

WHAT IS A BUSINESS METHOD PATENT?

- **Patent Office class 705 definition:**
- **Machines and method of performing data processing or calculation operations, where the machine or method is utilized:**
- **In the practice, administration or management of an enterprise;**
- **In the processing of financial data; or**
- **In the determination of the charge for goods or services.**

AMAZON.COM PATENT 5,960,411 ("ONE-CLICK")

- **CLASS 705**

- **SUBCLASS 26** - Electronic shopping (e.g., remote ordering):

Under subclass 1. Subject matter drawn to a computerized arrangement which enables a purchaser to inspect or select from a plurality of different items, or effect a purchase of one or more items at a location graphically separated from the system user.

(1) Note. A remote shopping system is included in this subclass.

(2) Note. Browsing of a selection without a purchase transaction is classified in this or its indented subclass.

ASSAULT ON BUSINESS METHOD PATENTS

- **Patently Absurd - it could kill e-commerce**
(NY Times, March 12, 2000)
- **U.S. Will give Web Patents More Scrutiny**
(Wall Street Journal, March 29, 2000)
- **Bar Reacts to Bezos Reform Plan**
(National Law Journal, March 20, 2000)



US005960411A

United States Patent [19]

Hartman et al.

[11] Patent Number: 5,960,411

[45] Date of Patent: Sep. 28, 1999

[54] METHOD AND SYSTEM FOR PLACING A PURCHASE ORDER VIA A COMMUNICATIONS NETWORK

[75] Inventors: **Pert Hartman, Jeffrey P. Bezos, Shel Kaphan, Joel Spiegel**, all of Seattle, Wash.

[73] Assignee: **Amazon.com, Inc.**, Seattle, Wash.

[21] Appl. No.: 08/928,951

[22] Filed: Sep. 12, 1997

[51] Int. Cl.⁵ G06F 17/60

[52] U.S. Cl. 705/26; 705/27; 345/962

[58] Field of Search 705/26, 27; 380/24, 380/25; 235/2, 375, 378, 381; 395/188.01; 345/962

[56] References Cited

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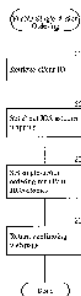
(List continued on next page.)

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Assistant Examiner—Demetra R. Smith
Attorney, Agent, or Firm—Perkins Coie LLP

[57] ABSTRACT

A method and system for placing an order to purchase an item via the Internet. The order is placed by a purchaser at a client system and received by a server system. The server system receives purchaser information including identification of the purchaser, payment information, and shipment information from the client system. The server system then assigns a client identifier to the client system and associates the assigned client identifier with the received purchaser information. The server system sends to the client system the assigned client identifier and an HTML document identifying the item and including an order button. The client system receives and stores the assigned client identifier and receives and displays the HTML document. In response to the selection of the order button, the client system sends to the server system a request to purchase the identified item. The server system receives the request and combines the purchaser information associated with the client identifier of the client system to generate an order to purchase the item in accordance with the billing and shipment information whereby the purchaser effects the ordering of the product by selection of the order button.

26 Claims, 11 Drawing Sheets



SPECIFICATION

This embodiment supports the single-action ordering over the Internet using the World Wide Web. The server system 210 includes a server engine 211, a client identifier/customer table 212, various Web pages 213, a customer database 214, an order database 215, and an inventory database 216. The server engine receives HTTP requests to access Web pages identified by URLs and provides the Web pages to the various client systems. Such an HTTP request may indicate that the purchaser has performed the single action to effect single-action ordering. The customer database contains customer information for various purchasers or potential purchasers. The customer information includes purchaser-specific order information such as the name of the customer, billing information, and shipping information. The order database 215 contains an entry for each order that has not yet been shipped to a purchaser. The inventory database 216 contains a description of the various items that may be ordered.

Client

220

221

Browser

222

Client ID

Server

210

213

Web pages

211

Server Engine

212

Client ID/
Customer
Table

214

Customer
Database

215

Order
Database

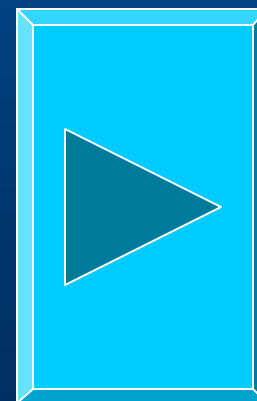
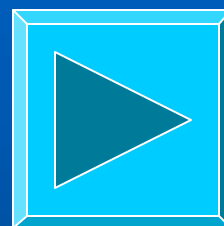
216

Inventory
Database

230

STEPS TO GETTING A PATENT

- CONCEPTION
- PRIOR ART SEARCH
- DRAFT APPLICATION
- FILE APPLICATION
- PROSECUTION
- ISSUE
- MAINTENANCE FEES



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<ALIGN="RIGHT"

Field Code	Field Name	Field Code	Field Name
PN	Patent Number	IN	Inventor Name
ISD	Issue Date	IC	Inventor City
TTL	Title	IS	Inventor State
ABST	Abstract	ICN	Inventor Country
ACLM	Claim(s)	LREP	Attorney or Agent
SPEC	Description/Specification		

PAT. NO. Title

1. 6067,565 Technique for prefetching a web page of potential future interest in lieu of continuing a current information download
2. 6064,980 System and methods for collaborative recommendations
3. 6063,028 Automated treatment selection method
4. 6055,551 Computer system and method for process safety management hazard reviews
5. 6049,777 Computer-implemented collaborative filtering based method for recommending an item to a user
6. 6041,311 Method and apparatus for item recommendation using automated collaborative filtering

United States Patent 6,064,980

Jacobi , et al.

May 16, 2000

System and methods for collaborative *recommendations*

Abstract

A recommendation service is disclosed which uses collaborative filtering techniques to recommend books to users of a Web site. The Web site includes a catalog of the various titles that can be purchased via the site.

Inventors: Jacobi; Jennifer A. (Seattle, WA); **Benson; Eric A.** (Seattle, WA)

Assignee: Amazon.com, Inc. (Seattle, WA)

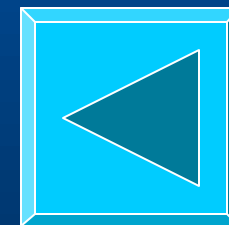
Appl. No.: 040171

Filed: March 17, 1998

U.S. Class: 705/26; 705/1; 705/27

Intern'l Class: G06F 017/60

Field of Search: 705/26,27,1



BUSINESS METHOD PATENTS WHO'S GETTING THEM IN THE US (1995-1999)

● Pitney-Bowes	77
● Fujitsu	64
● IBM	58
● NCR	30
● Hitachi	27
● Citibank	22

BUSINESS METHOD PATENTS

WHO'S GETTING THEM IN THE US

(29 issued on May 16, 2000)

- **6,064,967 - INTERNET-AUDIOTEXT ELECTRONIC ADVERTISING SYSTEM WITH INVENTORY MANAGEMENT - Gregory Speicher**
- **6,064,978 - QUESTION AND ANSWER SYSTEM USING COMPUTER NETWORKS - Experts Exchange, Inc.**
- **6,064,979 - METHOD OF AND SYSTEM FOR FINDING AND SERVING CONSUMER PRODUCT RELATED INFORMATION OVER THE INTERNET USING MANUFACTURER IDENTIFICATION NUMBERS - IPF, Inc (Darien)**
- **6,064,980 - SYSTEM AND METHODS FOR COLLABORATIVE RECOMMENDATIONS - Amazon.com**
- **6,064,982 - SMART CONFIGURATOR - Netscape Communications Corp.**

REST OF THE WORLD

- **EUROPE** - Computer programs patentable if they achieve a predetermined technical effect.
- **JAPAN** - Computer program must (1) apply a scientific principle; (2) have industrial applicability; and (3) include an inventive step.
- **CANADA** - Computer programs patentable.

1. A method of placing an order for an item comprising:

under control of a client system,

displaying information identifying the item; and

in response to only a single action being performed, sending a request to order the item along with an identifier of a purchaser of the item to a server system;

under control of a single-action ordering component of the server system,

receiving the request;

retrieving additional information previously stored for the purchaser identified by the identifier in the received request; and

generating an order to purchase the requested item for the purchaser identified by the identifier in the received request using the retrieved additional information; and

fulfilling the generated order to complete purchase of the item

whereby the item is ordered without using a shopping cart ordering model.

The Patent Laws

35 United States Code

- **§271** - Whoever without authority makes, uses, offers to sell or sells any patented invention within the United States or imports into the United States any patented invention during the term of the patent therefor, infringes the patent.
- **§281** - A patentee shall have a remedy by civil action for infringement of his patent.

What to do When Charged With Infringement?

- **Advice of Counsel**
- **Better Prior Art**
- **Challenge Validity and/or Enablement**
- **Establish Prior User Rights**
- **Review War Chest**
- **Seek a License**

Why Business Method Patents are Good

- **Rewards and Encourages R&D**
- **Publishes Concept, Allows Design Around**
- **Growing Patent Office Data Base for Searching**