



In The Press: Bilski to raise questions for different industries

-Managing Intellectual Property, 17 November 2008, Eileen McDermott, New York

Patent practitioners highlighted the looming questions facing various industries as a result of the US Federal Circuit decision in *In re Bilski* in a web seminar held last week.

The eagerly awaited *Bilski* decision was [published](#) on October 30. While the Court reaffirmed that business methods are patentable, it rejected its previous "useful, concrete and tangible result" test, saying the "machine-or-transformation" test set out by the Supreme Court is the proper test to apply.

That test requires that, to be patentable, an invention must either be somehow tied to a machine or transformed into "a different state or thing".

The participants in Managing IP's webcast, held last Tuesday, dissected what the test means, what the decision as a whole signifies for the future for business method patents and what implications *Bilski* will have in other areas, such as life sciences.

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