

# Memo

**To:** [2014\\_interim\\_guidance@uspto.gov](mailto:2014_interim_guidance@uspto.gov)  
**From:** Kristy J. Downing  
**Date:** 12/23/2014  
**Re:** Commentary on 2014 Interim Guidance on Patent Subject Matter Eligibility

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The detailed information and examples provided with the 2014 Interim Guidance on Patent Subject Matter Eligibility is greatly appreciated.

I am wondering do you have case law examples or guidance representing an evaluation of subject matter eligibility for claims employing “fundamental economic principles” that regard eligible business method claims/patents? I am asking because we know that business method claims are indeed eligible subject matter. It would seem, however, that this category of subject matter might incorporate fundamental economic principles more often than other subject areas. It would be nice to have a patent-eligible example offered where a business method claim incorporates a fundamental economic principle but did so in a manner that did not completely preempt use of the principle and was thus not considered an “abstract idea.”

I am inquiring on my own behalf and for Just Intellectuals Newsletter.

Sincerely,

*s/ Kristy J. Downing /*