THE SUPREME COURT's PATENT LAW INTERPRETATION – ROOTED IN KANT

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I. THE SPL INCENTIVIZES & PROTECTS R&D-INVESTMENTS INTO EMERGING TECHNOLOGIES

This primer[1.a)] on top of 3 tutorials[1.b)] about the US SPL as to ETCIs, shows: The SPL interpretation in favor of ETCIs by the Supreme Court, i.e. its "*MBA*-framework", guides to drafting robust ETCI patents. It even refines Kant's cognition & moral theory – thus greatly supporting US society in its economically very appealing worldwide pace-setting role in legally incentivizing & protecting fair innovations.[1.c)]

These 3 tutorials focus on the semiotics[3.a)] of the Supreme Court's *MBA* framework for adjusting SPL's classical pragmatics to the needs of ETCIs.[1.d)] By contrast, this "*MBA* framework & Kant" primer shows: Kant's cognition&moral theory limited to ETCIs' SPL satisfaction testing is substantially refined by this framework. This takes the US SPL perception of ETCIs to a much higher level of cognitive&ethical development than that of any other nation. This clearly increases the US society's potential to leverage ETCIs.

Section II limits Kant's ethical cognition theory[1.e)] to creating&protecting ETCIs but empowers it by the potential of exact thinking arisen since then. For enabling spearhead parts of the large US patent community and the tiny "interested philosophers" community[1.f)] to cope with this *MBA* framework, they are acquainted with "Mathematical Inventive Intelligence, MII"[1.g)] facilitating their use of exact *MBA* framework notions.

Section III presents Kant's view of an ETCI's such test as seen by the Supreme Court's *MBA* framework: He postulates the necessity of his global declarative Reasonalization[2.a)] of its claim ♦interpretation/♦construction.[1.h)1.i)] By contrast, the *MBA* framework – by its rationalizable[2.a)] notion "inventive concept" – guides to **<α>** sequentializing/proceduralizings of Kant's global declarative Reasonalization, and to **<β>** Rationalizing these sequential steps as well as the semantically significant refinements they embody.[3.a)] It guides to ETCI's

- **<α>** "claim interpretation" by applying FSTP-test1[1.h)] of FIG2 to an ETCI's specification, and thus **<β>** transforming metaphysically the metaphysical initial ETCI representation from its specification into a correct&complete[1.j)] – totally mathematizably the FSTP-test2-9 passing[1.j)] – claim interpretation, i.e. into a rationalized ethical one, and for it to construe its
- **<α>**"claim construction" by applying FSTP-test2-9[1.j)] to it, thus **<β>** transforming it rationally[1.k)] into an SPL protected ETCI – whereby this Rationalization may require iterations over potentially all GS(ETCI)s of an ETCI. [1.j)2.h)]

Thus, the Supreme Court's *MBA* framework induces a substantially refined interpretation of Kant[1.l)] – as a trailblazer of rationalizing[2.a)] the creation and patent protection of innovations by socially fair inventions! This high cultural level blesses the *MBA* framework with equally refined irresistible high-end business charm![3.f)]

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1 **.a**   SPL = Substantive Patent Law = in the USA: 35 USC §§ 101/102/103/112, in the EU: EPC §§ 52-57/83/84. For this primer's punctuation see [266].
This primer's focus on Kant is due to his recognition that human Metaphysics/Reason/Rationality[2.a)] in reality always embodies also some humanitarian impetus, to put his groundbreaking insight as simple as possible. And this whole primer goes for this simplicity for achieving its objective: Convincing the patent community that the Supreme Court's *MBA* framework is based on and even refines this noble attitude, to which Kant devoted his life and which by its noblesse made his thinking – though cognitively often deficient, as pre-analytic-philosophical – survive all the attacks that it encountered.
Thus, this primer presents Kant's thinking, limited to this *MBA* framework universe, as he today probably would do it: In a simplicity then unknown.
.b   Some of these 3 tutorials' fundamental notions [241,244,251] (by [258,259,260] more recently clarified in substance and in form more self-contained) are assumed to be known, but most of them needed in this primer are recapitulated by it. E.g.: An ETCI's/CTCI's (SPL relevant) '**subject matter**' is a pair of <an invention TT0, and this TT0's application A*>. Other acronyms are trivial abbreviations, e.g. **ETCI/CTCI** = 'emerging/classical technology claimed invention', **IEG** = 'Interim Eligibility Guidance', **PEGG** = 'patent-eligibility granted/granting'. **FSTP** = 'Facts Screening/Transforming/Presenting'.
The notion *Mayo* [alias *MBA*] **framework** is by the Supreme Court's *Mayo&Alice* decisions introduced for denoting post-*MBA* SPL pragmatics.[3.a)]
.c   The reason for this primer's focus on the US SPL is that none of the other nations' ●SPLs have yet undergone the semiotic refinement that the US Supreme Court achieved with its *MBA* framework for adjusting the meaning of US SPL to the needs of ETCIs, and ●Highest Courts are of comparable constitutional authority[1.d)] and social virulence as required for enforcing SPL's paradigm refinement in favor of ETCIs against all its patent community.
.d   as the Supreme Court explains through its *Mayo* decision. This primer considers nothing of Kant's thinking outside the scope of these SPL/ETCI needs.
.e   Kant originally planned to title his Critique of Pure/Practical Reason "The Limits of Sense and Reason" [238], i.e. it is even much further reaching.
.f   "philosophers" is a generic term comprising politicians, journalists, R&D managers, inventors, ... – anybody not a patent-pro but interested in SPL.
.g   MII represents the below SPLS embodying all *MBA* framework notions (academically purified[2.a)]), thus even excluding using the BRI[PTO.1.i)]
.h   This freehand cognitive transformation is vastly metaphysical[2.a)] – formal semantic research has little chance to ever getting it vastly rationalized.[1.k)]
.i   Both notions have the meanings[3.a)] refined by the *MBA* framework, just as the notion "SPL" (unless prefixed with the adjective "classical"), as the FSTP-Test is just another rational representation of the *MBA* framework – namely a procedural representation of an ETCI's satisfying its SPL test.[5.a)]
.j   The inventor's claim construction for his ETCI (i.e. of his own will), for checking his chances to get patent protection for it, need not – once this ETCI is in a rational[2.a)] representation as of its claim interpretation by FSTP-test1[1.i)] – repeat the latter, as he has performed test1 for describing his ETCI. An examiner/judge/... wouldn't trust the inventor and hence consider FSTP-test1 to be the "opening act" of construing the valid ETCI claim construction. I.e.: Both parties share 1 view as how far the claim interpretation goes, but there are 2 views as where construing the claim construction begins.
Due to the Supreme Court's *Biosig* decision, MII leaves it to the inventor to determine the interpretation of his ETCI, i.e. of the latter's total inventivity.
.k   This cognitive process's Metaphysics is – compared to[1.h)] – vastly reduced by the FSTP-Test[1.j)]: By its rational structure and being enforced, and by rationalizing its testo,1≤o≤9, as recently its PEGG (= patent eligibility granted/granting) test. For formal semantic research rationalizing more, see [261].
Wherever thereby this (formal) semantic research succeeds, the confirmation before needed by the pposc is replaced by an exact decision algorithm.
.l   This new Kant interpretation does not imply that he had already anticipated the *MBA* framework. Namely, the *MBA* framework 's definitions of these two key SPL notions[1.i)] by the above last two bullets "●" quote a substantial notional refinement of their Kantian definitions by the preceding two rhombs "♦", both represented in more detail by the final paragraph of this Section I. In particular, the notion "social fairness" by Kant's CI (= categorical imperative) vastly is Metaphysics,[2.a)] whereas the Supreme Court's *MBA* framework (designed by the Supreme Court for patent-noneligibility clarifications) transforms "social fairness" into Rationality[2.a)] – whereby both notions of Rationality differ from Aristotle's by comprising some "social fairness".

II. KANT's METAPHYSICS / RATIONALITY / REASON vs SUPREME COURT's *MBA*-FRAMEWORK

The preceding paragraph and its ftns[1.d-l] require clarifications of the 4 notions[3.a] "transcendental"/"metaphysical"/"rational"/"reasonal". This primer defines them declaratively and recursively as follows.[2.a]

For an ETCI, a "**transcendental**"/"**metaphysical**"/"**rational**" item (e.g. a notion) is nowhere/partially/fully correctly&completely intelligible,[2.b] whereby these stages of intelligibility presuppose some (non)decomposability of no/some/any part of this item into an equivalent conjunction of axiomatically defined parts.[2.c]

An ETCI's "**Rationality**" comprises any item with properties necessary and sufficient for identifying it with certainty, "**Metaphysics**" any item with necessary properties not so identifying it, "**Reason**" any item of Rationality or scientific Metaphysics.[2.d] An item without a necessary condition is of "**Transcendency**". Thus, "Rationality"/"Metaphysics"/"Reason"(here for consistency also "Reasonality") is the set of all rational/metaphysical/reasonal notions, in total called rational/metaphysical/reasonal[2.e] "**Knowledge**" about this ETCI.

A "**rationalized/reasonalized item**"[2.e] is a set of such items wholly encapsulated by a shell of Rationality/ Reason, i.e. by a set of rational/reasonal notions as defined by an axiom, potentially rendering this compound as a non-decomposable rational/reasonal notion – then totally hiding the transcendent item(s) shielded[2.f].

Any of the notions "Rationality"/"Metaphysics"/"Reason" may comprise – additional to its anyway needed cognitive meaning – also ethical meaning, as is usually the case in the context of Kant and *MBA* framework.

This rationalization/reasonalization item by rationalized/reasonalized items is always achieved by a metaphysically defined model assumed to be capable of metaphysically realizing the item to be rationalized/reasonalized. In particular: Any rational item whatsoever – allegedly correctly&completely intelligible by a human being – results from his/her brain having internalized that this model "trivially" has this metaphysical capability (evidently potentially false, but that is how rationality universally works, understood only since the 19th/20th century). Absolute, i.e. model-independent, rationality – if it should exist – hasn't been recognized yet.

In total this primer says:[2.g] The '*MBA* framework' paradigm of SPL – for ETCIs' SPL tests – multiply refines the "categorical imperative" part of Kant's moral Metaphysics on top of his scientific Metaphysics/Rationality.[2.h] In *Alice* terms: The *MBA* framework's 'SPL application' transforms classical SPL into "significantly more" than before – into the rational and ethical Substantive Patent Law Science (SPLS), being the sole mathematically axiomatizable sub-physical and socially fair cognitive science.[2.i] Today SPLS enables deciding, for an ETCI, whether it satisfies SPL rationally & ethically – tomorrow it will be the rational & ethical foundation of any emerging-technology area-specific "Innovation Technology".[2.j]

This excellent perspective of the *MBA* framework – for legal, notional, technical, and investments reasons becoming the only resilient foundation for principally legally incentivizing and protecting inventions in all areas of ETs (due to their peculiarities[3.b)3.c]) – will also make it operatively develop, for any such ETCI, to the indispensable guiding, monitoring, and decision-making AI instrument for entrepreneurs and R&D managers.

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2 .a   The capitals of the terms Transparency/Reason/Rationality/Metaphysics/Knowledge denote here notions defined, as simple as meaningfully only possible[3.a] – yet sufficiently precise for any ETCI's SPL satisfaction test and hence for Kant's Metaphysics/Reason/Rationality reduced to such tests.
.b   "intelligibility" is that of the "person of pertinent ordinary skill & creativity, **pposc**", knowing also the basics of SPL[2.a] and of ftn.[2.c)3.c] Any pposc statement used in this primer – being a 'backdoor into Rationality' – will become superfluous once formal Semantics research enables replacing it.
.c   "equivalent logic conjunction of axiomatically defined meanings" upfront requires enabling intelligible axiomatic such definitions, as provided by System Design Technique in the 20th century's late second half by decomposing them by "layering of functionalities" and "separation of concerns" [123,122].
      NOTE: This "System Design" approach to thinking[1.e)6.c] is the only one enabling the rationalization of a complex system by substantially decreasing the complexity of its representation. While [264] had already recognized the untenability of the (pre-)Kantian notions analytic/synthetic and the logic advantages of conjunctions, the further going logic advantages of the just quoted "complexity reduction techniques" are here recognized for the first time.
.d   This primer deals only with tests of ETCIs for satisfying SPL – i.e. FFOL (= "finite First Order Logic" problems[3.c)3.d] – i.e. considers only Kant's mathematizable/-ed Rationality and scientific Metaphysics of FFOL, i.e. only items reasonally treatable alias treatable by Reason.
      Leveraging this FFOL property, all above notions may be shown to be well defined [142]. In spite of this (low) informality, it is easy to recognize that key notions of post-*Mayo* SPL pragmatics embody practical decision problems not yet noticed by SPL precedents – both not elaborated on here.
.e   The artifact "reasonal" emphasizes that here only the above clearly defined notion is referred to, i.e. not to the wishy-washy notion "reasonable".
      Rationalizing/Reasonalizing an ETCI's originally transcendental or metaphysical notion renders it rational/reasonal – but neither all transcendental nor all metaphysical notions need to be rationalizable, yet all reasonal items are. I.e.: Reason(ality) is a genuine superset of Rationality.
.f   Any knowledge item comprises some Transcendency and/or Metaphysics, potentially completely hidden. The foundation of Mathematics is, by the above definition of Metaphysics, just scientific Metaphysics, and the more the foundations of Physics, Chemistry, …, and all ETCIs in the areas of the so-called "exact/hard sciences" (in the future based on SPLS) – while Metaphysics of incrementally increasing speculativity are the "nonexact/soft sciences" (e.g. Medicine, Meteorology,...), "humanities" (e.g. parts of Jurisprudence, Science of Arts,...), "Arts", ..., and are not considered here.
.g   – at least to those members of the patent and "philosophers"[1.f] communities that care about the social wealth preserving SPL strategy at stake.
.h   with its main theorems as to an ETCI's invariances over all its "Generative Set, GS(ETCI)"s, e.g. its claim interpretation and its claim construction for it.[1.j]
.i   By contrast to this certainty about SPLS, uncertainty exists about its soon use by the still enduring inconsistent&unpredictable SPL/ETCI precedents that still put incentivizing R&D of ETCIs into jeopardy – most of this cacophony being a direct logical consequence of the legally untenable BRI[PTO.9.d]

For showing that the *MBA* framework indeed refines Kant's scientific Metaphysics, Sections II.2-4 clarify the basic notions[1.b)][3.a)] "inventive concept" of an ETCI, "canonical representation" of an ETCI's SPL satisfaction test, and "Mathematical Inventive Intelligence, MII" for representing an ETCI. All 3 notions were unknown at Kant's time, yet today enable limiting his Metaphysics to ETCIs' SPL testing.

II.1 *MBA* Framework's Indispensable Refinement of SPL's "CTCI Paradigm" to "ETCI Paradigm"

Before discussing these 3 notions, Section II.1 shows the necessity, caused by ETCIs' common characteristics,[3.b)] of refining the SPL's CTCIs paradigm, as perceiving ETCIs only very rudimentarily and thus causing inconsistent/unpredictable SPL precedents about them. The Supreme Court hence, by its *MBA* framework, adapted the classical SPL paradigm to the needs of ETCIs – creating SPL's ETCI paradigm.

By the end of Section II it will be evident that the meaning of its title may be put Metaphysics-free by Rationality, as: "The Supreme Court's interpretation of 35 USC §§ 101/102/103/112   ●recently identified by its *MBA* framework social concerns that ETCIs raise – due to the peculiarities defining them[3.b)] – vastly independent of those social concerns hitherto understood (as raised by CTCIs and represented by these 4 SPL Sections' requirement statements to be met by CTCIs), just as Kant's Metaphysics since its existing require a socially fair rationality as to CTCIs/ETCIs, but   ●now require – in addition to the preceding, with Kant's common requirement of a socially fair rationality – that an ETCI is granted patent protection only if it also meets these social concerns, i.e. adds a procedural 'must' significantly refining Kant's requirement,[3.c)] which is an exclusively non-procedural/declarative 'categorical imperative.'[3.d)]"

Yet these 4 Sections state no requirements explicitly codifying these additional social concerns – the same holds for Kant – to be met by an ETCI for its satisfying SPL verifiably (as any law expects). But, refining Kant, the *MBA* framework explicitly identifies and legally codifies these social requirements.[3.e)]

FIG1 and FIG2 and their legends immediately show why it is legally untenable to perform an ETCI's claim interpretation and claim construction as carelessly as those of CTCIs. Understanding this statement completely requires that of Sections II.2-4 – which in turn is greatly facilitated by knowing these two FIGs and their legends right from the outset. Hence, they are introduced next.

FIG1 shows the complete relation between SPL and ETCIs defined by the Supreme Court's *MBA* framework. The FSTP-Test of FIG2 exactly implements this relation. Thus holds: The FSTP-Test's passing on an ETCI's properties is necessary and sufficient for this ETCI to satisfy SPL.

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3 **.a**   A '**term**' is an arbitrary '**identifier**' alias '**name**' alias '**acronym**'. A pair <'term', its 'meaning'> is called '**notion**', denoted by its name. The term '**item**' may be used as an unspecific alias for any of the just highlighted strings, i.e. its occurrence is always context sensitive. A notion's meaning, assigned to its term/name, is called its '**semantics**', if refined for an application's need its '**pragmatics**'. Making/Creating new meanings/semantics/pragmatics is called '**semiotics**'. Thus, the *MBA* framework performs 'SPL semiotics' by refining the classical SPL notions/pragmatics – as SPL needs for ETCIs.[3.f)]

  .b   By contrast to wholly material/tangible/visible CTCIs, any ETCI is in part or as a whole immaterial/intangible/invisible, i.e. mental/spiritual/fictional solely. It is insofar inevitably "model based", i.e. intellectually defined on top of a modeling service provider existing only virtually. As a consequence of this at least partially total abstractness of ETCIs, their claim interpretation and claim construction require a degree of scrutiny never encountered before.[3.c)]

    This peculiarity of ETCIs raise social concerns hardly addressed by CTCIs, in particular caused by preemptivity issues and the natural phenomenon issue – and for notional consistency then also related issues, first of all the abstract idea issue and definiteness issue.

  .c   For enabling this scrutiny, the Supreme Court's *MBA* framework introduced the notion of an ETCI's "inventive concept(s)", thus enabling substantially sharpening Kant's cognitive & moral Metaphysics, as this in SPL new notion enforces by reasons of logic using the notion of defining the level of its representation's (notional) resolution in performing such ETCI tests, namely the Original/Abstract/Elementary levels – elaborated on in FIG2 and Section II.2.

  .d   Without limiting Kant's Metaphysics to testing ETCIs for satisfying SPL, i.e. to being of FFOL,[2.e)] his CI is infinite, hence no rationalizable requirement. I.e., CI's rationalization means replacing it by a finite algorithm – such as the FSTP-Test (see FIG2).

  .e   Painting with a broad brush, by[3.c)3.d)] the Kantian properties (alias notions) of items to be "a priori" vs "a posteriori" and "synthetic" vs "analytic" are by the FSTP-Test of an ETCI shown to be evident under this restriction of Metaphysics: The property "before"/"after" refers to the period of time before/after starting the execution of ETCI's claim interpretation or the claim construction for this ETCI, and the property "analytic" vs "synthetic" refers to any statement about an FSTP-Test component being (scientifically) metaphysical vs rational – by this case refining what [264] postulates.

  .f   I couldn't deliver an analysis of all of Kant's work, as I have no qualified philosophical background. And this primer about a new and contemporary partial interpretation of Kant also is not another tract only for philosophy insiders – but driven cross-over by the fundamental insights into ETCIs by the Supreme Court's SPL unanimous *KSR/Bilski/Mayo/Myriad/Biosig/Alice* decisions and into thinking achieved by exact sciences during the last 100+ years.

    Thus – due to my pretty broad and occasionally in-depth professional background (in Mathematics, Theoretical Physics, Informatics, Telecommunications, AI), my educational and business success, and my familiarity with the last 5 years of helpless discussions/conflicts in the US patent community about having lost consistency and predictability in SPL precedents – I feel ●qualified to present, in the light typical of a paradigm change in a mental area of then high social importance for millennia, the Supreme Court's trailblazing *MBA* framework fixing this SPL problem and the fierce opposition it encounters from the "patent establishment", I'm convinced ●of the survival of my Mathematics based clarifications as to this evidently here currently occurring paradigm refinement, caused by the increasing importance of ETCIs and their hitherto vastly ignored intellectual sophistication in their relation to SPL,[3.b)/c)] and I know ●such indeed quite fundamental clarifications could not be rapidly achieved by patent practitioners, as by profession they can't have the academic background for instantly recognizing as déjà-vue this paradigm shift and rationalizing it in a few years, although this usually takes decades.

    For my CV see www.fstp-expert-system.com.

The 3 bold solid double-headed arrows show what properties of CTCI-elements are seriously regarded by classical claim interpretation&construction. By contrast, 6 bold dashed and 8 fine double-headed arrows show what is additionally checked by the *MBA* framework in testing an ETCI for satisfying SPL. This clearly shows the *MBA* framework's substantial refining of the SPL's CTCI paradigm to its ETCI paradigm – by adjusting the interpretation of the 4 SPL Sections of 35 USC[1,a] to the needs of ETCIs.
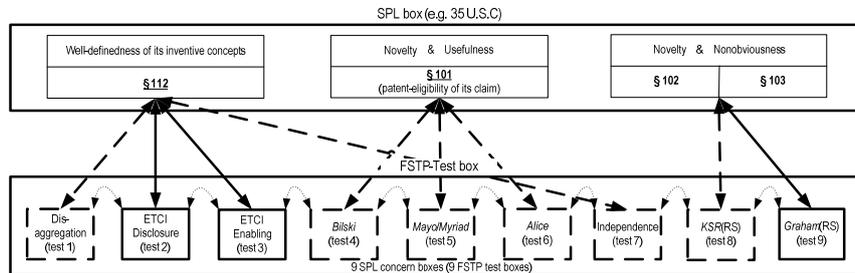

FIG1: *The 9 Necessary∧Sufficient FSTP-testo's of an ETCI for its Satisfying 35 USC SPL – as Interpreted by the Supreme Court*
Legend1: As to granting by SPL a temporary monopoly on an ETCI, the 4 Sections of 35 USC SPL (in the SPL box) are the legal implementation of social concerns, made up of 9 elementary social concerns independent of each other. Any elementary concern is an elementary SPL requirement statement that is to be met by ETCI's properties for its satisfying SPL. Thus, the FSTP-Test box shows 9 testo's, checking any ETCI for its meeting these concerns – for its socially deserving SPL protection, as legislation designs it and the Supreme Court interprets it. By the 8 transitive logical consistency relations between them, the 9 testo's logically totally intermesh all 9 elementary social concerns and all 9 peer ETCI properties.

The procedural statement of FIG2 shows even more clearly – than the declarative statement of FIG1 – the *MBA* framework's refinement of the SPL's CTCI paradigm to its ETCI paradigm for meeting all ETCIs' needs (being caused by their phenomenology[3,b]): Of the FSTP-Test's in total 11 subtests defining the ETCI paradigm – i.e., test1(b)-(d) plus test2-test9 (10 consistency checks between them made obsolete by total sequencing) – the CTCI paradigm knows only 3 checks (i.e. test2, test3, test9), and its incomplete-ness moreover ignores that notional definability and consistency must be guaranteed, the former by engaging an E-level of notional resolution, the latter by assuring that all 11 subtests use the same set of crCs. Hence, the *MBA* framework based claim interpretation&construction is a "refinement" of the classical one.

1)	(a) input:	COM(ETCI#)	::=	values of I,N,K^1,…, K^N, and user-names for the ETCI and (optional) for $\forall \epsilon$ of the set A-crC::= {A-crC0n | 1≤n≤N} ∪ E-crC::= {E-crC0nk| 1≤n≤N ∧ 1≤k≤K^n};
	(b) justof$^{\forall 1 \le n \le N}$:	A-crC0n''	=	$\wedge^{1 \le k \le Kn}$E-crC0nk, 1≤n≤N, whereby A-crC0n''::= A-crC0n mod({$\forall$E-ncrC0n});
	(c) justof$^{\forall \epsilon COM(ETCI\#)}$:COM(ETCI#)			is (definite over posc) ∧ (E-COM(<TT0,Φ>#)describes a useful ∧ E-COM(ETCI#) describes a new&useful invention);
	(d) justof:	*Biosig*-test	**is passed:** iff	this COM(ETCI#) is definite∧complete;

2)	justof$^{COM(ETCI)}$:	**ETCI Disclosure-test is passed:** iff		$\forall \epsilon$COM(ETCI#) are lawfully disclosed: COM(ETCI#)=> COM(ETCI);
3)	justof$^{\forall 1 \le n \le N}$:	**ETCI Enabling-test**	**is passed:** iff	$\forall \epsilon$A-crC0n its implementability is disclosed "for being E-crC tested ";
4)	justof:	*Bilski*-test	**is passed:** iff	E-crC\E-crCmod(A*#) ≠ Φ;
5)	justof:	*Mayo-IMyriad*-test	**is passed:** iff	^{ULP}E-crC::=$\forall \epsilon$ {E-crC unlimitedly preemptive} are identifiable;
6)	justof:	*Alice*-test	**is passed:** iff	**(1)-5)** hold) ∧ $\nexists \epsilon$(E-crC\$^{ULP}$E-crC) that is unlimitedly preemptive;

7)	justof$^{\forall 1 \le n \le N \wedge 1 \le k \le Kn}$:	**Independence-test**	**is passed:** iff	$\forall \epsilon$ {E-crC0nk | 1≤n≤N ∧ 1≤k≤K^n} are independent of each other;
8)	justof$^{\forall 111 \le ink \le INKn}$:	*KSR(**RS**)-test*	**is passed:** iff	$\forall$ ANM(i,n,k)::= if (E-crCink = E-crC0nk or equal within their tolerances) then "A" else "N";
9)		*Graham(**RS**)-test*	**is passed:** iff	<$\forall^{nk}\epsilon$ = A> ∉ {$\forall$AC over ANM}.

FIG2: *The FSTP-Test – Checking an ETCI for its Meeting all 9 Requirements Stated by the MBA Framework*
Legend2: The horizontal dashed line separates – for an ETCI alias pair of <an invention/TT0, its application/A*> – its refined claim interpretation (above it) from its refined claim construction (below it). The latter potentially skips test4-test8 (in particular below the horizontal double line iff RS=Φ). This tight interplay of an ETCI's refined claim interpretation with its refined claim construction has nowhere ever been shown before.[4,a] For more information about the FSTP-Test see [261].[4]
   Note: Using the MBA framework based FSTP-Test for testing an ETCI's satisfying SPL – and that is all that is considered of Kant's Metaphysics – his/its notions "a priori" vs "a posteriori" and "synthetic" vs "analytic" may be used as explained[3,e] without causing contradictions. But these do arise if they are used "globally", as was done pre-Kant. He avoids any such contradiction by enforcing by his human-experience notion separating ETCI's claim interpretation from construing its claim construction.

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[4] See the FSTP Reference List at the end of this paper for publications providing in-depth discussions of the FSTP-Test, in particular [8,257,258,259,260].

II.2 The *MBA* Framework's Basic Notion of "Inventive Concepts" of an ETCI

The FSTP-Test – comprising for any ETCI any SPL satisfaction test[5.a)] – rests on the basic notion[3.a)] of any ETCI's "inventive concept(s), inC(s)". Any inC consists of one "creative concept, crC" and one "legal concept, leC", notionally located on the A(=abstract)-level of notional resolution and the E(=elementary)-level refining it. This primer clarifies the meaning only of the key/basic notion of its "E-crC(s),"[5.b)] modeling[5.c)] what the *MBA* framework briefly tells about the meaning of the E-inC comprising it: its creativity.

An ETCI's E-crC is an atomic mental/intellectual creation[5.c)] – modeling an "*independent idea*" created by the ETCI's inventor for finding the ETCI, as the *Gegenstandstraeger* decision of the German BGH in 2008 put it.[5.d)] The axiom defining an E-crC rationalizes something, hitherto being of transcendency or metaphysics, as a property of an ETCI-element, which is independent of alias not derivable from posc (= pertinent ordinary skill and creativity) and/or prior art and/or other thus independent ideas.[5.e)]

Any of the Supreme Court's *MBA* framework decisions (including already *KSR*) ex- or implicitly requires using, for describing/modeling/… an ETCI's meaning, the notion of "inventive concept, inC". Thereby any E-inC – notionally more precisely: any of ETCI's E-crCs – precisely models an inventive increment of this ETCI's inventivity. I.e., the *logical sum of all E-crCs of this ETCI completely and definitively describes this ETCI's total inventivity, i.e. the ETCI's meaning* – as seen by the ETCI's inventor.

As the meaning of the ETCI, as it is understood by its inventor, is required by the *MBA* framework's *Biosig* decision to be considered as disclosed for the pposc (=person of posc) by the ETCI's specification – hence also the meanings of all E-crCs[5.c)] of this ETCI, by this *Biosig* decision implied, in particular in light of the Supreme Court's preceding *Mayo* decision – this provides a powerful redundancy check of the completeness and definiteness of the ETCI description by the E-crCs identified/defined by/for it.[5.d)]

Verifying this fundamental statement (in bold italic letters) about an ETCI description is logically impossible in classical claim interpretation, as it uses "limitations" of something not defined at all – and then, not surprisingly, usually ignores some E-crC(s) or misinterprets its(their) meaning(s), thus misrepresenting what this ETCI's inventor by these items[5.e)] determines as her invention's meaning alias total inventivity.

The Supreme Court's notion of "inventive concept" enables recognizing the bipartite (Kantian just as *MBA* framework's)[1.l)] "ETCI paradigm of SPL" for ●metaphysically creating an ETCI – by metaphysically picking hitherto metaphysical items and rationally/mathematically describing them, so rationalizing this ETCI by its "claim interpretation" – and ●rationally legally protecting this so rationalized ETCI, by metaphysically construing its "claim construction" so rationalizing also that this ETCI (non)deserves SPL protection,[5.e)] just as ●the partial transformation of this construing's Metaphysics into Rationality.[1.l)]

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5 **.a** In IT, the logic expression represented by the FSTP-Test would often be called a "program scheme', as comprising all its sequential interpretations by "programs." Accordingly, the FSTP-Test is an "FSTP-Test scheme" comprising all (CTCIs/ETCIs') SPL satisfaction tests. Yet its name is preserved.
An inC need not be quoted by the claim's wording of an ETCI, if only the latter's specification im- or explicitly discloses its meaning (see the CAFC's *DDR* case [156,160]). This puts to an end the ageless nonsense that "limitations must not be imported into claims' wordings – as explained by [258[p.5]].
A patent specification disclosing several different sets of inCs for one of its ETCIs, each making up this ETCI's inventivity – thus disclosing for this ETCI several different "interpretations" – is nevertheless assumed to represent the same invention[5.c)] [6,7,45,142], even if ftn[5.c] holds.
.b i.e. does not clarify the meaning only of the also key/basic notion[3.a)] of its "A-crC(s)", elaborated on in more detail in [261] – as a primer may occasionally remain incomplete for brevity.
.c without going into the question of how to specify the meaning of an E-crC by one or several models underlying it[5.b)] [241,244] – in particular, whether an allegedly atomic notion really is atomic. E.g. notions such as "copyrightable" or "patentable" or just "durable" or alike are mathematically modelable as elementary on top of other metaphysical models but nobody would assume they represent only a single independent idea.[5.d)] I.e., this is one way to show that it is an open question, whether practical inventions exist that are "pathological", i.e. that cannot be described by using only "elementarizable" inCs.
.d This BGH *Gegenstandstraeger* decision stated (at about the same time as the US Supreme Court's *KSR* decision, but after a series of (non)obviousness decisions quite similar to this one) that an ETCI is nonobvious over posc and prior art, if the ETCI's creation requires at least 2 "**independent ideas**" for finding it, whereby the adjective "independent" requires that these ideas are logically not derivable from posc, from prior art, and from each other.
E-/A-crCs and E-/A-inCs are the key items enabling modeling Kant's notion of perception, being of Metaphysics or Rationality or Reason kind.[2.a)]
An ETCI's E-crC is defined to first metaphysically then rationally describe (alias specify alias represent alias model) the meaning of any such independent (= creative) idea first freehand and then mathematically on top of its associated underlying model (potentially being a very compound one).
An ETCI's E-crC is an E-inC only if its sibling E-leC (known by e.g. pposc[2.d)]) is also lawfully applicable and not contradicting the ETCI specification.
Introduced into SPL by the Supreme Court's SPL interpretation, the FSTP-Test qualifies an ETCI's E-crCs as ●potentially rendering the ETCI patent-noneligible as unlimited preemptive (if it models a "natural phenomenon" and/or an "abstract idea"), and ●potentially compensating an ETCI's patent-noneligibility by limiting its unlimited preemptivity to an application A* (The ETCI's application A* then "transforms its TT0 to significantly more" [260]).
The FSTP-Test fixes, as *KSR* implies, the above 'novelty inconsistent' obviousness notion by an anticipates/notanticipates matrix, ANM, removing all tolerances. Then an ETCI must embody only 1 independent idea alias E-crC by (over posc∪{RS}) for being nonobvious, consistent to its being novel.
.e Today rationalizations often are achieved through metaphysical ("freehand") actions, of which formal semantic research will soon rationalize many.

II.3   The FSTP-Test is the "Canonical Representation" of the ETCIs' SPL Satisfaction Test

Upfront an extremely important cognition, in hindsight in many cases evident, a priori very rarely stated, yet being basic in what follows: There is a very tight limitation of man's capability to correctly think[1.e)] about an ETCI's finite conjunction of multidimensional crCs and/or noncrCs.[6.a)] And: If a human brain exceeds this limitation to simple thinking, it encounters a "short circuit" disabling it from noticing this.[6.b)6.d)]

Consequently: "Global thinking" about an issue, as practiced by philosophy/Kant, inevitably comprises such finite conjunctions. Their above risks have for long time not been noticed, due to their complexities' successful use since ever in considerations of and communications about everyday issues.[6.c)] These hence are logically fuzzy and fault-tolerant – unlike the results needed in an ETCIs' tests under SPL.

By the middle/late 20th century, IT experienced that the finite complexities of operating and/or database and/or other software systems are of notional complexities naturally arising – by their "wild" complexities – no longer controllable by the human brain, and that for mastering these systems their original designs (of wild complexities) must be redesigned and disaggregated into a functionally equivalent conjunction of modules, the finite complexities of which are comprehensible by man.[6.d)] This led to recognizing that model-based structured thinking about such systems – by proceeding as outlined by ftn[6.e)] [142] – eliminates this always diffuse and inevitably error-prone unstructured global thinking.

More concisely and i.o.w.: Only since then does a clearly understood discipline of structured thinking exist that enables reducing the wild notional complexity of a system design – "as a whole"[6.f)] meeting its wild as global multidimensional requirements – to a refined system design of a dramatically reduced notional complexity as vastly "localized"[6.e)] and hence simplified, thus disabling this mental short circuit.

Prior to this stage of IT development in the 70s, no awareness existed[6.g)] of the low capability of human brains to dependably cope with a finite but global system's wild and therefore incomprehensible complexity of highly intermeshed functionality, and how to restructure this system's design for reducing its complexity[6.e)] – without modifying its functionality – to totally transparent human comprehensibility.

A closer look at the FSTP-Test's complexity minimization[2.c)6.e)] shows that it is another fundamental advantage (additional to those in Section II.2) of using inCs in defining/determining this ETCI's refined claim interpretation and construing its refined claim construction.

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[6] **.a**   Each C is defined by only finitely many finite truth sets "TS(C)" with potentially multidimensional elements. I.e., the system established by an ETCI's SPL satisfaction test is finite, i.e. has only finitely many states (as in Control Theory) – yet the ETCI's crCs' testo's are totally intermeshed with each other by any crC, FIG1, rippling-up to their conjunctions, also if it uses the FSTP-Test.

This short-circuit phenomenon is an unquestionable psychological effect similar to a layman's incapability to correctly control concurrent processes, famous in Operating System Design and its various "reader/writer" and "dynamic deadlock" problems – but much more difficult to detect in a person's actual case of dealing with a problem embodying such a conjunction. In both cases there is some dependency on a person's potential.

This short-circuit is disabled – in this person's such problem analysis – i.e. its comprehensibility is regained/preserved, by rewriting the conjunction and its multidimensional items by refining both such that the number of the conjunction's summands is increased but their truth sets are disjoint (whereby this latter condition often may be relaxed by solely excluding their interferences).

.b   and makes it failing to achieve correctly what it has been up for. In the patent community, this short-circuit phenomenon is a mass phenomenon, in the US e.g. with the "Broadest Reasonable Interpretation, BRI" of an ETCI and the *MBA* framework, in the EU e.g. with the "technicity criterion".

Its psychological basis is further going elaborated on in the introductory remarks of Section III.

.c   The complexity of an ETCI's SPL satisfaction test by the FSTP-Test – its set of 11 tests is the same and given a priori for all ETCIs, and their results are to be confirmed for any ETCI by the pposc – is quantifiable by the number ("#") of FSTP-testo steps required for executing testo completely, with $11 \leq \# < \infty$, see FIG2. Any ETCI may be subject to further limitations of its subject matter not referred to by this ETCI and then irrelevant for the FSTP-Test.

.d   This complexity caused the "software crisis" famous in IT – wasting billions of US$ – haunting IT economy during the 60s-80s It had a phenomenology similar to the current "SPL/ETCI crisis": The wasted huge investments, just as the initially fierce resistance against structured software system design and implementation[6.c)] by the then hundred thousands of members of the software community and even worse by the hardware community. This exactly corresponds to the current reluctance of the patent community to accept the analogous structuring requirements the *MBA* framework states as to ETCIs' SPL satisfaction testing. As to structured system design: Today it is a must[6.e)] – and the same will happen with *MBA* framework structured ETCI testing.

.e   The since the 90s now stable knowledge about restructuring a system design for achieving this often dramatic reduction of its wild complexity, called "**System Design Technique, SD**" [122], comprises two activities for/in the new system design: ●"Identification of layers of abstraction" for structuring any functionality therein by an equivalent "use hierarchy" of its own, and (before/after that) ●"separation of their concerns" iff vastly independent of each other.

In restructuring an ETCI's SPL satisfaction test into its FSTP-Test this comes down to first ●identifying the layer independent ETCI-elements X0n, their A-crC0n, $1 \leq n \leq N$, and their decompositions into E-crC0nk, $1 \leq k \leq K^n$ (for the ETCI's claim interpretation[1.j)] in FIG2) and then to ●separating an ETCI's 8 vastly independent concerns to be met by the ETCI's test modules alias FSTP-testo's (for construing the ETCI's claim construction[1.j)] according to FIGs1/2) [259].

.f   This alleged notion is found in many documents dealing with testing an ETCI for SPL satisfaction. Nevertheless, it has no meaning, as it refers to a "whole" of an ETCI, which classical claim interpretation is incapable to define – as it knows no inventive concepts of an ETCI, i.e. the building blocks of its inventivity. It is intellectually just an embarrassment! By the *MBA* framework and its COM(ETCI) it is now defined ● metaphysically and ●rationally.[6.e)]

.g   Except in the founding of Mathematics, especially Set Theory and its derivatives, e.g. Measure Theory, launched by the early 20th century.

II.4 "Mathematical Inventive Intelligence, MII" Attunes the Patent and Other Communities to the MBA Framework

Sections II.1-3 have already attuned to each other parts of the large patent community and the small communities of "philosophers"[1.f)] by having acquainted them with basics of MII,[7.a)] thus providing them[2.i)] with a clear view of ETCIs' SPL testing and the potential to leverage it in creating inventions [6].

To facilitate such communications, this primer on the one hand reduced Kant's •thinking to the single issue "SPL/ETCI" and his •language to MII – which on the other hand enabled •arming/refining his thinking by powerful cognitions of exact sciences achieved in the 20th century and the *MBA* framework.[1.a)]

This customization of parts of Kant's thinking to the ETCIs' SPL needs should significantly accelerate – with many members of both communities – also their becoming aware of the nonevident but serious socioeconomic questions raised by ETCIs. These questions include, firstly, those for consistency and predictability of SPL precedents about ETCIs (arising in many ETCI tests due to their broad range of vast potential of confusing the courts involved, if they apply the classical negligence of claim interpretation & construction), i.e. those of short-term impact specifically on SPL precedents about ETCIs, secondly, those directly impacting mid-term the society in full breadth as affecting its wealth by destroying the faith in long-term high-risk R&D-investments. The Supreme Court tackled both problem areas im- and explicitly in its *Mayo* decision – and this primer would be the wrong place to elaborate on them.

Practically speaking, this cross-over understanding of the efficiency increase provided by the ETCIs' FSTP-Test – i.e. by its "Kantian$^{\pm}$" rationalization – is achieved as follows: •It excludes the mental short circuit caused by global thinking about an ETCI's then highly diverse and complex properties by replacing them with the FSTP-Test's stereotypical and rigorously structured test design and automatically forcing the tester to execute all its hence well-known FSTP-testo, $1 \leq o \leq 9$, and •it enables efficiently and dependably analyzing an ETCI as never before possible – due to the FSTP-Test's fully automatic and absolutely/indispensably complete guidance through all the details of all the FSTP-testo's and their having the totally same meanings over all areas of ETs. By both communities' familiarity with the FSTP-Test and its MII representation provided by the IES [261], it also enables qualified inter-/intra-community communications about an ETCI's issues and the preceding paragraph's understanding.

Insofar – given the intricacies embodied within SPL precedents about ETCIs, encountered in many court cases – using MII and the FSTP-Test embedded within it (in this MII flavor of ETCIs testing under SPL) are "alternativeless."[7.b)]

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[7] **.a** In its general notion, "MII" could be seen to be a whatever model integrating formal language of an extremely simple hence mathematizable syntax and two sets of terms of quite different semantics, one being model independent and of extremely simple semantics, again, while the semantics associated with the terms of the other set represent this model's and its application's semantics, i.e. supports only this semantics' names/notions/relations/..., potentially only finitely many, of only limited scopes, and of only predetermined relations. Such limitations of thinking are common in IT's System Design Technique but rare outside of IT, e.g. in Kant's use of global names/meanings[2.a)] and arbitrarily definable relations,[8.b)] or pre-*Mayo* SPL precedents.

The specific notion of MII used here, in ETCIs' SPL satisfaction tests, also is not a specific language or method, but denotes just a philosophy of how to describe the steps of the FSTP-Test to be executed to this end, in a way facilitating dependably understanding its specific FSTP-testo executions (and/or communicating about them). I.e., the model integrated is capable of executing the FSTP-Test. This flavor of MII evidently does not exclude reasoning in extremely simplified English – as practiced here, i.e. in the shortest and simplest English sentences possible – such that from it its technically precise and legally exact mathematical representation is straightforwardly derivable. Indeed, for any of the 11 lines of the FSTP-Test (of FIG2) only 1 trivial sentence is needed (optionally extendable), to be repeated for any item to be checked on this line.

The meanings of the words allowable in this MII based ETCI's SPL test, as used in this primer, in any of these 11 FSTP subtests would be either 'atomic' (or logical conjunctions of them, in any case representing the ETCI's meaning) or represent key terms/notions of the FSTP-Test (e.g. "preemptivity") and a few auxiliary items[3.a)] needed for user communication (e.g. "scope(ETCI)"). For the mathematical axiomatization of the SPL terms/notions – that MII provides for guiding the user through the ETCI's FSTP-Test – see [9], for this user interface see [261].

MII seems to contradict Kant's way of thinking. Today the latter is often seen as outdated as not striving straight forward towards achieving a solution for an upfront defined problem, but striving for broadest generalization, i.e. striving for a higher level of abstraction. While this does not immediately enable possible simplifications as those achieved here (by focusing on the upfront defined SPL/ETCI problem and clarifying its key notions on this low level of abstraction, e.g. the key notions "Rationality" and "Metaphysics," in full generality not definable but on this low level achievable), Kant's thinking motivates to upfront seeking to understand the issue to be simplified – which here proved to be more successful in the end, nevertheless.

This namely works also with MII and its here embedded ETCI's SPL test, the FSTP-Test. It takes its user automatically to this much higher level of concise-/preciseness – indispensable for identifying these fundamental cognitive and ethical socioeconomic issues embodied by this ETCI – without requiring this user would understand that/why it thereby executes this refined claim interpretation&construction required by the *MBA* framework.

.b In total, Section II briefly showed that there has been a long way to go – starting from the Supreme Court's required use of its all decisive notion of "inventive concept" for describing an invention's inventivity and its "SPL qualities", leading through all the issues addressed in the Sections II.1-4 – for enabling FSTP/IES-Technology [261] to legally support any ETCI such that society can leverage it, as the Supreme Court's *MBA* framework requires.

III.   THE *MBA*-FRAMEWORK INCENTIVIZES & PROTECTS INVESTMENTS IN ET INVENTIONS
– ITS BEING KANT BASED SHOWS ITS WISDOM AND GREAT SENSE OF RESPONSIBILITY –

Section II showed: An ETCI passing the FSTP-Test, induced by the Supreme Court's *MBA* framework, guarantees the legal protection by SPL of all investments into this ETCI.[6.c)] This – together with the other amazing advantages that the FSTP-Test enables – evidently incentivizes investments in its R&D.

Nevertheless, there is much reluctance among the patent community to accept the *MBA* framework.[8.a)] Instead, it claims/pretends into the blue the *MBA* framework's requirements as to ETCIs were incomprehensible and/or SPL inconsistent – without presenting a single tenable reason why this should be true.[8.b)] Meanwhile horrendous[8.c)] investments into R&D for ETCIs are lost or jeopardized due to patents destroyed or patent applications not granted, whereas the *MBA* framework promises exactly the contrary.[8.b)]

Thus, this reluctance seems to have another reason, namely the never outspoken psychological one. It is true that the *MBA* framework's *Mayo* decision explicitly warns, when checking an ETCI as to meeting the "new and **useful**" requirement of § 101 – implicitly also Kant's groundbreaking cognition&moral theory, focused on ETCIs' SPL tests solely – of patenting ETCIs of unlimited preemptivity, as being socially unacceptable. The problem thereby is that any ETCI is based on a preexisting natural phenomenon (e.g. a natural DNA molecule) and/or an abstract idea (e.g. a scientific insight per se)[8.d)] – both exempted from patent-eligibility as unavoidably of potentially unlimited preemptivity as potentially dynamically and unpredictably expanding its scope of usefulness without anything new being invented.

This warning makes the *MBA* framework socially inacceptable to patent lawyers & inventors & examiners & users[8.e)] for two reasons: By potentially being totally unfair, as it •enables an ETCI patent owner to bar another party from a further ordinary improvement of this ETCI based on its autonomous scope expansion, unless this improvement is subsumed under this patent, in spite of the patent owner's contributing nothing to this improvement making the ETCI much more valuable than before [119], and •might devaluate the professional qualification of these above patent experts, thus dramatically reducing their current economical potential, due to suddenly increasing the sophistication of their professions by an insurmountable amount – this purely psychological point seemingly being of dominant impact.[8.f)]

The final two Sections III.1/2 try to counter it with the moral theme of this primer: Its contemporary interpretation of Kant's cognitive & moral philosophy shows that its impetus – just as that of the *MBA* framework – is directed to taking these professions from dealing with patent business to dealing with patent science business alias innovation science, i.e. to a degree of social estimation that they never enjoyed before. Their presentation of the *MBA* framework in light of this broadly and highly estimated thinking of Kant is hoped that it would not fail to encourage the involved communities' members[2.g)] to embark on this *MBA* framework endeavor. Professionally and culturally it offers highly rewarding chances anyway.

Recognizing this strong professional, legal, and even moral/Kantian support – by the *MBA* framework provided to virtually everybody – should overcome such psychological reservations. No academic seminar or summary about Kant is needed to this end. Instead, Sections III.1/2 shall concisely clarify their two very specific aspects, each only very briefly: That and how the *MBA* framework embodies this famous Kantian thinking – thus perhaps/hopefully convincing such members[2.g)] of the former's above impetus.

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8 **.a**   The opening discussion of a nationwide conference [263] about the state of affairs as to § 101, in front of an auditory evidently almost completely consisting of patent lawyers and patent examiners, was characterized by very high ranking patent managers making very open statements about their •mixed appreciations primarily of the Supreme Court's *Alice* decision and touching briefly also on its *Mayo*, *Myriad* and *Bilski* decisions – the CAFC's decisions almost totally ignoring (except its *DDR* decision, but also without elaborating on it), about their •uneasiness that from all the instructive examples in the current version of the IEG, nevertheless nothing can be learned for drafting new patents such that they would overcome the § 101 obstacle at the USPTO, and about their •employees' and/or investors' feelings about and/or reactions on the *MBA* framework.

 The discussion as to this latter point disclosed that there are sharp contradictions about it: All panelists with technical background (USPTO, IBM, Google) made a major step towards the *MBA* framework, including all quite frankly talking at a sudden about the *MBA* framework's fundamental keyword "inventive concepts" of inventions. Remember: E.g., in the USPTO's IEG hitherto this notion has not been tolerated. Yet, the law firms representing two panelists (and seemingly all the auditory) rejected the whole *MBA* framework, even calling for the Congress to reestablish "*the good old patent law*" [263].

 .b   True is that the many comments on the *MBA* framework are too flat for noticing that it provides much guidance how to get ETCIs under SPL control – yet on the basis of an semiotic refinement of the classical SPL paradigm, for enabling adapting SPL by the *MBA* framework to the needs of ETCIs.

 .c   for sure much more expensive, in the end, than the "software crisis" has been.[6.d)]

 .d   otherwise it were not an ETCI but a CTCI – as it has no peculiarities requiring the conciseness & preciseness of the *MBA* framework.

 .e   thus also frightening investors and cutting edge companies – while they evidently start to understand the advantages the *MBA* framework provides[8.a)]

 .f   although false and misleading – but ftn[9.d)] provides hope.

III.1   The MBA Framework's Claim Interpretation[1.i)] Evidently Echoes Kant's Cognition Theory

Kant's cognition theory is, in this primer, limited to the *MBA* framework based test of an ETCI for its satisfying SPL.[1.d)9.a)] The question then is, whether the intellectual transformation of this ETCI's initial metaphysical claim interpretation by FSTP-test1 into its *MBA*-rational claim interpretation refines Kant's so limited cognition theory based intellectual transformation of this same initial metaphysical representation of an ETCI into its Kant-reasonal claim interpretation.[2.a)] As then the title is true: The *MBA* framework's claim interpretation is rooted in Kant's cognition theory as refining it.[9.b)]

Indeed, due to Section II, it is trivial to recognize that this question's answer is "yes". Namely:

The *MBA* framework requires the FSTP-test1 to generate ETCI's claim interpretation in *MBA*-rational ETCI representation by intellectually transforming an ETCI's initial metaphysical representation into this ETCI's *MBA*-rational representation, by proceeding as the *MBA* framework requires. It thus causes – in Kant's perception of Metaphysics/Reason/Rationality[2.a)] – more than solely intellectually transforming this ETCI from its same initial metaphysical representation into its Kant-reasonal claim interpretation by refining it.[9.b)] **q.e.d.**

III.2   The MBA Framework's Claim Construction[1.i)] Evidently Echoes Kant's Moral Theory

And the same holds for the relation between construing the/a socially fair claim construction for an ETCI
- being "*MBA*-rational", out of an ETCI's "*MBA*-rational" claim interpretation and
- being "Kantian-reasonal", out of an ETCI's "Kantian-reasonal" claim interpretation.

The preceding 3 paragraphs of III.1 are repeated by modifying them only for simplicity and where necessary, starting with reminding the upfront limitation, in this primer, of Kant's cognition&moral theory.[1.d)9.a)]

The question is, whether the *MBA* framework based intellectual transformation – of the ETCI's *MBA*-rational claim interpretation (of III.1) into the ETCI's *MBA*-rational claim construction by FSTP-test2/9 – refines Kant's so limited cognition&moral theory based intellectual transformation – of an ETCI's Kant-reasonal claim interpretation (of III.1) into a Kant-reasonal freehand metaphysical claim construction of this ETCI.[9.b)] As then the headline is true: The *MBA* framework's claim construction is rooted in Kant's cognition&moral theory as refining it.

Indeed, due to Section II, it is trivial to recognize that this question's answer is "yes". Namely:

The *MBA* framework requires deriving the rationalized ETCI from the ETCI's *MBA*-rational claim construction by applying the FSTP-test1-9 to it, thus transforming it into its *MBA*-rational claim construction (= this rationalized ETCI's). The *MBA* framework thus causes – in Kant's perception of Metaphysics/Reason/Rationality[2.a)] – more than solely intellectually transforming this ETCI from its same initial metaphysical representation into a Kantian-reasonal representation of the ETCI's claim construction as refining it.[9.c)]   **q.e.d.**

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[9]   **.a**   This implies the assumptions: ●This ETCI is initially metaphysically modeled by its A-crC (= set of metaphysical A-level creative concepts, see FIG2), and ●any ETCI's SPL satisfaction test is represented by the FSTP-Test (see FIG2), just as the conclusion: ●If this ETCI passes the FSTP-Test, this initial metaphysical representation of an ETCI is intellectually transformed into its *MBA*-rational representation – as so having construed ETCI's claim construction.
   .b   This intellectual transformation into *MBA*-Rationality resp. into Kant-Reason does not only comprise this transformation but also multiply refines both. This notional refinement occurs by describing this ETCI and qualifying it by SPL – as the *MBA* framework and its view of Kant's limited cognition&moral theory require – by **1.)** using inventive concepts, **2.)** refining these as in SD,[6.e)] and **3.)** thereby applying the semiotic refinement of SPL pragmatics.[3.a)]
        How **1.)-3.)** occur in claim interpretation resp. claim construction is easily recognizable at a second glance at this analysis: **1.)+2.)** occur in claim interpretation and are shared with claim construction. **3.)** occurs in claim interpretation by FSTP-test1(d), and in claim construction additionally by FSTP-test4-9 (as FSTP-test2-3 must be seen as substantive but not really refining the Kant-Reason of the ETCI under SPL test, while test4-9 really refine it).
   .c   Additionally to ftn[9.b)] the refinement embodied by this derivation comprises also fixing the ETCI inventor's potentially untenably broad claim interpretation.
   .d   Yet, the Supreme Court might just have started finishing this inacceptable situation by granting *Cuozzo*'s and *Samsung*'s Petitions for a Writ of Certiorari [240,265], thus indicating its determination to eventually unfold the enormous potential of its *MBA* framework (see the below FSTP Reference List). This would require confirming its *Biosig* decision – not at all addressing the BRI[PTO]'s use during examining an ETCI, i.e. while it may be amended – that the BRI[PTO] must not be used for founding a legal whatsoever decision about an ETCI, as rendering this decision legally grossly erroneous.

The FSTP-Project's Reference List

FSTP = Facts Screening/Transforming/Presenting (Version_of_10.04.2016[)])*

Most of the FST_-Project papers below are written in preparation of [182] – i.e. are not intended to be self-explaining independently of their predecessors.

[1] S. Schindler: "US Highest Courts' Patent Precedents in Mayo/Myriad/CLS/Ultramercial/LBC: 'Inventive Concepts' Accepted – 'Abstract Ideas' Next? Patenting Emerging Tech. Inventions Now without Intricacies*").
[2] AIT: "Advanced Information Tech." alias "Artificial Intelligence Technology" denotes cutting edge IT areas, e.g. Knowledge Representation/Description Logic/Natural Language (NL)/Semantics/Semiotics/System Design. MAI: "Mathematical Artificial Intelligence", the resilient fundament of AIT.
[3] R. Brachmann, H. Levesque: "Knowledge Represent. & Reasoning", Elsevier, 2004.
[4] F. Baader, D. Calvanese, D. McGuiness, D. Nardi, P. Patel-Schneider: "The Description Logic Handbook", CUP, 2010.
[5] S. Schindler: "Math. Model. Substant. 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 INNOVATION EXPERT SYSTEM, IES, & ITS PTR-DS", 2013*").
[8] S. Schindler, J. Schulze: Technical Report #1 on '902 PTR", 2014.
[9] S. Schindler: "Patent Business – Before Shake-up", 2015*").
[10] SSBG's AB to CAFC in LBC, 2013*").
[11] S. Schindler: **"inC" pat. appl.**: "inC ENABLED SEMI-AUTO. TESTS OF PATENTS", 2013*").
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