

USPTO Issues New Patent-Eligibility Guidelines

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On December 15, 2014, the U.S. Patent and Trademark Office issued new guidelines for examiners for determination of patent eligibility in light of the Supreme Court's recent decisions in *Alice Corp.*, *Myriad*, and *Mayo*. [2014 Interim Guidance on Patent Subject Matter Eligibility](#) ("Guidelines"). The Guidelines were widely seen as significantly scaling back the restrictions on what is patent eligible compared to the previous guidelines issued in March. Ironically, the Federal Circuit's decision in the *Myriad* case, discussed above, was issued just two days after the new Guidelines, and went in the opposite direction. If *Myriad* remains unchanged through further review, the Guidelines may need to be revised again to comport with the Federal Circuit's more restrictive view.

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