

The following list contains the entire submission submitted July 09, 2021 04:40:02pm ET, and is formatted for ease of viewing and printing.

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## Contact information

<b>First name</b>	Alex
<b>Last name</b>	Moss
<b>Country</b>	United States
<b>Company/Organization</b>	Public Interest Patent Law Institute
<b>Email</b>	alex@piplus.org

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## Request

**Request ID** 234931

**Confirmation ID** 234406

**Request description** All guidance, training materials, claim charts, instructional videos, and other electronic or printed matter, including model and exemplary claim analyses, provided to patent examiners regarding the application of Section 101 of the Patent Act, including the application of Supreme Court and Federal Circuit decisions applying Section 101.

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## Supporting documentation

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## Fees

**Request category ID** other

**Fee waiver** yes



1) Release of the requests is in the public's interest because they will contribute significantly to public understanding of the government's operations or activities for the following reasons: (i) The records relate to the "the operations or activities of the government" because patent examination by the USPTO is an operation or activity of the government; (ii) The disclosure is "likely to contribute" to an understanding of government operations or activities because it will help the public understand how the USPTO is applying Section 101 of the Patent Act to patent examinations under review; (iii) The disclosure will contribute to "public understanding," that is, "the understanding of a reasonably broad audience of persons interested in the subject" because requestor Public Interest Patent Law Institute will publish responsive records and analyses thereof through reports, press releases, online posts, newsletters and/or other media to raise awareness and increase the understanding of as broad an audience as possible; and (iv) The disclosure is likely to contribute "significantly" to public understanding of government operations or activities because the government has requested public comment on the impact of patent-eligibility jurisprudence

**Explanation**

(<https://www.federalregister.gov/documents/2021/07/09/2021-14628/patent-eligibility-jurisprudence-study>), and the disclosure will provide the public with essential information about how that jurisprudence is being applied by the USPTO, and thus the extent to which the USPTO is accurately applying Supreme Court and Federal Circuit precedents on patent-eligibility, which will significantly improve the public's ability to understand and comment on the impact of patent-eligibility jurisprudence. 2) Disclosure of the information requested is not primarily in the commercial interest of requesters Public Interest Patent Law Institute. Any information obtained as a result of this FOIA request will be made available to the public at no cost. For these reasons, this request for a full fee waiver should be granted. Alternatively, if the full fee waiver is not granted, Requestor seeks all applicable reductions in fees. If no fee waiver is granted and the anticipated costs associated with this request exceed \$25.00, please notify Requestor to obtain consent and provide an estimate of the additional fees.

**Willing to pay**

\$0

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**Expedited processing**

**Expedited Processing**

yes

**Explanation**

Public comments regarding the impact of patent-eligibility jurisprudence are due to the PTO by September 7, 2021. Given the relevance of the PTO's patent-eligibility guidance to its application of patent-eligibility jurisprudence, and thus its relevance to the subject of the PTO's request for comment--the impact of patent-eligibility jurisprudence--the public urgently needs information about the PTO's patent-eligibility guidance and training materials before the comment period elapses in less than sixty (60) days.