total inventive concept of an ET CI is the same for all SPL subtests.

By clauses (a)-(c) it is evident that the *Biosig*-test is seamlessly complementing the *Alice*-test (although it is meaningful also without *Mayo/Alice*).

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<sup>4</sup> Though the ET CI’s 10  $BID^{SPL-C.o}$ ’s are binary, independent, and disclosed by the patent (application) – i.e. by SPL, and hence implicitly by the latter document – they do not model independent thoughts, which the inventor of the ET CI had to create for finding it when starting from *posc* resp. from (*posc* U *RSc*). Whereby, compared to *RS*, *RSc* is the same small “KSR creativity” enlargement of *RS C*-domains as in *pos*<sup>2).i)</sup>.

Due to<sup>3)</sup>, the 10  $BID^{SPL-C.o}$ ’s are implicitly disclosed for the original *Biosig*-test, too.

### III. ET CI's DEFINITIVENESS TEST EXCLUDES USING CI's BRI<sup>pto</sup>

Definiteness testing of an ET CI is a priori rationally impossible, if the BRI<sup>pto</sup> is applied for CI's interpretation. The reason is: Determining a CI's definiteness is tightly tied to determining its scope<sup>5</sup>, but a claim's "broadest reasonable interpretation", as understood by the PTO., explicitly puts the scope(CI) into a limbo state, quite principally explained in [121<sup>5</sup>] by this notion's undecidability.

The Supreme Court puts, in its *Biosig* decision, this scientific insight into an equivalent and commonly understandable wording, by reasoning as presented by [121<sup>p.21-22</sup>], which is recapitulated subsequently. Up-front, the Supreme Court explicitly confirms its "pro inventor" attitude in claim interpretation, as it by *Mayo* required already, and therefore bans in clear and unmistakable words PTO's permanent "incapacitation of the inventor" of a CI by the BRI<sup>pto</sup>, explaining its ban by two independent reasons:

- 1.) It emphasizes – referring to §112 – that a patent specification's claims are "*...the subject matter which the applicant regards as [the] invention*".

It thus quite directly reminds the CAFC and District Courts that they are not entitled to change a claim interpretation clearly disclosed by the specification, as it is "*the written specification that 'represent[ed] the key to the patent'. Markman 517 U.S. at 379*" and "*Markman, 517 U.S., at 389 (claim construction calls for 'the necessarily sophisticated analysis of the whole document,' and may turn on evaluations of expert testimony)*".

The Supreme Court reconfirms this interpretation of 35 USC §§ 101/102/103/112 by stating that it evidently also is an immediate consequence of the definiteness requirement that a CI must meet for satisfying SPL.

- 2.) It thereby drastically states: "*It cannot be sufficient that a court can ascribe some meaning to a patent's claims; the definiteness inquiry trains on the understanding of a skilled artisan at the time of the patent application, not that of a court viewing matters post hoc*".

It thus also here states: By the Constitution, a District Court or the CAFC must not apply the BRI<sup>pto</sup>, as the latter may determine – what the BRI<sup>pto</sup> guideline [14] frankly concedes to be its objective – "*some meaning*" of a claim, i.e. a meaning the inventor has not thought of at the priority date, unless the specification provides a hint at it. This holds especially, if this meaning does not provide the CI's disclosed usefulness, which § 101 requires – or even contradicts the inventor's explanation, what its CI actually is.

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<sup>5</sup> [121<sup>p.11-20</sup>] provides an AIT based in-depth presentation of the impact the here important interpretations of CIs have on their scope(CI).

**IV. THE REFINED *Biosig*-TEST  
– INCREASING THE ROBUSTNESS OF ET PATENTS –**

The Supreme Court started asking for quantifying a (still pretty CT) CI's inventivity in *KSR*, by vaguely questioning the normal amount of skill and creativity the CI embodies. For an ET CI, the Supreme Court's *Mayo's/Alice's* opinions ask for additionally quantifying this amount of inventivity embodied by this ET CI's inventive concept, as enabled by increasing scrutiny. This increased scrutiny also enables refining the *Biosig*-test – originally not operational, just as the original *Alice*-test – by a second quantification of the inventive concept of the ET CI under test thus as to make it operational.

**The original *Biosig*-test provides a nonoperational definition:** A CI is definite iff for any invention  $I^*$  holds that it is determinable whether  $I^* \in \text{scope}(\text{CI})$  or not.

This evidently is another wording of the definition of “definiteness of a CI” than that given in Section II (c).

As only single-interpretation CIs [58] are considered<sup>6</sup>, i.e. CIs with exactly 1 TT0/S, the term “scope of a CI,  $\text{scope}(\text{CI})$ ” is defined to have the meaning:

$$\text{scope}(\text{CI}) ::= \{ \text{BID-inC} \in \prod_{1 \leq n \leq N} \prod_{1 \leq k \leq K} d(\text{BED-inC}0kn) : \bigwedge_{1 \leq o \leq 10} \text{BID}^{\text{SPL-C.o}}_{\text{BID-inC-E.o}} = \text{T} \},$$

whereby, of CI,  $\text{BID-inC}$  is  $::=$  a “CI realization K-tupel” (see Section II(a)-(c)),

and  $d(\text{BED-inC}0kn)$   $::=$  the domain of  $\text{BED-inC}0kn \in S$ ,

and  $\text{BID}^{\text{SPL-C.o}}_{\text{BID-inC-E.o}}$   $::=$   $\text{BID}^{\text{SPL-C.o}}$  evaluated on  $\forall E \in \text{BID-inC-E.o}$ ,

and  $\text{BID-inC-E.o}$   $::=$   $\{ \forall E \in \text{BID-inC}$  for FSTP-test.o $\}$ ,  $1 \leq o \leq 10$ , whereby any element “E” of a  $d(C)$  may be a set,

and this notion of  $\text{scope}(\text{CI})$  is underlying the above *Biosig* definition of a CI's definiteness, as no other reasonable meaning of this term is imaginable, if the CI is defined by its TT0/S of BID-inCs.

Then remains to show that there are two simple implications of the just said, namely that the definition of “definiteness of a CI”, given in Section II(c), is

- **logically/legally equivalent to the above *Biosig* definition** – which is trivially proven by assuming  $\exists$  a CI for which this statement is wrong and then simply leveraging on the above definitions, what immediately terminates in a contradiction to this assumption. This triviality is skipped.
- **operational** – which is evident: If some  $I^*$  is given, of which the (in)definiteness is to be determined, by the refined *Alice*-test first  $I^*$ 's independent-thought quantified inventive concept,  $\text{TT0}^*/\text{S}^*$ , is determined (thereby ignoring all potential causes of its indefiniteness<sup>6</sup>), which leaves the *Alice*-test result in limbo), then by the refined *Biosig*-test of  $\text{TT0}^*/\text{S}^*$  the SPL-concern quantification of  $I^*$ 's inventive concept. If one of both tests fails,  $I^*$  is either patent-ineligible or indefinite, otherwise  $I^*$  is patent-eligible and definite.

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<sup>6</sup> The two kinds of a CI being an “abstract idea”, its various kinds of being indefinite, and alike, is left to [153].

## Abbreviated Reference List of the FSTP-Project

*FSTP = facts screening, transforming, presenting*  
(Version of 25.11.2014, i.e. of this paper, see the complete actual list on\*)

- [2] AIT, “Advanced Information Tech.” or “Artificial Intelligence Tech.”, denotes topical IT areas, e.g. AI, KR, DL, NL, Semantics, System Design Tech.
- [5] S. Schindler: “Math. Model. Substantive Patent Law (SPL) Top-Down vs. Bottom-Up”, Yokohama, JURISIN 2013\*).
- [6] S. Schindler, “FSTP” pat. appl.: “THE FSTP EXPERT SYSTEM”, 2012\*).
- [7] S. Schindler, “DS” pat. appl.: “AN INNO. EXP. SYS., IES, & ITS PTR-DS”, 2013\*).
- [11] S. Schindler, “inC” pat. appl.: “inC ENABLED SEMI-AUTO. SPL TESTS”, 2013\*).
- [14] “USPTO/MPEP: “2111 Claim Interpretation; Broadest Reason. Interpr.; Rev.8, July 2010; Rev.9, Aug. 2012]” (See App. 132a-135a)\*).
- [15] S. Schindler: “KR Support for SPL Precedents”, Barcelona, eKNOW-2014\*).
- [58] SSBG’s Amicus Brief to the Supreme Court as to its (In)Definiteness Quest’s, 03.03, 2014\*).
- [64] B. Wegner, S. Schindler: "A Mathematical Structure Modeling Inventions", Coimbra, CICM-2014\*).
- [74] B. Wegner, S. Schindler: "A Mathematical KR Model for Refined Claim Construction, I ", in preparation
- [113] S. Schindler: “The CAFC’s Rebellion is Over – The Supreme Court, by *Mayo/Biosig/Alice*, Provides Clear Guidance as to Patenting Emerging Technology Inventions”, 07.08.2014, sub. for publ.\*).
- [121] SSBG’s Petition for Writ of Certiorari to the Supreme Court in the ‘902 case, 25.08.2014\*).
- [136] S. Schindler: “High-Level Tutorial I”, submitted for publication\*).
- [137] S. Schindler: “The Rationality of a Claimed Invention’s (CI’s) post-*Mayo* SPL Test – It Increases CI’s Legal Quality and Professional Efficiency in CI’s Use, and Stimulates/Inspires the Inventivity to/in CI’s Further Development”, in prep.
- [138] R. Wetzler, M. Hulicki, S. Schindler: “The Problem of Patent Ineligibility Due to an Abstract Idea in the Light of the Recent ...”, Bangkok, ILCP, 2015.
- [139] Supreme Court’s Order as to denial [121], 14.10.2014\*).
- [140] S. Schindler: “§ 101 Bashing or § 101 Clarification”, published 27.10.2014\*).
- [150] S. Schindler: “Alice-Tests Enable “Quantifying” Their Inventive Concepts and thus Vastly Increase the Robustness” of ET Patents – A Tutorial about this Key to Increasing a Patent’s Robustness –“, submitted for publication\*).
- [151] S. Schindler: “*Biosig*, Refined by *Alice*, Vastly Increases the Robustness of Patents – A Tutorial about this Key to Increasing a Patent’s Robustness –“, this paper\*).
- [152] CAFC Hearing in *Biosig*, 29.10.2014, Transcript\*).
- [153] S. Schindler: “Exemplary Practical Applications of the Refined *Mayo/Alice/Biosig*-test – A Tutorial about this Key to Increasing a Patent’s Robustness –“, in preparation.

\* available at [www.fstp-expert-system.com](http://www.fstp-expert-system.com)