



In the Press: CLS Bank v Alice decision signals showdown on patentable subject matter

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The CLS Bank v Alice decision may signal an unavoidable showdown that is brewing among judges who disagree on what constitutes patentable subject matter, said lawyers this week.

While analysing court decisions on patents during a panel discussion on Wednesday, partners and in-house counsel said recent rulings had highlighted “potential confusion and ambiguity”. Some lawyers suggested that further decisions are needed to clarify the scope of the abstract ideas exemption.

Panelist [Charles Macedo](#), a partner of Amster Rothstein & Ebenstein, said two different schools of thought had become apparent in the Federal Circuit’s decision on [CLS Bank v Alice](#) earlier this month, which upheld Australian company Alice’s patent claims relating to a computerised trading platform in a 2-1 ruling.

Macedo noted that the case is one of the only Federal Circuit or Supreme Court decisions to uphold the eligibility of a financial services patent. “The most telling thing about CLS v Alice is that it’s evidencing a showdown...”

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