Bilski Diagnostic Sample

Sl.No.	Patent/Publication No.	Application Date	Date of Publication	Date of rejection	FR or N/FR	Rejection type	101 Rejection	102 Rejection
1	US20060094954A1	1/21/2005	5/4/2006	2/17/2009	N/FR	101 and 102 rejections	Claims 1-1 7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.	Claims 1-1 7 are rejected under 35 U 102(e) as being anticipated by Vining (678541 0).
2	US20040078241A1	10/7/2003	4/22/2004	2/13/2009	FR	101, 102 and 103 rejections	Claims 10 and 1 1 are rejected under 35 U.S.C. 10 1 based on Supreme Court precedent, and recent Federal Circuit decisions, a 5 101 process must (1) be tied to a particular machine (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780,787-88 (1876). The process steps in claims (10 and 11) are not tied to a particular apparatus nor do they execute a transformation. Thus, they are non-statutory.	Claims 1-5, 8-13,16 and 17 are rejec under 35 U.S.C. 102(b) as being anti by Campbell et al., U.S. Patent Numb 6,047,259.
3	US20040176679A1	3/15/2004	9/9/2004	12/12/2008	FR	101, 102, 103 and 112 rejections	Claims 92, 521-546 and 573-598 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claims 92, 521-546 and 573-598 defines a carrier medium embodying functional descriptive material (i.e., a computer program or computer executable code).	Claims 91, 92, 495-503, 505-509, 51 515-518, 521-529, 531-535, 537-539 541-544, 547-555, 557-561, 563-565 567-570, 573-581, 583-587, 589-591 593-596 are rejected under 35 U.S.C 102(b) as being anticipated by Halma al., U.S. Patent No. 5,151,856.
4	US20060031022A1	10/4/2005	2/9/2006	12/16/2008	N/FR	101, 102 and 112	Claim 45 is rejected under 35 U.S.C. 10 1 because the claimed invention is directed to non-statutory subject matter.	Claims 1-1 1, 13-16,20,22-24,45, and are rejected under 35 U.S.C. 102(e)(being anticipated by Levinson et al. (200210 177 167).

5	US20060084847A1	11/30/2005	4/20/2006	11/25/2008	FR	101 and 102 rejections	1. Claim 19 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,001,334 and claim 1 of US Patent No. 6,524,239. 2. Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,001,334 and claim 1 of US Patent No. 6,524,239 in view of Mazar et al. US Patent Publication No 200410122489.	1. Claims 19-23 are rejected under 3 U.S.C. 102(e) as being anticipated b Jacobsen et al. US Patent Publicatio Number 6,198,394. 2. Claims 1-3 an are rejected under 35 U.S.C. 102(b) being anticipated by Mazar et al. US Paten Publication No. 200410122489. 2. Cl 4-1 1 are rejected under 35 U.S.C. 1 as being unpatentable over Mazar et Patent Publication No. 2004101224 applied to claim 3 above, and further of Kehr et al. US Patent Publication N 200410122489.
6	US20030195770A1	6/4/2002	10/16/2003	1/12/2009	FR	102 and 103 rejections	N/A	Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated b Davies et al. (United States Patent Application Publication 2003/004611
7	US20040078219A1	10/21/2002	4/22/2004	12/19/2008	FR	102 and 103 rejections	N/A	1. Claims 1, 6, 8, 9, 11, 14, 18, 19, 2 29-38 and 45-54 are rejected under 3 U.S.C. 102(e) as being anticipated b Knapp USPN 6, 278,999 2. Claims 1 8-9, 11-15, 17-19, 21-38, and 45-54 rejected under 35 U.S.C. 102(e) as b anticipated by Alleckson et al. US Publication Number US 2006100643
8	US20050004476A1	5/28/2004	1/6/2005	10/3/2008	FR	103 rejection	N/A	N/A
9	US20050080322A1	8/16/2004	4/14/2005	11/13/2008	FR	102 and 103 rejections	N/A	1. Claims 1-8, 11-17, 19-22,24-26,28 and 43 are rejected under 35 U.S.C. as being unpatentable over US Pate Number Mault US Patent Number 6,478,736 B1 in view of Haller 200210052539. 2. Claims 1-4,7,11-16,19,22,24,25,28,29,33-34 and 43 are rejected under 35 U.S.C. as being anticipated by Heinonen et Patent Number 5,772,586. 3. Claims

								1-7,ll-13,15,16,19-22,24,25,28-30,33 and 43 are rejected under 35 U.S.C. as being anticipated by Increa Oy W 01l15056. 4. Claims 1-8,ll-17,19-22,24-26,28-41, and 43 a rejected under 35 U.S.C. 102(e) as b anticipated by US Patent Number Ma Patent Number 6,478,736 B1.
10	US20050090372A1	6/24/2004	4/28/2005	12/23/2008	N/FR	103 and 112 rejections	N/A	N/A
11	US20060100533A1	11/7/2005	5/11/2006	10/30/2008	N/FR	102 and 103 rejections	N/A	Claims I, 6, and 7 are rejected under U.S.C. 102(b) as being anticipated b Iwabuchi et al. (US Patent 6,327,495
12	US20060178595A1	12/13/2005	8/10/2006	2/27/2009	FR	103 rejection	N/A	N/A
13	US20060235315A1	3/18/2005	10/19/2006	2/24/2009	N/FR	103 rejection	N/A	N/A

14	US20060253097A1	10/21/2005	11/9/2006	12/22/2008	N/FR	103 rejection	N/A	N/A
15	US20030191406A1	5/13/2003	10/9/2003	8/27/2004	N/FR	101 and 112 rejections	Claims 1-20 are rejected under 35 U.S.C. 10 1 as claiming the same invention as that of claims 1-20 of prior U.S. Patent No. 6,561,992. This is a double patenting rejection.	N/A
16	US20050240112A1	6/22/2005	10/27/2005	9/20/2007	N/FR	101, 102 and 103 rejections	1. Claims 17-21 are rejected under 35 U.S.C. 101 as claiming the same invention, despite a slight difference in wording, as that of claims 42-51 of prior U.S. Patent No. 6,936,010. This is a double patenting rejection. 2. Claims 1-16 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 42-51 of U.S. Patent No. 6,936,010.	Claims 1-6,ll-14, & 17-20 are rejecte 35 U.S.C. 102(b) as being anticipate Feng et al. (5,509,425).
17	US20040097814A1	12/9/2003	5/20/2004	4/13/2007	FR	101 rejection	Claims 8-27, 33, 38-40, 42 and 43 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.	N/A
18	US20050251054A1	5/10/2004	11/10/2005	11/16/2006	N/FR	101, 102 and 103 rejections	Claims 1-34 and 45-66 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.	Claims 1, 2, 3, 10, 13-18, 20, 24, 26- 46-51, 55-59, and 65 are rejected un U.S.C. 102(b) as being anticipated b et al 6416473.
19	US20060089548A1	10/19/2005	4/27/2006	8/28/2006	N/FR			N/A

						101 and 112 rejections	Claim 43 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1.	
20	US20030176773A1	3/12/2002	9/18/2003	5/23/2005	FR	102 and 103 rejections	N/A	Claims 1 - 1 1, 13, and 15-24 are rej under 35 U.S.C. 102(e) as being anti by Progress in Ambulatory Assessm Computer-Assisted Psychological an Psychophysiological Methods in Mon and Fields Studies, Chapter 7, pages 123-128.
21	US20030181818A1	3/25/2002	9/25/2003	11/1/2005	FR	102 and 103 rejections	N/A	Claims 1-2, 4-5, 7, 10 and 58 are rej under 35 U.S.C. 102(b) as being anti by Arand et al. (5,8 17,027).
22	US20030216627A1	3/7/2003	11/20/2003	3/15/2005	N/FR	102 and 103 rejections	N/A	Claims 1-6, l0,20-21,35-40,44, 54-55 78, and 88-89 are rejected under 35 1.02(b) as being anticipated by U.S. 6,115,673 to Malin et al.
23	US20030223905A1	3/26/2003	12/4/2003	6/11/2007	FR	103 and 112 rejections	N/A	N/A
24	US20030233031A1	12/6/2002	12/18/2003	3/5/2004	N/FR	102 and 103 rejections	N/A	1. Claims 1-9, 13-33 rejected under 3 U.S.C. 102(b) as being anticipated b al. US Patent 6,22 1,009 B 1. 2. Clai and 12 are rejected under 3 5 U. S.C 102(b) as being anticipated by Tavor Patent Number 5,724,025 A.
25	US20030235817A1	3/21/2003	12/25/2003	5/11/2007	FR	102 rejection	N/A	Claims 52-56, 88,105-107, and 109- rejected under 35 U.S.C. 102(b) as b anticipated by Cygnus, Inc. (WO 031000127, reference AB-6 in the information disclosure, statement file July 2003.
26	US20040003670A1	7/2/2002	1/8/2004	8/10/2004	N/FR	103 rejection	N/A	N/A

27	US20040024296A1	8/8/2003	2/5/2004	5/18/2005	N/FR	102 and 103 rejections	N/A	Claims 1-3, 10-1 1, 14, and 19-20 ar rejected under 35 U.S.C. 102(b) as b anticipated by PCT Application Publi W019715229 to Cytometrics, Inc. (Cytometrics)(cited by Applicant).
28	US20040030582A1	8/6/2003	2/12/2004	10/28/2004	N/FR	103 rejection	N/A	N/A
29	US20040075433A1	10/18/2002	4/22/2004	3/25/2004	N/FR	102 and 112 rejections	N/A	Claims 1-30 are rejected under 35 U 102(b) as being anticipated by Nishi al. P.N. 6,058,322 (Nishikawa).
30	US20040133094A1	10/24/2003	7/8/2004	6/11/2008	N/FR	102 rejection	N/A	Claims 1-33 are rejected under 35 U 102(e) as being anticipated by Achar al. (6922462).
31	US20040170304A1	2/28/2003	9/2/2004	12/28/2006	FR	103 rejection	N/A	N/A
32	US20040176697A1	11/3/2003	9/9/2004	3/24/2005	N/FR	102, 103 and 112 rejections	N/A	Claims 1-3, 15, 17-1 9 and 21-23 are rejected under 35 U.S.C. 102(b) as b anticipated by Prezas et al. (U.S. Pat No. 4,616,659).
33	US20040181260A1	3/11/2004	9/16/2004	8/30/2006	N/FR	102, 103 and 112 rejections	N/A	Claims 1-8,14,15 and 18 are rejected 35 U.S.C. 102@) as being anticipate Binder (US 6,174,289).

34	US20040249778A1	4/16/2004	12/9/2004	3/8/2006	N/FR	103 and 112 rejections	N/A	N/A
35	US20040260178A1	6/23/2003	12/23/2004	11/15/2005	N/FR	102 and 112 rejections	N/A	1.Claims I , 4 - 5, 7-10 are rejected u 35 U.S.C. 102(e) as being anticipate Sun et al (US681 1536 82) 2. Claims 5, 7 - 10 are further rejected under 3 U.S.C. 102(b) as being anticipated b et a 1 (US6273854 Bl) 3. Claims 1-2 and 39-42 are rejected under 35 U.S 102(e) as being anticipated by Gurac (US6464640 Bl)
36	US20040267101A1	1/12/2004	12/30/2004	7/25/2005	FR	102 and 112 rejections	N/A	Claims 1 - 3, 5 - 8, and 13 - 17 are re under 35 U.S.C. 102(b) as being anti by Barkenhagen.
37	US20050075542A1	6/18/2003	4/7/2005	1/24/2008	FR	102, 103 and 112 rejections	N/A	1. Claims 63,113,114,117,118,119, a are rejected under 35 U.S.C. 102(e) being anticipated by Ark et al. US Pa Number 6,190,314 B1. 2. Claims 63, and 114 are rejected under 35 U.S.C 102(b) as being anticipated by Alyfuk US Patent Number 5,410,471 A.
38	US20050256389A1	5/17/2005	11/17/2005	2/13/2008	FR	103 rejection	N/A	N/A
39	US20050256689A1	5/13/2004	11/17/2005	7/2/2007	N/FR	102 and 103 rejections	N/A	Claims 1-9, 13, 18-19, 25, 31-35, 39, 42-44,48-53, 55-59, and 63 are rejec under 35 U.S.C. 102(b) as being anti by Shechtman et al. (USPN 652426

40	US20060017576A1	10/29/2004	1/26/2006	7/25/2006	N/FR	102 and 103 rejections	N/A	Claims 1 4, 8 and 11-12 are rejected 35 U.S.C. 102 (e) as being anticipate Linder (US 6681003).
41	US20060020197A1	7/9/2004	1/26/2006	5/30/2008	FR	102 and 103 rejections	N/A	Claims 1, 15-16,19-20,30-31 are reje under 35 U.S.C. 102(b) as being unpatentable over Wedeen (U.S. 2002/0042569 Al) in view of Hanawa (U.S. 6,023,634).
42	US20060020223A1	7/20/2004	1/26/2006	5/23/2008	FR	102, 103 and 112 rejections	N/A	Claims 1-4, 6-9, 11-17, 19-22 and 24 rejected under 35 U.S.C. 102(e) as b anticipated by Galloway et al. (US 200410087838)
43	US20060052717A1	8/31/2005	3/9/2006	2/12/2008	FR	102 rejection	N/A	Claims 1-1 0 are rejected under 35 U 102(b) as being anticipated by Linh ("On-line Heart Beat Recognition Usi Hermite Polynomials and Neuro-Fuz Network").
44	US20060085048A1	10/19/2005	4/20/2006	9/17/2008	N/FR	102 and 103 rejections	N/A	1. Claims 1-12, 14-27, 29-45, 47-51, 64, 66-68 and 70 are rejected under U.S.C. 102(b) as being anticipated b Pearlman (U.S. Pat. 5,810,742). 2. C 1-1 2, 14-32, 34-45, 47-57, 59-64, 66 and 70 are rejected under 35 U.S.C. as being anticipated by Cory et al. (U Pub. 200310009111 hereinafter "Cor
45	US20060112754A1	7/11/2005	6/1/2006	6/4/2007	N/FR	101, 102 and 103 rejections	Claims 13-14 are rejected under 35 U.S.C. 101 because the	1. Claims I , 3, 8 and 10-12 are rejec under 35 U.S.C. 102(a and e) as bei anticipated by Carlson et al US-2003 22663. 2. Claims I , 3, 8 and 10-1 2 a

							claimed invention is directed to non-statutory subject matter.	rejected under 35 U.S.C. 102(b) as b anticipated by Mohri US 200210012(
46	US20060206019A1	12/22/2005	9/14/2006	6/17/2008	N/FR	102 and 103 rejections	N/A	Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated b Hersh et a1.?63 1 (USPN 4,807,63 1
47	US20060241510A1	8/3/2005	10/26/2006	6/4/2007	N/FR	102 rejection	N/A	Claims 56-58, 61 -63, 65, 67-73, 75, 07, 109-1 15, 139-141, 144-146, 148 56, 158, 165-1 67, and 169-1 75 are rejected under 35 U.S.C. 102(a) as b anticipated by Lange (US Patent 707
48	US20060247502A1	4/28/2005	11/2/2006	2/26/2008	FR	103 rejection	N/A	N/A
49	US20070066893A1	11/29/2005	3/22/2007	2/26/2008	FR	103 rejection	N/A	N/A
50	US20070145137A1	12/27/2005	6/28/2007	8/31/2007	N/FR	103 rejection	N/A	N/A
51	US20070214002A1	4/30/2002	9/13/2007	3/8/2007	FR	102 and 103 rejections	N/A	Claims 1-41 are rejected under 35 U 102(e) as being anticipated by Malik (US2001/0037219).
52	US20040181130A1	3/12/2004	9/16/2004	N/A	N/A	Examination information not available	N/A	N/A
53	US20040193067A1	3/24/2004	9/30/2004	N/A	N/A	Examination information not available	N/A	N/A
54	US20040254480A1	2/25/2004	12/16/2004	N/A	N/A	Examination information not available	N/A	N/A
55	US20050241639A1	7/12/2005	11/3/2005	N/A	N/A	Examination information not available	N/A	N/A
56	US20050261599A1	5/21/2004	11/24/2005	N/A	N/A	Examination information not available	N/A	N/A
57	US20060111944A1	12/2/2005	5/25/2006	N/A	N/A	Examination information not available	N/A	N/A
58	US20060173708A1	1/28/2005	8/3/2006	N/A	N/A		N/A	N/A

						Examination information not available		
59	US20070053558A1	9/6/2005	3/8/2007	N/A	N/A	Examination information not available	N/A	N/A
60	US20070149890A1	12/22/2005	6/28/2007	N/A	N/A	Examination information not available	N/A	N/A
61	US20040010185A1	7/11/2002	1/15/2004	N/A	N/A	Examination information not available	N/A	N/A
62	US20030194118A1	4/22/2003	10/16/2003	N/A	N/A	Examination information not available	N/A	N/A
63	US20070179398A1	8/24/2005	8/2/2007	N/A	N/A	Examination information not available	N/A	N/A