

Your webshop is patented

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<http://eu.ffii.org>

10 November 2004

Introduction

- Quote from the Commission's memorandum:
 - “By **codifying** the requirement for a **technical contribution**, the Directive should ensure that patents for “pure” business methods or more generally social processes will not be granted”

Practice

- “Technical contribution” is already required today by the EPO
- Use: separate “technical” from “non-technical” business methods
- Cfr. Council (rec. 13a): “Accordingly, a computer-implemented **business method**, [...] in which the only **contribution** to the state of the art is **non-technical cannot** constitute a **patentable** invention.”

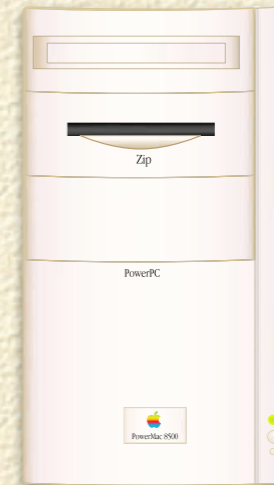
Detail: webshop



□ EP803105:



Merchant



Payment Processor

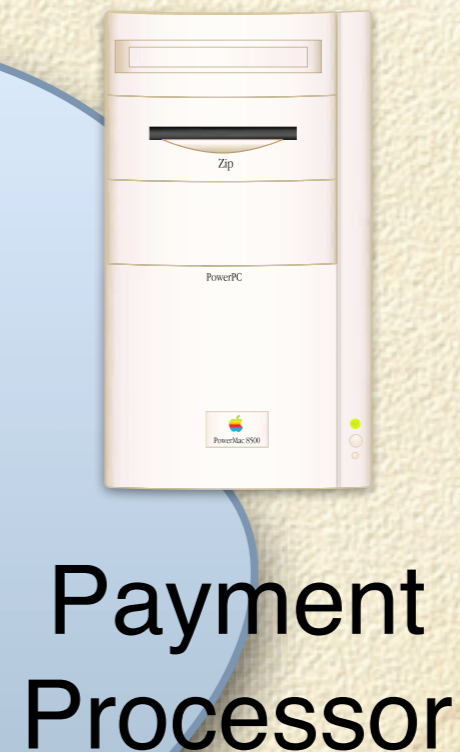
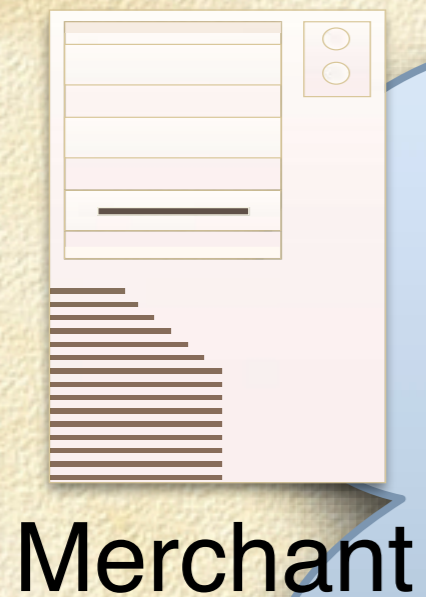


Buyer

Detail: webshop



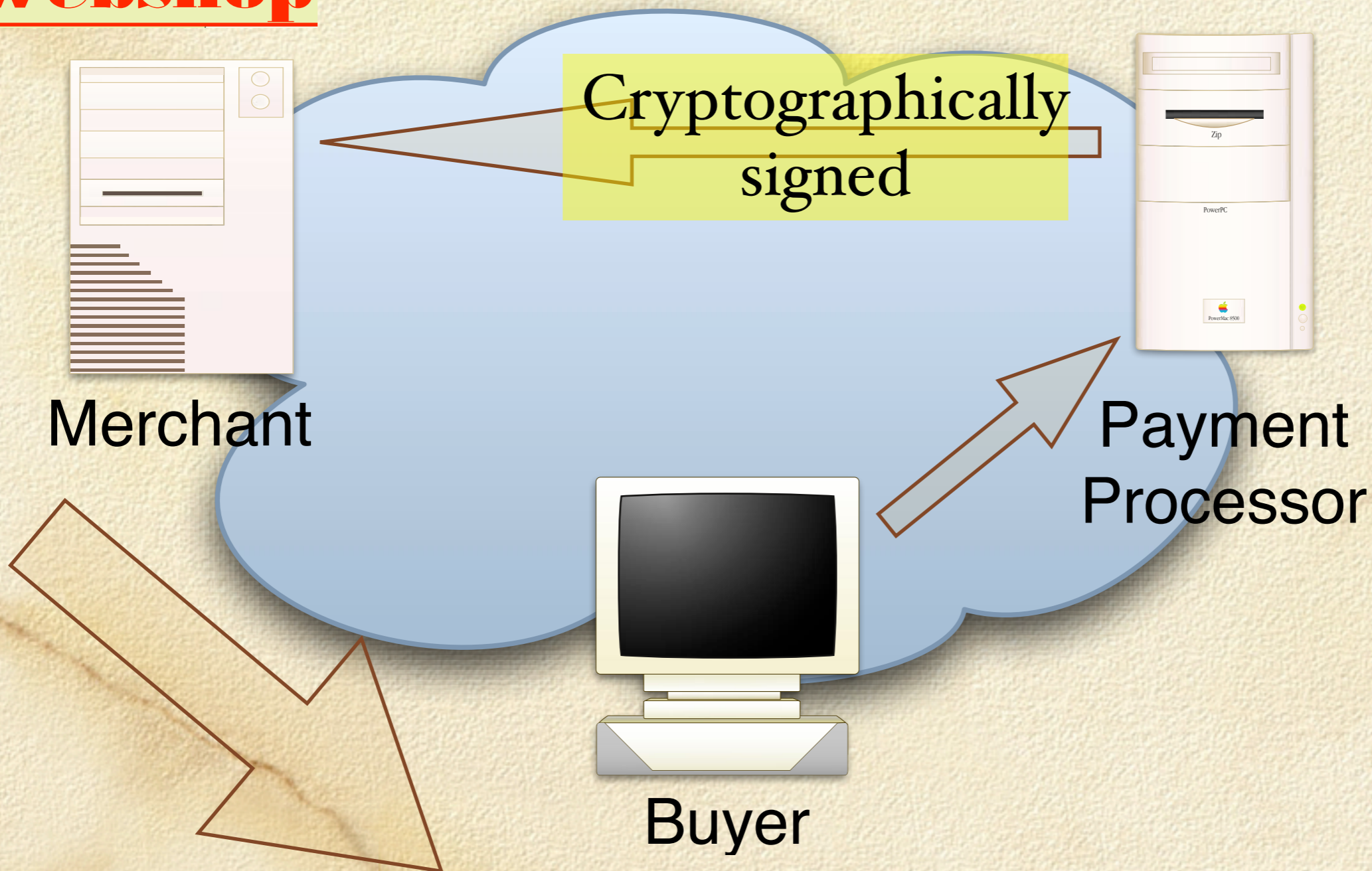
□ EP803105:



Detail: webshop



EP803105:

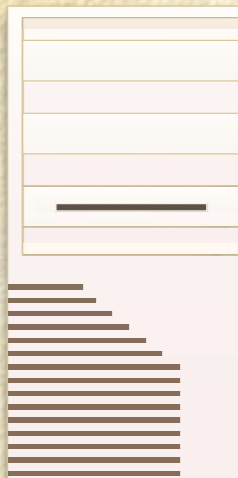


Detail: webshop

http://webshop

1

webshop



Merchant

Technical Contribution:

Settling the payment happens directly between the buyer and the payment processor.

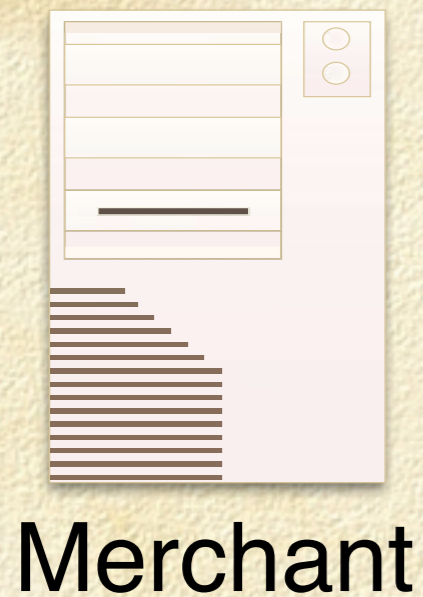


Buyer

Detail: Webshop

Add to shopping cart

□ EP784279 and EP807891



Buyer

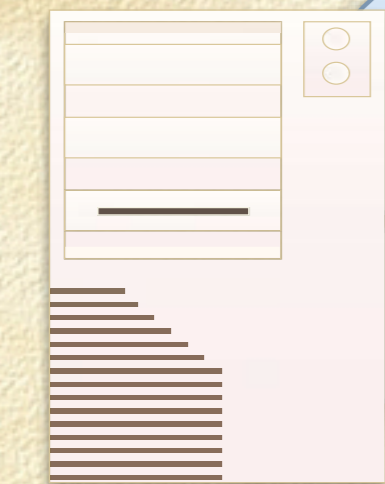
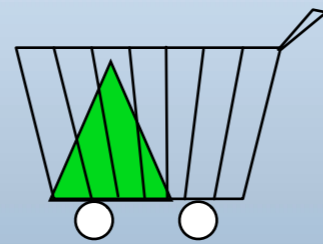


Detail: Webshop

Add to shopping cart

□ EP784279 and EP807891

This is you cart:



Merchant



Buyer

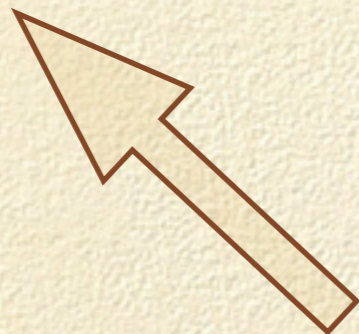
Detail: Webshop

Add to shopping cart

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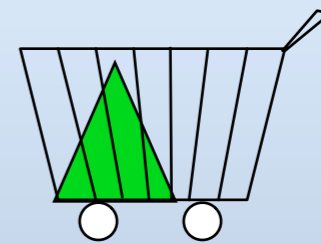


Merchant

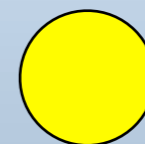


Buyer

This is my cart:



Add this to it:

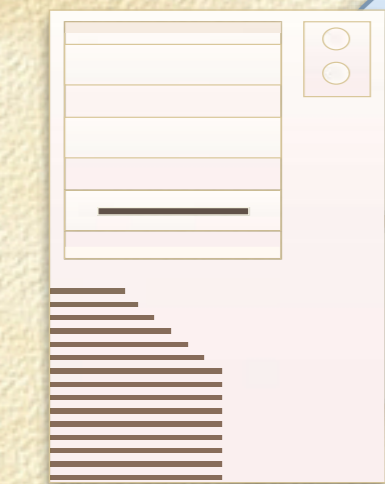


Detail: Webshop

Add to shopping cart

□ EP784279 and EP807891

This is you cart:



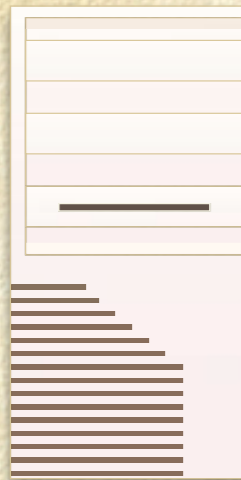
Merchant



Buyer

Detail: Webshop

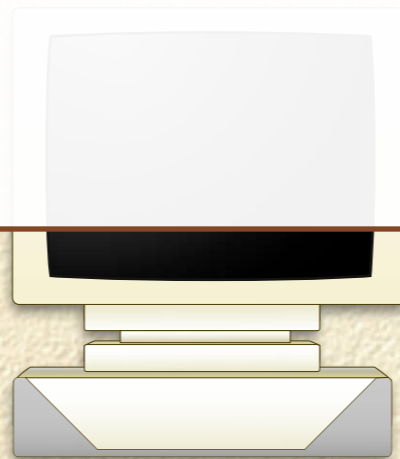
Add to shopping cart



Merch

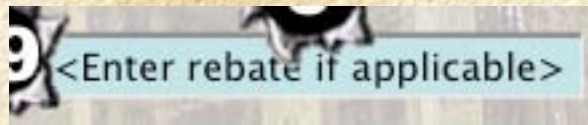
Technical Contribution:

The buyer keeps track of what is in his shopping cart, instead of the merchant.



Buyer

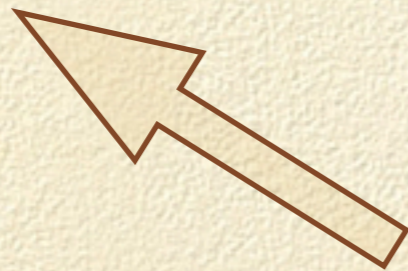
Detail: Rebate codes



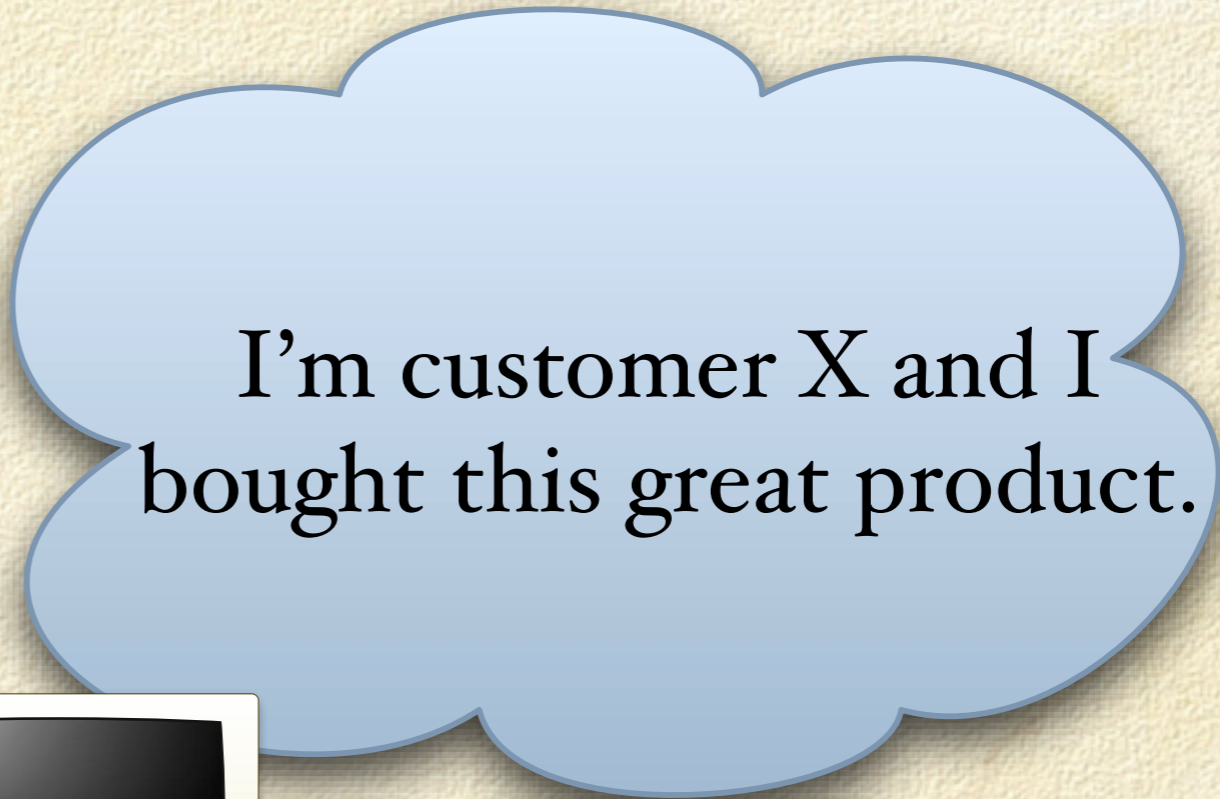
□ **EP370847:**



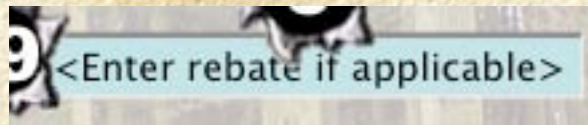
Merchant



Buyer



Detail: Rebate codes



■ **EP370847:**

Hi, customer X. You have to pay EUR 50.23 are eligible for a rebate of EUR 25.63.

How much of it do you want to use now?

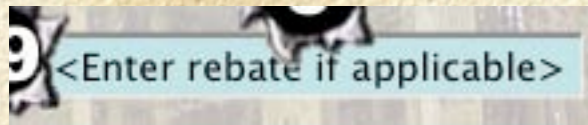


Merchant



Buyer

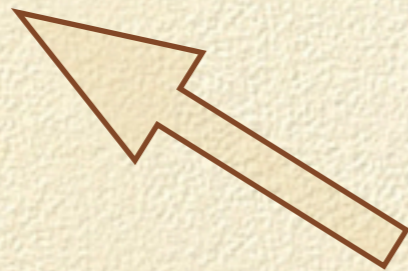
Detail: Rebate codes



□ **EP370847:**



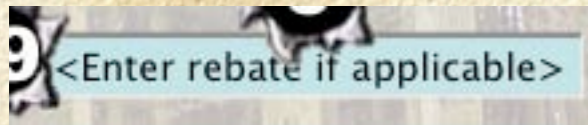
Merchant



Buyer



Detail: Rebate codes

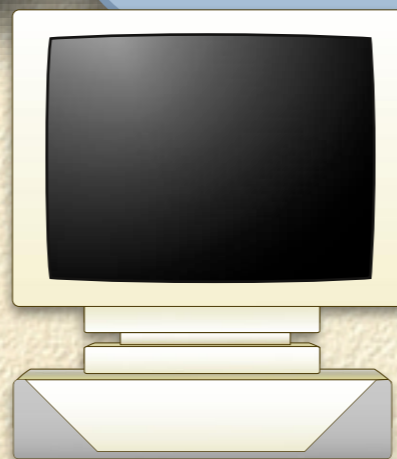
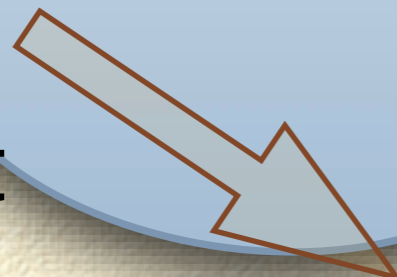


■ **EP370847:**

Ok, then you still have to pay 25 EUR and have 40 cents rebate left for the next time.

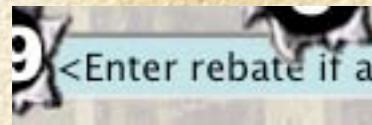


Merchant



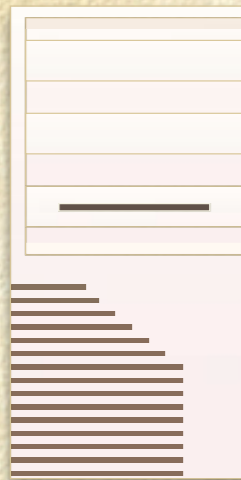
Buyer

Detail: Rebate codes



EP370847: Technical Contributions:

- You can use fractions of your rebate
- You can save left-overs of your rebate for later



Merchant



Buyer

Conclusion

- ❑ The requirement for a “technical contribution” does not prevent business method patents
- ❑ Many business method patents have already been granted in Europe
- ❑ Those patents are similar in scope to their US counterparts