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Patent Law Works LLP/CVS Pharmacy, Inc. 310 East 4500 South, Suite 400 Salt Lake City, UT 84107			BARR. MARY EVANGELINE	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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DETAILED ACTION

Notice of Pre-AIA or AIA Status

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/12/2020 has been entered.

Status of the Application

3. **Claims 1-20** are currently pending in this case and have been examined and addressed below. This communication is a Non-Final Rejection in response to the Amendment to the Claims and Remarks filed on 05/12/2020.

- Claims 1 and 12 have been amended.
- Claims 2-11 and 13-19 are as previously presented.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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5. **Claims 1-20** are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more.

Claims 1-11 are drawn to a method for authenticating a user which is within the four statutory categories (i.e. process). **Claims 12-20** are drawn to a system for authenticating a user which is within the four statutory categories (i.e. machine).

Claims 1-11 are directed to the abstract idea of authenticating a user of a store account to a pharmacy account using additional authentication information. The abstract idea for **Claims 12-20** is similar to the abstract idea for the **Claims 1-11**. Claims 1 and 12 are directed to certain methods of organizing human activity including managing personal behavior or relationships or interactions between people.

The limitation of authenticating the first user, as drafted, is a step executed by a system that, under its broadest reasonable interpretation, covers managing interactions between people but for the recitation of generic computer components. That is, other than reciting “a computer processor” for, nothing in the claim elements precludes the step from being a function which is an interaction between people. For example, but for the “computer processor” language, authenticating the first user in the context of this claim encompasses a person comparing the authentication information to stored information to ensure they match in order to authenticate the identity of the first user. Checking a person’s identity is a personal interaction which includes following particular rules in order to authenticate them as the person who matches the identity given. Similarly, the limitations of verifying the extracted information related to the pharmacy prescription is valid and associated with a particular user,

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determining the particular user is a second user, and identifying the second account associated with the second user by searching a second account database for an entry matching the extracted information related to the pharmacy prescription, as drafted, under its broadest reasonable interpretation, covers a method of organizing human activity which includes a person following a set of rules or instructions to validate information and match the second user and second account. These steps ensure the second account is associated with the second user which is similar to the authenticating the first user step. Creating a link between the first account of the first user and the second account of the second user to provide permission to access entries in the second database and then generating and transmitting a message to notify the first user of the link and to access the second database is also a method of organizing human activity which includes managing personal behavior or interaction. Creating a link involves following rules or instructions to connect the two accounts in any manner such as adding a unique number to each account for reference. Linking accounts is a commercial interaction to give access to information to a user who has been determined to be eligible to have access to the information which includes business relations between the owner of the account and the client. Providing permission for access to the second account database is also an activity which falls in the grouping of certain methods of organizing human activity. Granting or providing permission for an individual to have access to information is managing personal interactions which can be a user interacting with another individual to be granted the permission where the individual is someone with the authority to grant permission or can be an interaction with a computer where the computer has authority to grant permission based on following a set of rules or instructions for what is required for the permission to be provided.

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Generating a message for the first user is a personal interaction between the person and the first user to pass information which allows the first user to access the linked information.

Permitting access is a method of organizing human activity. If a claim limitation, under its broadest reasonable interpretation, covers managing personal behavior or relationships or interactions between people including teaching and following rules or instructions, but for the recitation of generic computer components, then it falls within the "Certain Methods of Organizing Human Behavior" grouping of abstract ideas. Accordingly, the claim recites an abstract idea.

This judicial exception is not integrated into a practical application because the additional elements and combination of additional elements do not impose meaningful limits on the judicial exception. In particular, the claims only recite the additional elements—a network interface for communication with a device, a non-volatile computer memory for storing information, a computer processor for receiving data over a network and performing the steps of the abstract idea, and camera coupled to the computer processor for capturing electronic data from a prescription bottle. The interface, memory and processor in these steps is recited at a high-level of generality (i.e., as a Wi-Fi or ETHERNET port used as a network interface, and a generic processor and computing device with memory storing instructions for performing a generic computer functions) such that it amounts to no more than mere instructions to apply the exception using a generic computer component. The camera is described in the specification as an image-capture device including a smartphone camera, digital camera, scanner, etc. ([0017]) which is recited at a high level of generality such that it also amounts to no more than mere instructions to apply the exception using a generic

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computer component. Accordingly, these additional elements do not integrate the abstract idea into a practical application because it does not impose any meaningful limits on practicing the abstract idea. The claims also recite the additional elements of receiving authentication information over a communication network from a client device, electronically capturing electronic data from a prescription bottle label using a camera, receiving electronic data captured by the client device from the prescription bottle label and comprising information related to a pharmacy prescription, electronically extracting electronic information related to the pharmacy prescription from the electronic data and electronically decoding the encoded portion, and receiving additional authentication information which amount to insignificant extra-solution activity, as in MPEP 2106.05(g), because the steps of receiving information and extracting information from electronic data is mere data gathering in conjunction with the abstract idea where the limitation amounts to necessary data gathering and outputting, (*i.e.*, all uses of the recited judicial exception require such data gathering or data output). See *Mayo*, 566 U.S. at 79, 101 USPQ2d at 1968; *OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1363, 115 USPQ2d 1090, 1092-93 (Fed. Cir. 2015) (presenting offers and gathering statistics amounted to mere data gathering). The electronically decoding of information is not limited to a particular process and thus amounts to mere instructions to apply the exception, as in MPEP 2106.05(f)(2), as invoking computers or machinery as a tool to perform known functions, where electronically scanning or extracting data as well as decoding data on mail items have been found to be well-known, routine and conventional activity when claimed at a high level of generality, as per MPEP 2106.05(d)(II). Because the additional elements do not impose meaningful limitations on the judicial exception, the claim is directed to an abstract idea.

The claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the additional elements when considered both individually and as an ordered combination do not amount to significantly more than the abstract idea. As discussed above with the respect to integration of the abstract idea into a practical application, the additional elements of a network interface for communication with a device, a non-volatile computer memory for storing information, and a computer processor for performing the method of the invention amounts to no more than mere instructions to apply the exception using a generic computing component. The system including the "interface", "memory" and "processor" are recited at a high level of generality and are recited as generic computer components. These elements recite a generic computing system by reciting a non-volatile main memory such as RAM, ROM or flash memory, a network interface such as any Wi-Fi or Ethernet port to connect the computer to the Internet (Specification [0036]), and generic computing system by reciting a computer processor which may be a general-purpose microprocessor (Specification [0039]), which do not add meaningful limitations to the abstract idea beyond mere instructions to apply an exception. Mere instructions to apply an exception using a generic computer component cannot provide an inventive concept. The claims also include the additional elements of receiving authentication information, receiving electronic data, electronically extracting information from the electronic data, and receiving additional authentication information which are elements that are well-understood, routine and conventional computer functions in the field of data management because they are claimed at a high level of generality and include receiving or transmitting data, which has been found to be well-understood, routine and conventional computer functions by the Court (MPEP

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2106.05(d)(II)(i) Receiving or transmitting data over a network, *e.g.*, using the Internet to gather data, *Symantec*, 838 F.3d at 1321, 120 USPQ2d at 1362 (utilizing an intermediary computer to forward information); *TLI Communications LLC v. AV Auto. LLC*, 823 F.3d 607, 610, 118 USPQ2d 1744, 1745 (Fed. Cir. 2016) (using a telephone for image transmission); *OIP Techs., Inc., v. Amazon.com, Inc.*, 788 F.3d 1359, 1363, 115 USPQ2d 1090, 1093 (Fed. Cir. 2015) (sending messages over a network); *buySAFE, Inc. v. Google, Inc.*, 765 F.3d 1350, 1355, 112 USPQ2d 1093, 1096 (Fed. Cir. 2014) (computer receives and sends information over a network); but see *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245, 1258, 113 USPQ2d 1097, 1106 (Fed. Cir. 2014) ("Unlike the claims in *Ultramercial*, the claims at issue here specify *how* interactions with the Internet are manipulated to yield a desired result—a result that overrides the routine and conventional sequence of events ordinarily triggered by the click of a hyperlink." (emphasis added)). The electronically capturing electronic data from a prescription bottle label using a camera and electronically decoding the encoded portion are also well-understood, routine and conventional activity. As per MPEP 2106.05(d)(II)(v), the courts have recognized electronically extracting data from a document to be well-understood, routine and conventional when claimed at a high level of generality or as insignificant extra-solution activity, which includes electronically scanning or extracting data from a physical document, *Content Extraction and Transmission, LLC v. Wells Fargo Bank*, 776 F.3d 1343, 1348, 113 USPQ2d 1354, 1358 (Fed. Cir. 2014) (optical character recognition)) as well as decoding data on mail items (*Return Mail, Inc. v. U.S. Postal Service*, -- F.3d --, -- USPQ2d --, slip op. at 32 (Fed. Cir. August 28, 2017)), as per MPEP 2106.05(d)(II). Additionally, the specification ([0027]) describes the optical-character recognition, edge detection, pattern matching which are used for

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extracting of information from the prescription label to be techniques that are known in the art. Thus, taken alone, the additional elements do not amount to significantly more than the above-identified abstract idea. Looking at the limitations as an ordered combination adds nothing that is not already present when looking at the elements taken individually. There is no indication that the combination of elements improves the functioning of the computer or improves another technology. The claims do not amount to significantly more than the underlying abstract idea.

Dependent **Claims 2-11 and 13-20** contain elements which serve to further limit and specify the limitations of the independent claims. The dependent claims also add additional limitations, for example **Claims 3 and 14** include transmitting a request for additional authentication information, Claim 9 recites generating challenge question-and-answer pairs, Claim 10 recites transmitting a request for sending a text message from the client device and comparing a phone number to that of the second account, and Claims 11 and 20 recite searching a database for matching accounts and transmitting a prompt to the user, but these only serve to further limit the abstract idea, and hence are nonetheless directed towards fundamentally the same abstract idea as independent **Claims 1 and 12**. The limitations of generating challenge question-and-answer pairs and comparing a phone number to a second account as well as searching for matching accounts, similar to the independent claims, are directed to certain methods of human activity including managing personal behavior or interactions. Thus, the claims are directed to an abstract idea.

The dependent claims do not integrate the exception into a practical application. The additional elements of the dependent claims, including transmitting a request and transmitting

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a prompt to a user amount to no more than insignificant extra-solution activity, as in MPEP 2106.05(g), because the step of transmitting information is mere data outputting in conjunction with the abstract idea where the limitation amounts to necessary data gathering and outputting, (*i.e.*, all uses of the recited judicial exception require such data gathering or data output). See *Mayo*, 566 U.S. at 79, 101 USPQ2d at 1968; *OIP Techs., Inc. v. Amazon.com, Inc.*, 788 F.3d 1359, 1363, 115 USPQ2d 1090, 1092-93 (Fed. Cir. 2015) (presenting offers and gathering statistics amounted to mere data gathering). Because the additional elements do not impose meaningful limitations on the judicial exception, the claims are directed to an abstract idea.

The dependent claims do not contain additional elements which amount to significantly more than the abstract idea. The additional elements of transmitting data or information are elements that are well-understood, routine and conventional computer functions in the field of data management because they are claimed at a high level of generality and include receiving or transmitting data, which has been found to be well-understood, routine and conventional computer functions by the Court (MPEP 2106.05(d)(II)(i) Receiving or transmitting data over a network, *e.g.*, using the Internet to gather data), similar to that discussed in relation to the independent claims above. Therefore, the claims do not amount to significantly more than the abstract idea and not eligible. Accordingly, Claims 1-20 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Response to Arguments

6. Applicant's arguments, see Pages 10-20, "Response to Rejections under 35 U.S.C. 101", filed 05/12/2020 with respect to claims 1-20 have been fully considered but they are not persuasive.

Applicant argues that the present claims are not directed to an abstract idea because they do not recite matter that falls within the enumerated groupings of abstract ideas because the claims do not recite matter which can be practically performed in the human mind.

Examiner notes that based on the current rejection above, the present claims are not shown to include concepts which recite mental processes. The present claims are shown to recite concepts which fall into the grouping of certain methods of organizing human activity, as per the rejection above. Therefore, the claims recite an abstract idea. The concepts which are argued by the Applicant including electronically capturing electronic data from a prescription bottle label using a camera associated with the client device and electronically extracting electronic information from the electronic data and electronically decoding the encoded portion are, as per the rejection above, additional elements which are insignificant extra-solution activity because they recite concepts which amount to necessary data gathering. The data which is extracted from the electronic data captured from a prescription bottle label is decoded from the format provided on the label and received by the server in order to be used to authenticate the user which is the abstract idea. This does not add a meaningful limitation to the function of authenticating the user of a first account to a second account, but rather it merely gathers the necessary information to carry out the authenticating, and therefore, it is insignificant extra-solution activity.

Applicant provides discussion of Example 37, Claim 2, Example 38 and Example 39 which are found eligible because the claims are found to not recite a mental process. The present claims are not eligible similar to these Examples. The present claims recite an abstract idea because they contain claim elements which fall into the abstract grouping of certain methods or organizing human activity. A claim only need limitations to fall into one of the enumerated groupings of abstract ideas to recite an abstract idea.

Applicant argues that the claims of the current invention are not directed to an abstract idea because they integrate the abstract idea into a practical application because the claims recite elements that improve technical fields related to authenticating a user based on a physical object, specifically by electronically capturing electronic data from a physical object using the camera associated with the client device. Applicant argues that similar to Example 42, Claim 1, the present claims integrate the abstract idea into a practical application. Examiner notes that Example 42, Claim 1 has been found eligible because the claim recites a combination of additional elements including storing information, providing remote access over a network, converting updated information input in a non-standardized form to a standardized format, automatically generating a message whenever updated information is stored, and transmitting the message to all of the user, which is a specific improvement over prior art systems by allowing remote users to share information in real time in a standardized format. The present claims contain additional elements which are not directed to the abstract idea including receiving authentication information over a communication network from a client device, electronically capturing electronic data from a prescription bottle label using a camera, receiving electronic data captured by the client device from the prescription bottle label and

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comprising information related to a pharmacy prescription, electronically extracting electronic information related to the pharmacy prescription from the electronic data and electronically decoding the encoded portion, and receiving additional authentication information. These additional elements include decoding information which is received in an encoded format. However, the receiving of information over a network, capturing electronic data from a label using a camera and receiving that information over a network, extracting pharmacy prescription information from that electronic data and decoding the data, in context of the claims, are mere data gathering which is necessary for the abstract idea of authenticating a first user of a first account to a second account. The decoding of information is not limited to a particular process and thus amounts to mere instructions to apply the exception, as in MPEP 2106.05(f)(2), as invoking computers or machinery as a tool to perform known functions, where electronically scanning or extracting data as well as decoding data on mail items have been found to be well-known, routine and conventional activity when claimed at a high level of generality, as per MPEP 2106.05(d)(II). The elements of the present claims do not integrate the abstract idea into a practical application, and they are not similar to the claims of Example 42, Claim 1. The claim of Example 42 includes the combination of allowing users to share information in real time and in a standardized format. The present claims receive information over a network and capture electronic data from an object which is received over a network in order to conduct the abstract idea of user authentication, which does not provide a real time sharing of information and conducts decoding of data in order to be used in the abstract idea. Example 42, Claim 2 shows that without the combination of real time sharing of information and converting the non-standardized updated information in the standardized format to be

shared, the providing of access to a user does not integrate the abstract idea into a practical application and is thus ineligible subject matter because it merely applies the abstract idea in a computer environment. The present claims, similar to Claim 2 of Example 42, employ computer components and machinery for data gathering in order to carry out the abstract idea and thus are ineligible subject matter. Therefore, the rejection is maintained.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evangeline Barr whose telephone number is (571)272-0369. The examiner can normally be reached on Monday to Friday 8:00 am to 4:00 pm.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fonya Long can be reached on 571-270-5096. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

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would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/EVANGELINE BARR/

Primary Examiner, Art Unit 3626

IN THE CLAIMS

All pending claims are reproduced below.

1. (Currently Amended) A method for authenticating a first user of a first account to a second account, the method comprising:

receiving at a store server over a communication network authentication information

from a client device of a first user related to the first account of the first user;

authenticating at the store server the first user to the first account using the authentication information and information stored in a first account database;

electronically capturing electronic data from a prescription bottle label using a camera

associated with the client device, wherein the electronic data includes information

related to a pharmacy prescription, and wherein at least an encoded portion of the

electronic data is electronically encoded in a format known to the store server;

responsive to authenticating the first user, receiving at the store server over the

communication network the electronic data captured by the client device from the

prescription bottle label and comprising the information related to the pharmacy

prescription;

electronically extracting by the store server electronic information from the electronic

data and electronically decoding the encoded portion, wherein the extracted

information is related to the pharmacy prescription;

verifying by the store server that the extracted information related to the pharmacy

prescription is valid and is associated with a particular user;

determining that the particular user associated with the information related to the

pharmacy prescription is a second user;

identifying the second account associated with the second user in the pharmacy database by searching a second account database for an entry matching the extracted information related to the pharmacy prescription;

receiving, from the client device of the first user, additional authentication information including location information of the client device of the first user without interacting with the first user;

automatically creating a link between the first account of the first user in the store database and the second account of the second user in the pharmacy database based at least in part on the electronic data captured from the prescription bottle label if the additional authentication information is consistent with an expected value, wherein the link provides a permission for the first user authenticated to the first account associated with the first account database to remotely access one or more entries in the second account database associated to the second account from the client device of the first user; ~~and~~

responsive to creating the link between the first account of the first user in the store database and the second account of the second user in the pharmacy database, generating and transmitting a message for the first user to notify the creation of the link and to access the entries of the second account database; and

the first user accessing the second account of the second user in the pharmacy database based at least in part on the link determined using the electronic data captured from the prescription pill bottle label.

2. (Previously Presented) The method of claim 1, wherein the second user is a family member of the first user or a trusted third party.

3. (Previously Presented) The method of claim 1, further comprising transmitting, to the client device, a request for the additional authentication information based at least in part on information in the first account or the second account.

4. (Previously Presented) The method of claim 3, wherein a type of the additional authentication information varies based at least in part on an assessment that the first user is fraudulent or erroneous in attempting to create the link between the second account and the first account.

5. (Original) The method of claim 1, wherein the first account comprises a store account and the second account comprises a pharmacy account.

6. (Previously Presented) The method of claim 1, wherein the electronic data comprising the information related to the pharmacy prescription comprises an image of a prescription bottle label, a prescription bag label, or a prescription monograph.

7. (Previously Presented) The method of claim 6, wherein the image comprises a one-dimensional or two-dimensional bar code that encodes a prescription number, an order number, a pharmacy number, or a customer number.

8. (Previously Presented) The method of claim 1, wherein the additional authentication information comprises prescription information, biometric information, challenge-question answers, or a text message.

9. (Original) The method of claim 8, further comprising generating challenge question-and-answer pairs using information associated with the second account.

10. (Previously Presented) The method of claim 8, further comprising transmitting, to the client device, a request for the additional authentication information by requesting the client device to send a text message and comparing a sending phone number related to the text message with a phone number associated with the second account.

11. (Previously Presented) The method of claim 1, further comprising searching the first account database for matching accounts in the second account database and, upon finding a match, transmitting a prompt to the first user to create the link between the first account and the second account.

12. (Currently Amended) A system for authenticating a first user of a first account to a second account, the system comprising:

a network interface configured for communication with a client device of the first user;
a non-volatile computer memory for storing information associated with the first account
and information associated with the second account; and

a computer processor configured for executing software instructions to:

receiving at a store server over a communication network authentication

information from a client device of a first user related to the first account
of the first user;

authenticate at the store server the first user to the first account using the

authentication information and information stored in a first account
database;

responsive to authenticating the first user, receive at the store server over the

communication network the electronic data captured by the client device

from the prescription bottle label and comprising the information related to the pharmacy prescription;

electronically extract by the store server electronic information from the electronic data and electronically decode the encoded portion, wherein the extracted information is related to the pharmacy prescription;

verify by the store server that the extracted information related to the pharmacy prescription is valid and is associated with a particular user;

determine that the particular user associated with the information related to the pharmacy prescription is a second user;

identify the second account associated with the second user in the pharmacy database by searching a second account database for an entry matching the extracted information related to the pharmacy prescription;

receive, from the client device of the first user, additional authentication information including location information of the client device of the first user without interacting with the first user;

automatically create a link between the first account of the first user in the store database and the second account of the second user in the pharmacy database based at least in part on the electronic data captured from the prescription bottle label if the additional authentication information is consistent with an expected value, wherein the link provides a permission for the first user authenticated to the first account associated with the first account database to remotely access one or more entries in the second

account database associated to the second account from the client device of the first user; and

responsive to creating the link between the first account of the first user in the store database and the second account of the second user in the pharmacy database, generate and transmit a message for the first user to notify the creation of the link and to access the entries of the second account database the first user; and

the first user to access the second account of the second user in the pharmacy database based at least in part on the link determined using the electronic data captured from the prescription pill bottle label; and

a camera operably coupled to the computer processor and configured to:

electronically capture the electronic data from the prescription bottle label using the camera associated with the client device, wherein the electronic data includes information related to the pharmacy prescription, and wherein at least an encoded portion of the electronic data is electronically encoded in a format known to the store server.

13. (Previously Presented) The system of claim 12, wherein the second user is a family member of the first user or a trusted third party.

14. (Previously Presented) The system of claim 12, wherein the computer processor is further configured to execute software instructions to transmit, to the client device, a request for the additional authentication information based at least in part on the information associated with the first account or the second account.

15. (Previously Presented) The system of claim 14, wherein a type of the additional authentication information varies based at least in part on an assessment that the first user is fraudulent or erroneous in attempting to create the link between the second account to the first account.

16. (Original) The system of claim 12, wherein the first account comprises a store account and the second account comprises a pharmacy account.

17. (Previously Presented) The system of claim 12, wherein the electronic data comprising the information related to the pharmacy prescription comprises an image of a prescription bottle label, a prescription bag label, or a prescription monograph.

18. (Previously Presented) The system of claim 17, wherein the image comprises a one-dimensional or two-dimensional bar code that encodes a prescription number, an order number, a pharmacy number, or a customer number.

19. (Previously Presented) The system of claim 12, wherein the additional authentication information comprises prescription information, biometric information, challenge-question answers, or a text message.

20. (Previously Presented) The system of claim 12, wherein the computer processor is further configured to execute software instructions to search the first account database for matching accounts in the second account database and, upon finding a match, transmit a prompt to the first user to create the link between the first account and the second account.

REMARKS

Claims 1-20 were presented for examination. Claims 1-20 stand rejected in the Office Action dated June 8, 2020 (hereinafter, "Office Action"). Claims 1 and 12 are amended. Support for Applicant's amendments is found in at least paragraph 0035 of Applicant's as-filed specification. Claims 1-20 are pending upon entry of this amendment. No new matter has been added.

Interview Summary

Applicant wishes to thank Examiner Barr for engaging in a telephone interview on August 18, 2020, with Applicant's representative, Kevin Johanson. During the telephone interview, the parties discussed the § 101 rejection, and Applicant's proposed amendments. **Agreement was reached** that the proposed amendments, if filed and entered, would overcome the pending rejections under § 101.

Further, the Examiner's Interview Summary, dated August 24, 2020, for the interview of August 18, 2020 further confirms that "**the proposed amendment to the claims would overcome the 101 rejection**" and "**agreement was reached.**"

Applicant accordingly requests that this paper constitute the Applicant's Interview Summary.

Response to Rejections under 35 U.S.C. § 101

Claims 1-20 stand rejected under 35 U.S.C. § 101 for allegedly being directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more.

The above amendments are consistent with those presented in the Examiner Interview, which concluded with an agreement that “**the proposed amendment to the claims would overcome the 101 rejection**” and “**agreement was reached,**” as stated by the Examiner in the Examiner Interview Summary dated August 24, 2020. Accordingly, further arguments are not necessary in view of the statements made by the Examiner.

For at least these reasons, the claims are directed to patent eligible subject matter, particularly when examined under the 2019 Revised Patent Subject Matter Eligibility Guidance (“2019 USPTO Guidance”), the October 2019 Update: Subject Matter Eligibility (“October Update”), and the examples of Appendix 1 to the October Update (“Appendix 1”).

For at least these reasons, Applicant respectfully indicates that the claims are patent eligible and requests withdrawal of the rejection under 35 U.S.C. § 101.

CONCLUSION

In view of the foregoing, and consistent with the **agreement that was reached during the Examiner Interview**, allowance of all claims is requested. If the Examiner believes that direct contact with Applicant's attorney will advance the prosecution of this case, the Examiner is encouraged to contact the undersigned as indicated below.

Respectfully submitted,

Dated: August 31, 2020

By: /Kevin K. Johanson/

Kevin K. Johanson, Reg. No. 38,506

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