

Chapter 2100: Patentability

- 2103 Patent Examination Process
- 2104 Patentable Subject Matter
- 2105 Patentable subject matter - living subject matter
- 2106 Patent Subject Matter Eligibility
 - 2106.01 Subject Matter Eligibility Analysis of Process Claims Involving Laws of Nature
- 2107 Guidelines for Examination of Applications for Compliance with the Utility Requirement
 - 2107.01 General Principles Governing Utility Rejections
 - 2107.02 Procedural Considerations Related to Rejections for Lack of Utility
 - 2107.03 Special Considerations for Asserted Therapeutic or Pharmacological Utilities
- 2111 Claim Interpretation; Broadest Reasonable Interpretation
 - 2111.01 Plain Meaning
 - 2111.02 Effect of Preamble
 - 2111.03 Transitional Phrases
 - 2111.04 “Adapted to,” “Adapted for,” “Wherein,” and “Whereby” Clauses
 - 2111.05 Functional and Nonfunctional Descriptive Material
- 2112 Requirements of Rejection Based on Inherency; Burden of Proof
 - 2112.01 Composition, Product, and Apparatus Claims
 - 2112.02 Process Claims
 - I. PROCESS CLAIMS — PRIOR ART DEVICE ANTICIPATES A CLAIMED PROCESS IF THE DEVICE CARRIES OUT THE PROCESS DURING NORMAL OPERATION
 - II. PROCESS OF USE CLAIMS — NEW AND UNOBVIOUS USES OF OLD STRUCTURES AND COMPOSITIONS MAY BE PATENTABLE
- 2113 Product-by-Process Claims
- 2114 Apparatus and Article Claims — Functional Language
- 2115 Material or Article Worked Upon by Apparatus

2116 Material Manipulated in Process

2116.01 Novel, Unobvious Starting Material or End Product