

Original Work Assessment

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Intellectual Property Law

Dates and Times worked on Original Work:

10/24/2019 - 8 PM

11/08/2019 - 5 PM

11/29/2019 - 2 PM

12/02/2019 - 7 PM

12/08/2019 - 5 PM

12/09/2019 - 3 PM

Objective:

- To create an analysis through extensive research over a landmark Supreme Court case, Alice Corporation v. CLS Bank International, that provides a case brief to evaluate reasonings behind the Supreme Court's decisions and the long-term impacts that resulted from it.

Materials Used:

I gathered information from highly credible avenues such as the United States Patent and Trademark Office, the American Bar Association, the Case Brief of Alice Corporation v. CLS

Bank International, numerous articles regarding patent-eligibility and Alice, and informational blogs from the Intellectual Property Watchdogs Blogs.

Link to all my sources- <file:///C:/Users/krish/Downloads/Works%20Cited.pdf>

Description of Process:

1. Research patent-eligibility
 - A. Understand all aspects of patent-eligibility including preemption, novelty, written description, etc.
 - B. Become familiar with Section 101 and 102
 - C. Learn about the exception to eligibility specifically laws of nature, natural phenomena, and abstract ideas through court cases.
 - D. Read the America Invents Act and assess the changes from previous guidelines.
2. In-depth research on Alice
 - A. Read articles on the case and learn about why the case is so controversial
 - B. Gain knowledge on how patents were evaluated pre-Alice
 - C. Analyze the two-step process created by Alice
 - D. Learn about the impacts of the case regarding present patent-eligibility is tested
3. Create a case analysis on google docs
 - A. Create a table of contents which encompasses patent-eligibility guidelines, pre-Alice, case summary, in-depth analysis of the eligibility aspects, and finally post-Alice effects.

B. Create a works-cited in Chicago style and plot numbers at points where sources were used.

Results:

Completed analysis of Alice Corporation v. CLS Bank International to provide an extensive case brief that evaluates reasonings behind the Supreme Court's decisions and the long-term impacts.

Conclusions/Interpretations:

Alice has taken a heavy toll on patents for computer-related inventions, specifically software patents. Alice v. CLS Bank remains an intriguing case to this day, however, it has made a substantial impact on the Intellectual Property Law today. I have gained great insight into the specifics of the patent-eligible subject matter. I have acquired a wide variety of knowledge on how patents are assessed, the process, and the litigation aspect of patents. This information is significant to my learning because I have more knowledge on my topic and have realized that patents are very complex. Trying to understand this court case was very difficult, however with time and research, I have learned how to use patent databases to find information and improved my writing skills. I also learned a new way of citing information commonly used by lawyers called Chicago.

Application/Meaning:

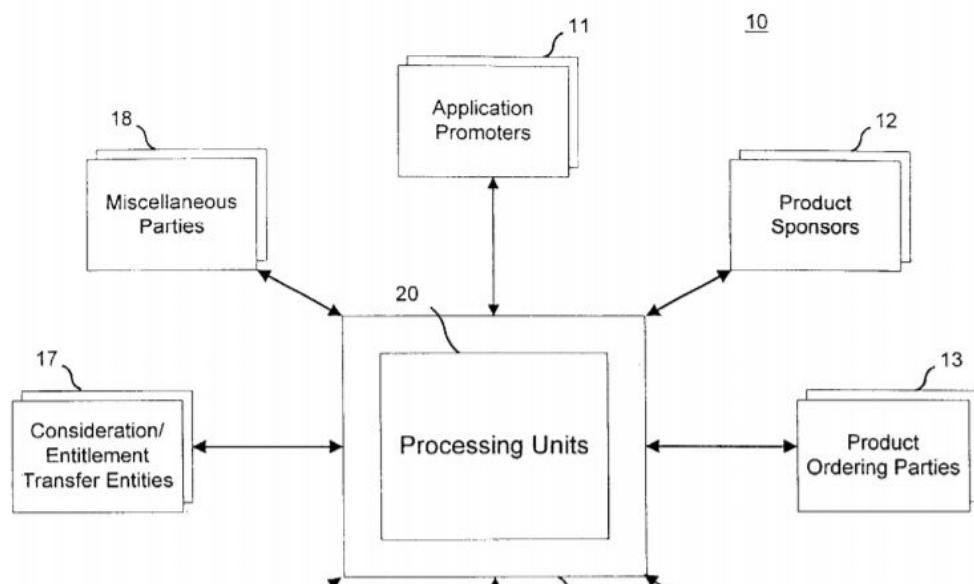
Through my Original Work, I have created an academic brief on a landmark Supreme Court case which is referenced in the District Court, Federal Circuit, and the Supreme Court primarily through software patent applications. Not only will this product be utilized as a learning guide for law students as it discusses the important concepts of the case, however, it will also serve as a reference for attorneys to look back on for quick recall as to how the case was assessed.

Next Steps:

Use the research I have completed to evaluate further into the patent process and discuss with my mentor a final product idea that would be beneficial to my law field. It is almost time to start shadowing weekly with my mentor and I plan on setting up a schedule with her.

Pictures: This is a picture of one of the drawings out of 100s and it shows how complex the patent process is.

U.S. Patent **Oct. 19, 1999** **Sheet 1 of 101** **5,970,479**



Notes: This is the abstract of a one of Alice's patents. It gives a brief essence on what the invention is but doesn't cover any of the claims.

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ABSTRACT

A system for exchanging an obligation between parties where the exchange is administered by a supervisory institution that ensures real-time settling of obligations between parties by updating shadow records in real-time and instructing one or more exchange institutions to effect, from time to time, the exchange of obligations in accounts maintained external to the supervisory institution. Updates to the exchange institution accounts may reflect the net obligations of parties over a nominated period of time. The role of the supervisory institution is to ensure that obligations are only settled where parties have sufficient balance in their shadow records to complete the transaction. Obligations that can be exchanged include, but are not limited to: shares in financial or physical assets, participation rights in wagers, national or synthetic currencies, exchange settlement account deposits, taxation account deposits, and deposits of financial instruments or precious metals.