

DATA ENGINE TECH. LLC v. GOOGLE LLC, Appeal No. 2017-1135 (Fed. Cir. October 9, 2018) (Reyna, Bryson, and Stoll). Appealed from D. Del. (Judge Stark).

Background:

Data Engine Tech. (DET) is the owner of the four patents-in-suit. Three of the four patents (collectively, the Tab patents) are directed to methods of navigating through complex three-dimensional electronic spreadsheets. The Tab patents use notebook tabs as interface objects to navigate through multiple pages of spreadsheets to improve the conventional process of searching for, memorizing, and entering complex commands. The fourth patent ('146 patent) is directed to methods for tracking changes to data in spreadsheets by creating and tracking various versions of a data model set in a spreadsheet.

DET filed an infringement suit against Google, and Google filed a motion for judgment on the pleadings arguing that all of DET's patents are invalid under 35 U.S.C. §101. The district court granted the motion reasoning that the Tab patents were directed to the abstract idea of using notebook-type tabs to label and organize spreadsheets, and the '146 patent was directed to the abstract idea of collecting spreadsheet data, recognizing changes to the spreadsheet data, and storing information about the changes. DET appealed.

Issues/Holdings:

Did the district court err in granting the motion finding the Tab patents ineligible under 35 U.S.C. §101? - Yes, reversed in part.

Did the district court err in granting the motion finding the '146 patent ineligible under 35 U.S.C. §101? - No, affirmed.

Discussion:

The Federal Circuit held that the Tab patents are not directed to an abstract idea under the first step of the *Alice* analysis. The Federal Circuit analogized to the claims in *Core Wireless*, and found that the claimed methods provide a specific solution to then-existing technological problems in computers and conventional electronic spreadsheets. The Tab patents solved these technical problems by providing "a highly intuitive, user-friendly interface with familiar notebook tabs for navigating the three-dimensional worksheet environment." Although tabs existed outside the context of electronic spreadsheets prior to the claimed invention, the Federal Circuit found that the specification, in combination with extrinsic evidence at the time of invention, such as magazine and newspaper articles, showed that the improved method implementing the tabs into spreadsheets allowed computers to provide more rapid navigation and processing of information in different spreadsheets. The Federal Circuit held that these improvements are recited in the claims, and thus the claims are not directed to an abstract idea.

The Federal Circuit held that the '146 patent was patent ineligible because the claims are merely directed to the abstract idea of collecting spreadsheet data, recognizing changes to the data, and storing information about the changes. The Federal Circuit held that merely manually tracking modifications across multiple sheets is an abstract idea, and the automation of this process does not negate the abstractness.