

Fintech

IP trends and current experiences

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In house perspectives and current commentary

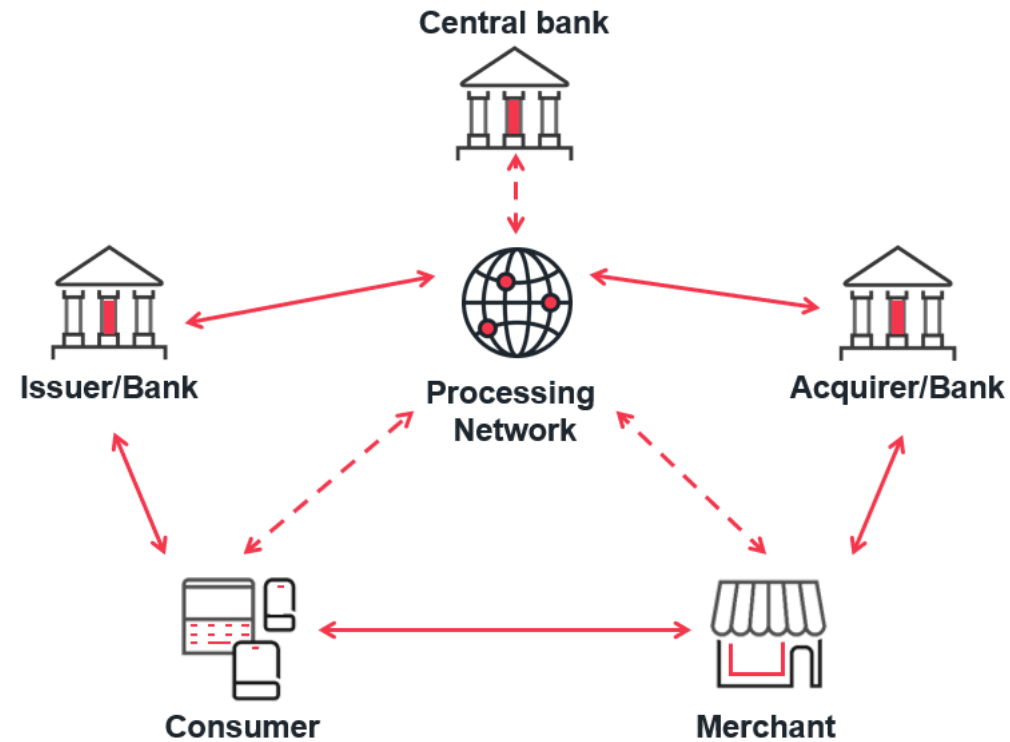
Term used to describe new technology that seeks to improve and automate the delivery and use of financial services

Agenda:

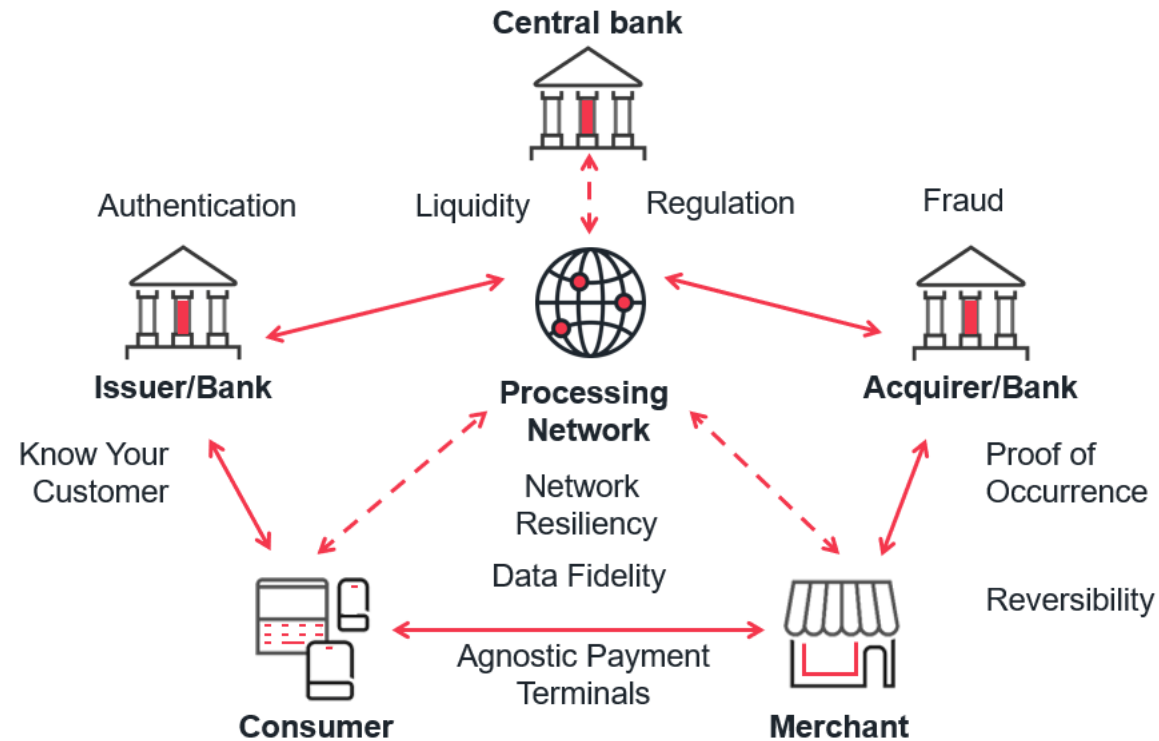
- What is fintech?
- Filing trends
- Drafting examples & tips



Financial Network Design

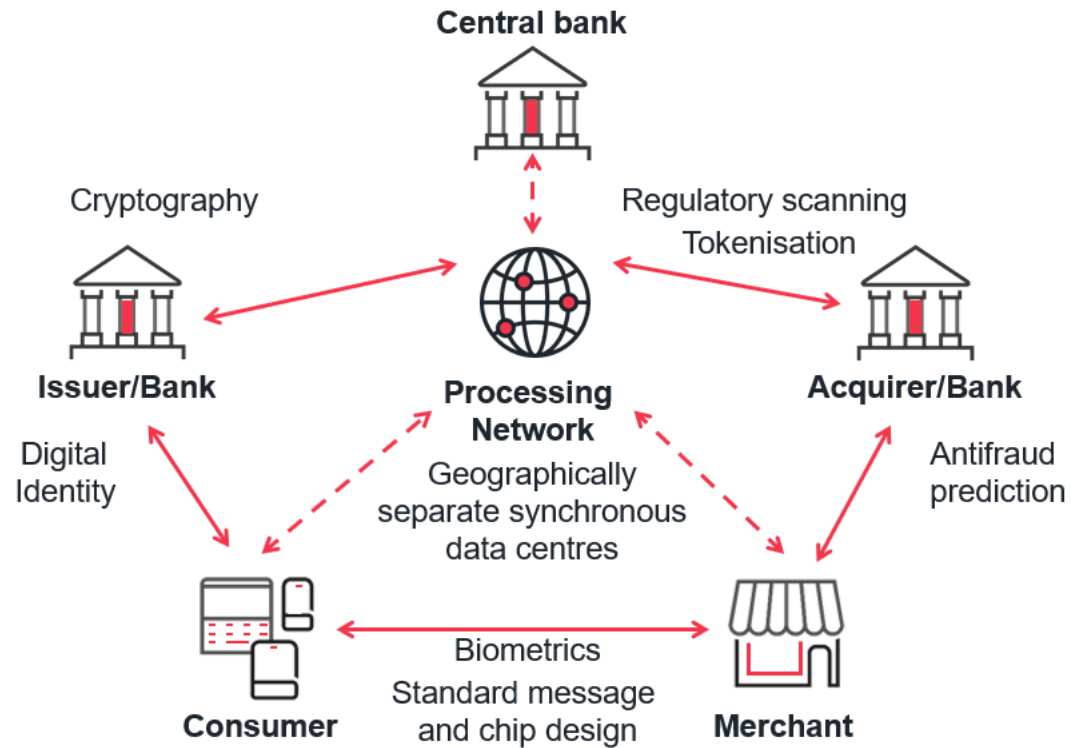


Technical Problems



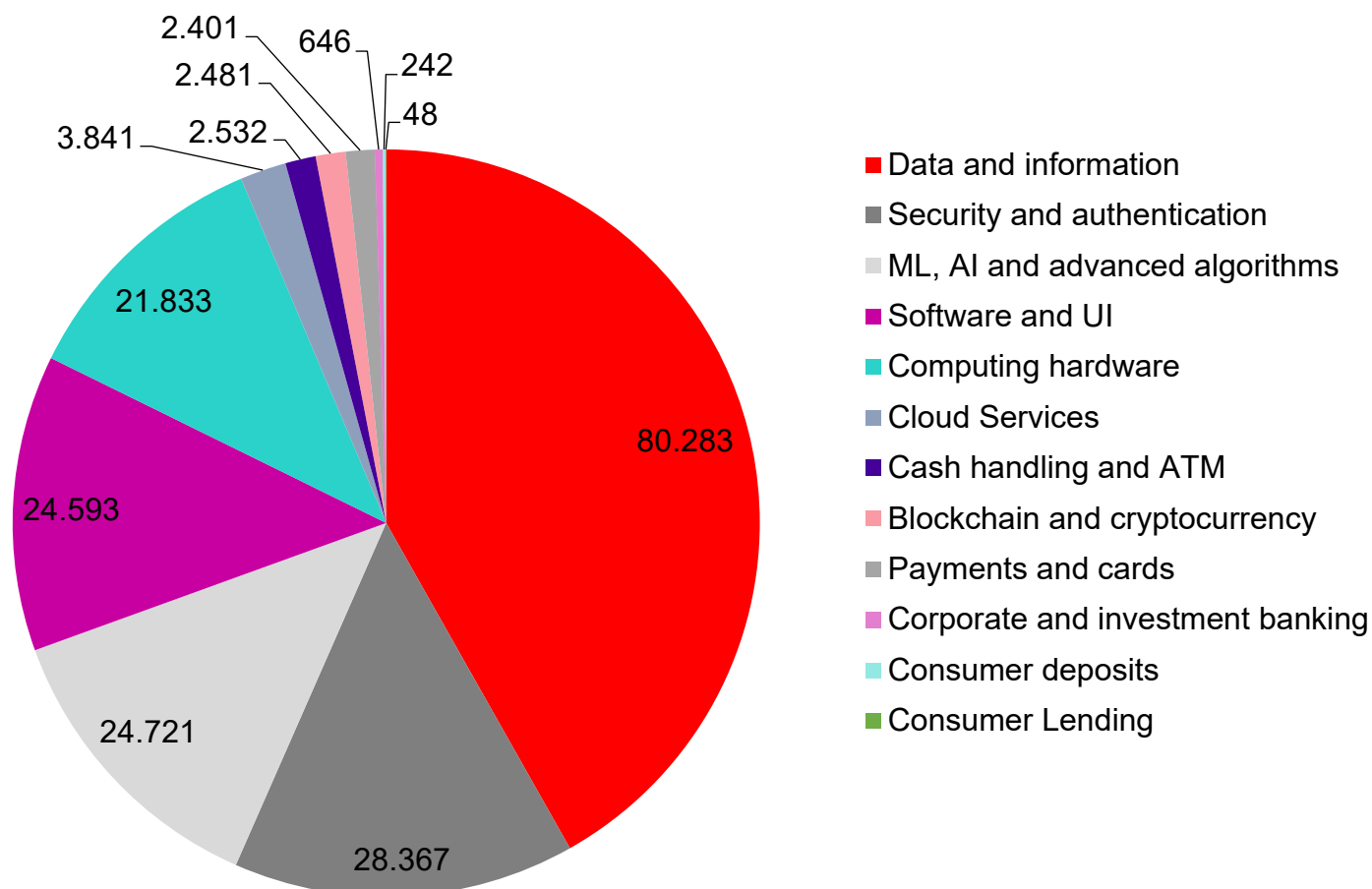
Technical Solutions

- AI/ML Modelling
- Blockchain
- Quantum Computing
- Open Banking



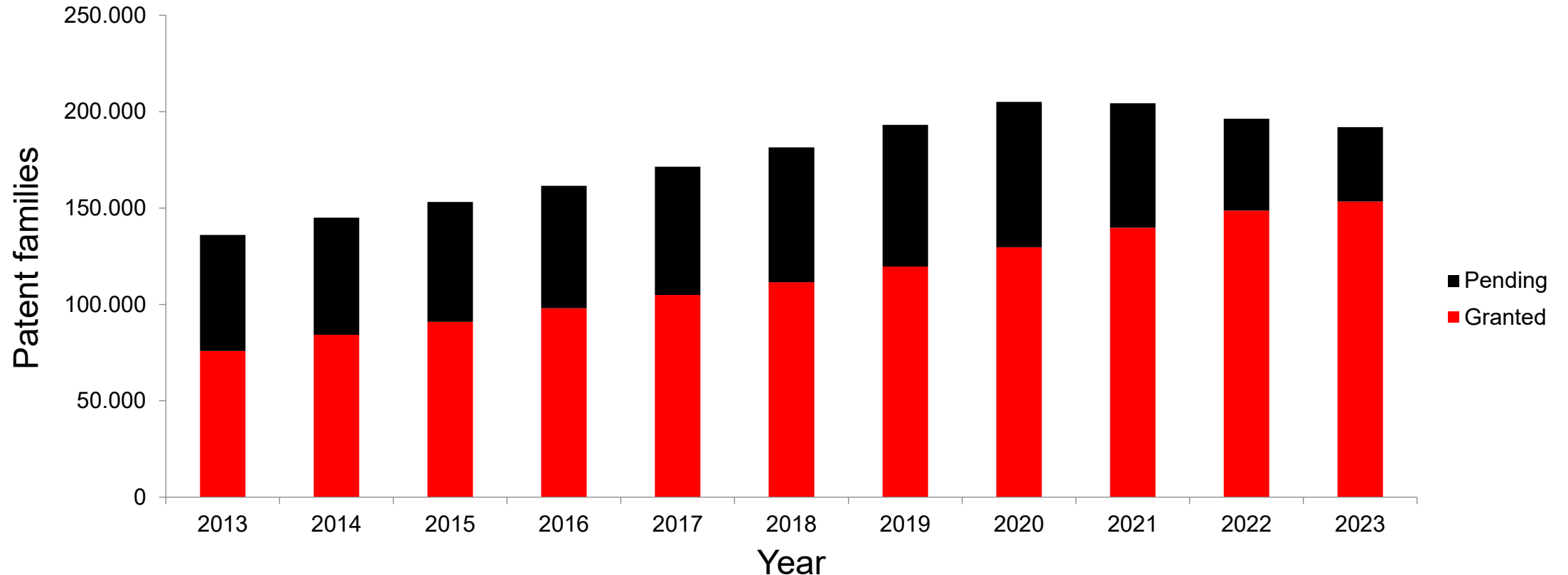
Significant spread of technologies

Currently active patent families (granted or pending) by technology



Portfolio trends – Granted versus pending families, by year

Split between the number of granted and pending patent families per year. A pending family is counted each year it remains pending from priority year. A granted family is counted each year it remains alive from its grant year. Patent families are only counted for the years they are active.

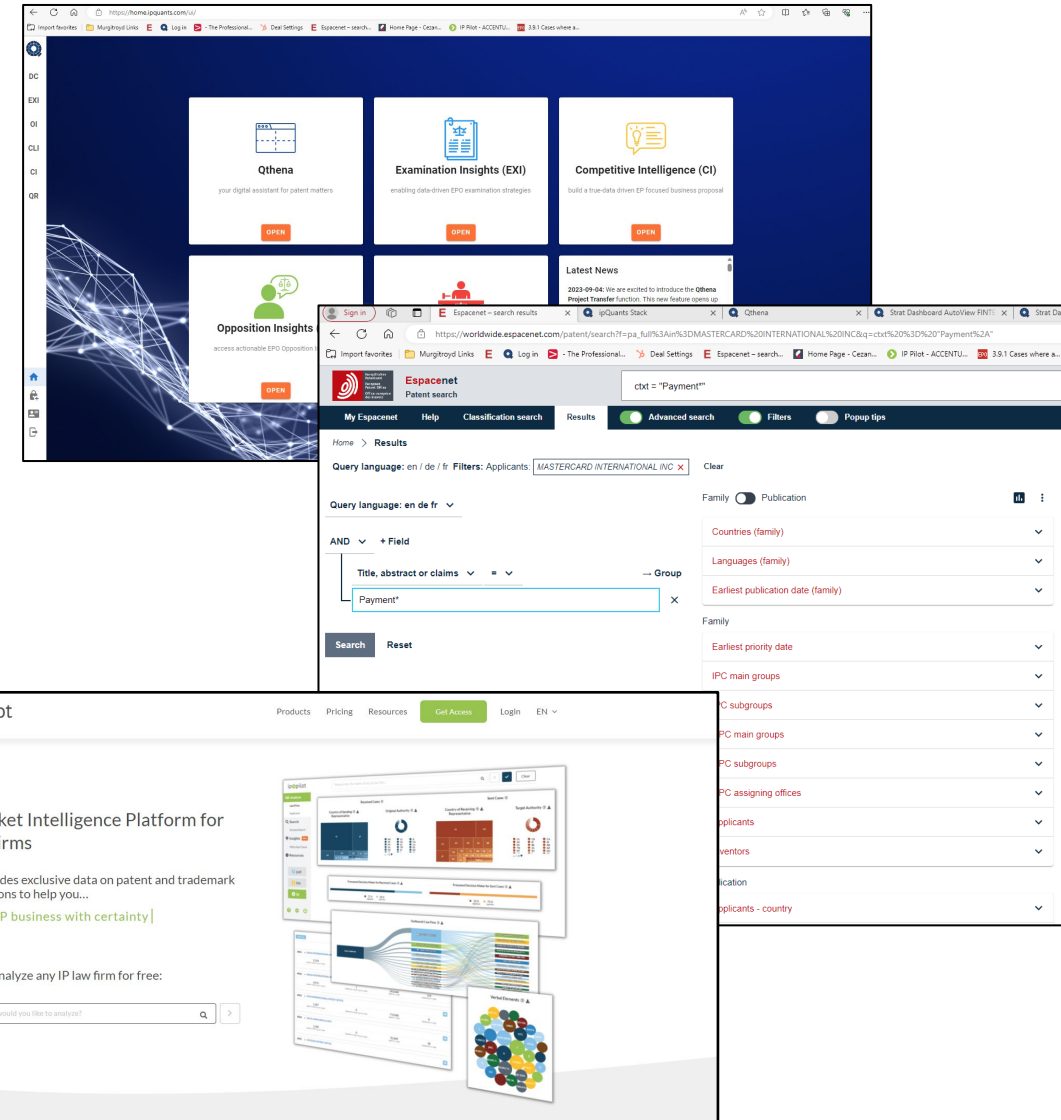


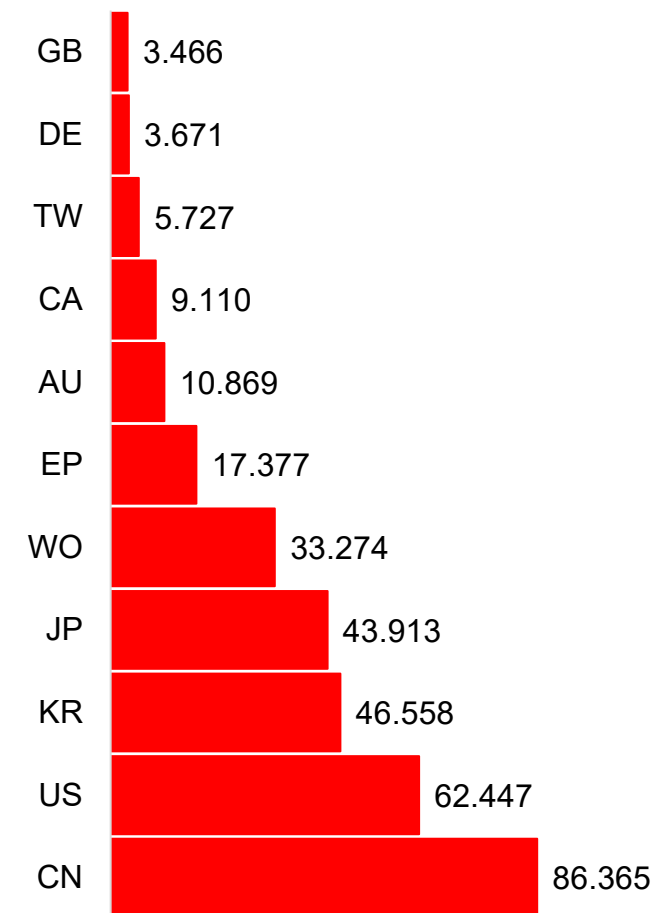
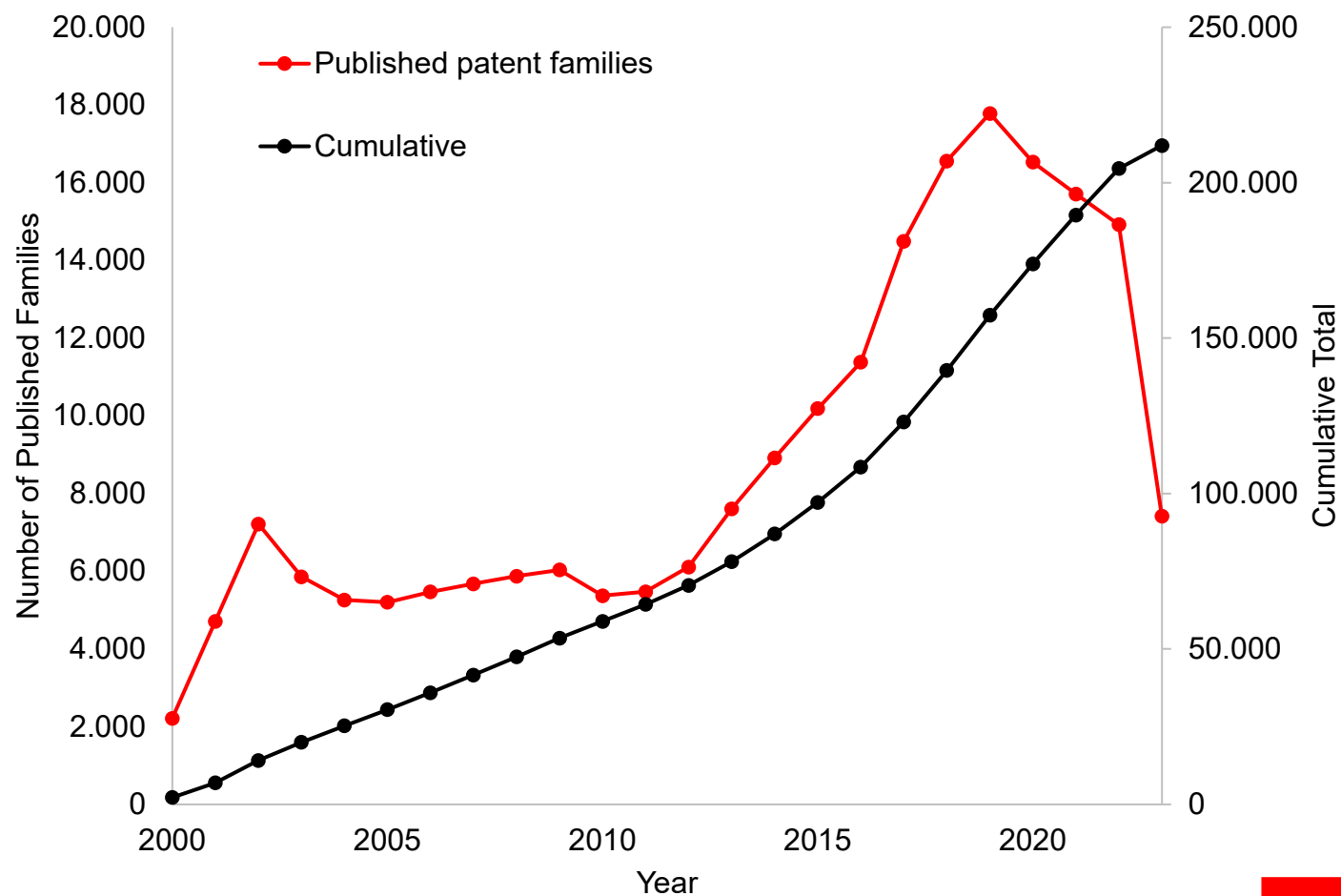
Patenting Trends – Payment and authentication

Trends from, for example:

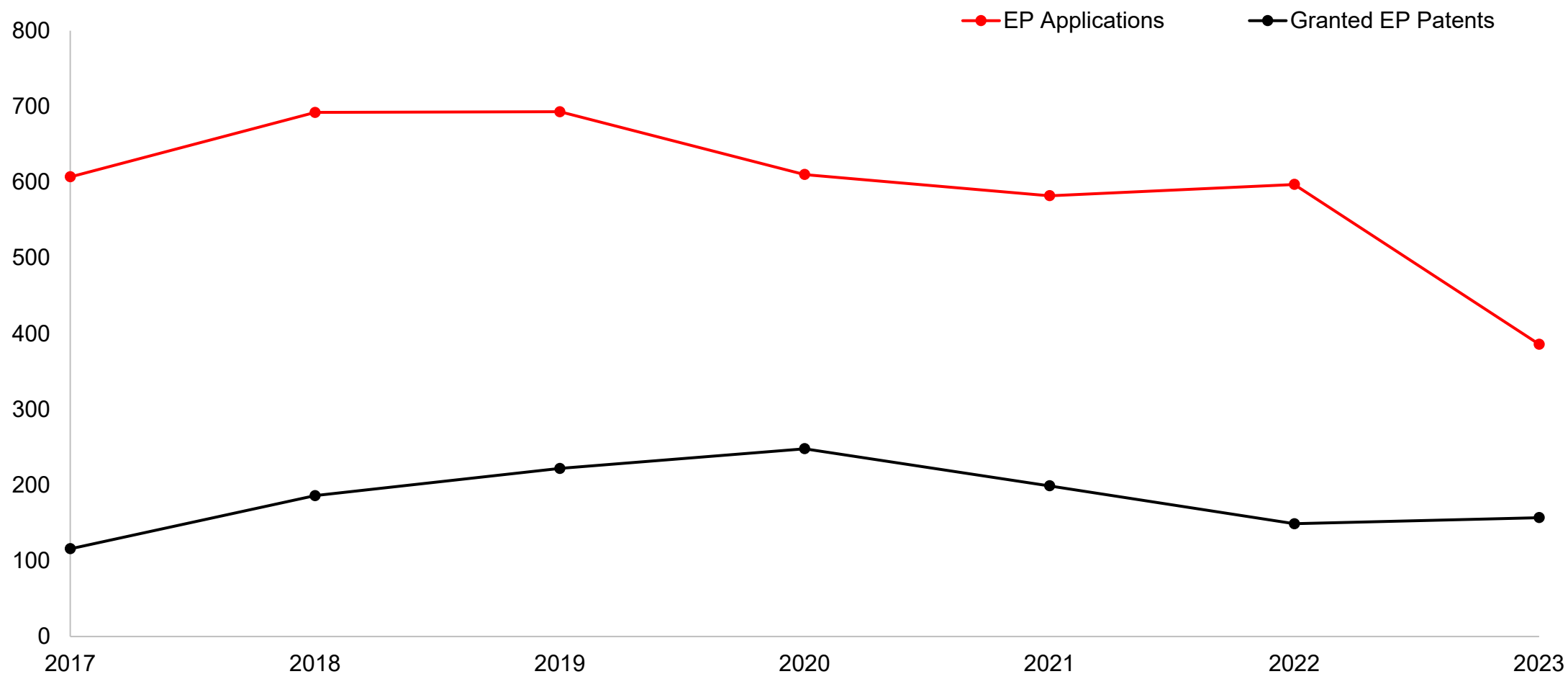
- Key words in different parts of spec
- Applicant filings
- Filings by jurisdiction etc
- Filings based on IPC category
- EP grant rates

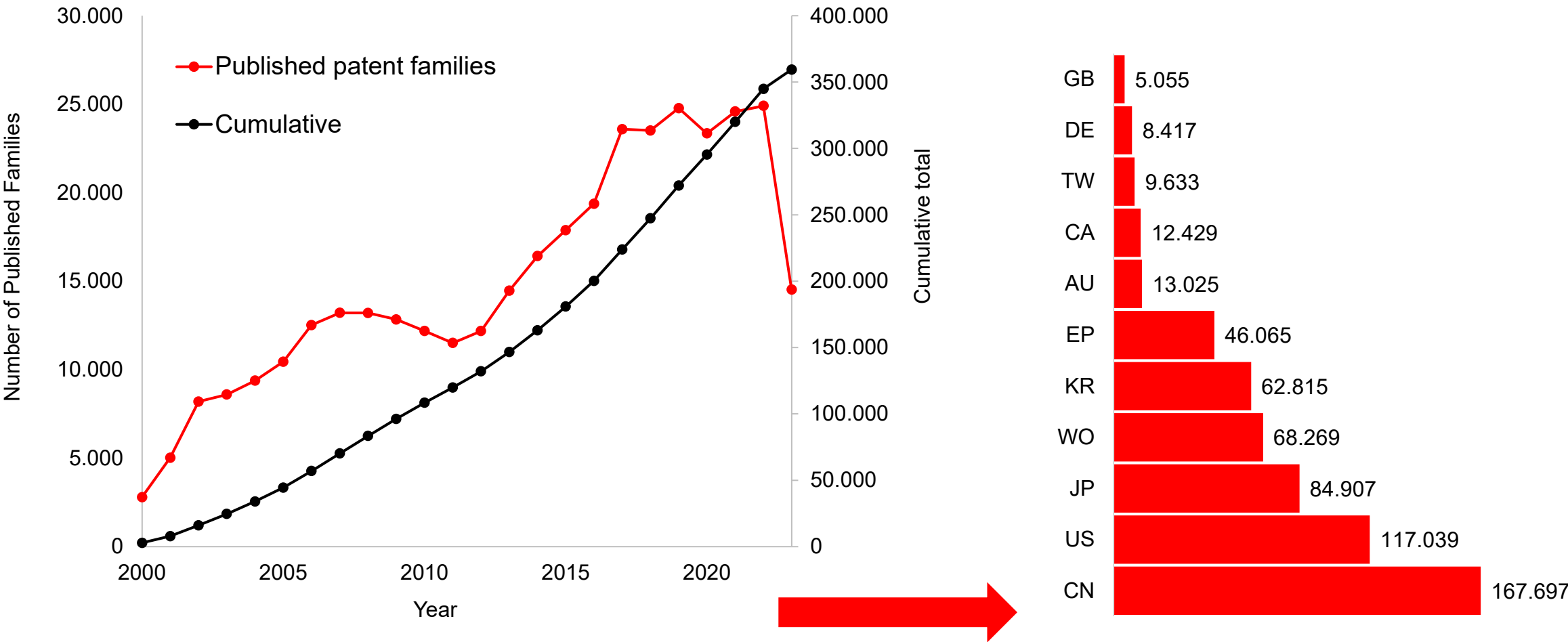
Slides here show results for the terms “payment” or “authentic*” have been used in the title, claims or abstract to illustrate

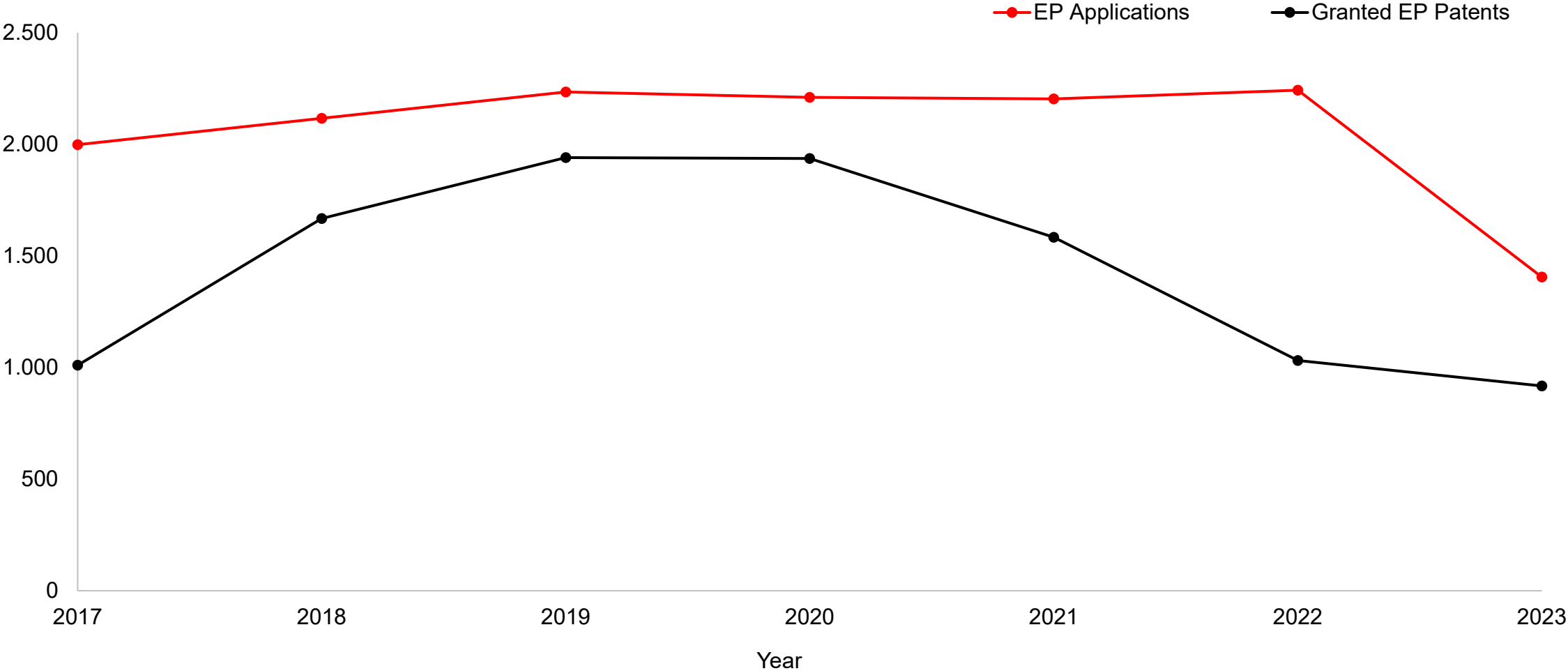




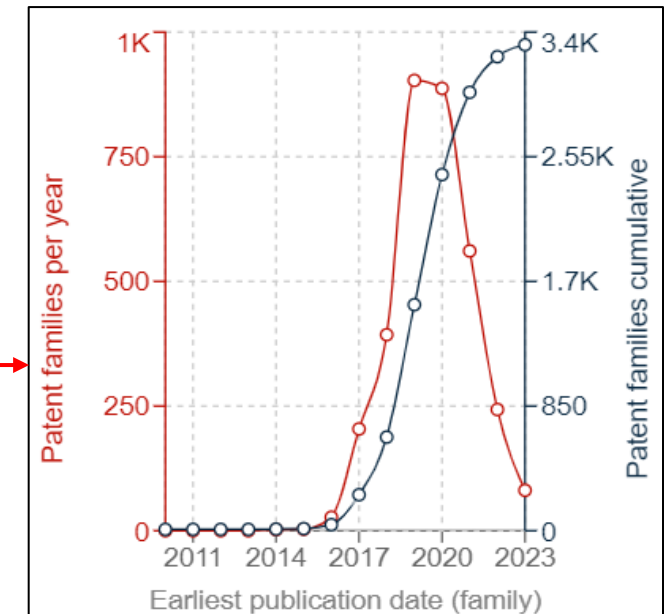
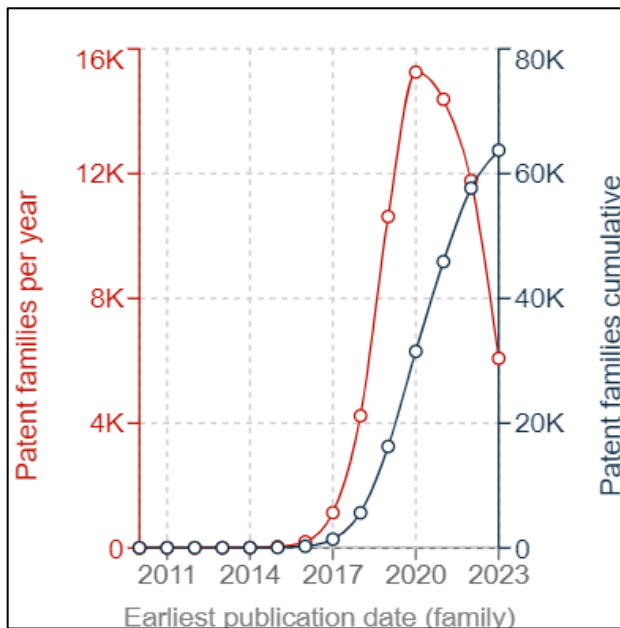
Payment(s) – European Activity

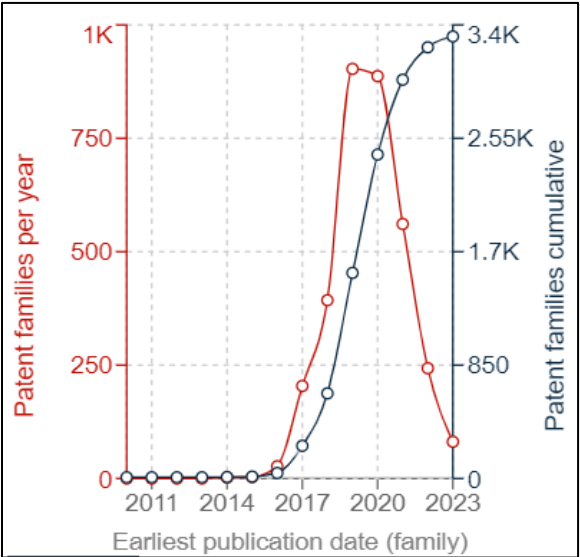




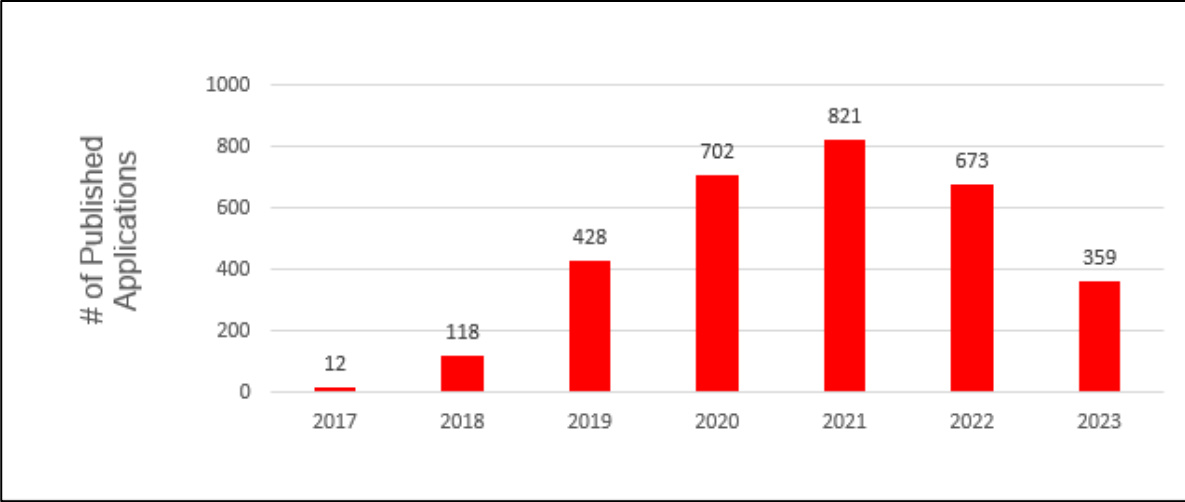


- Left graph showing the number of published applications by year worldwide with the term “blockchain” in the title, abstract or claims. Right shows same trend for EP.
- Middle graph shows the breakdown by country – predominant filings in CN with CN applicants

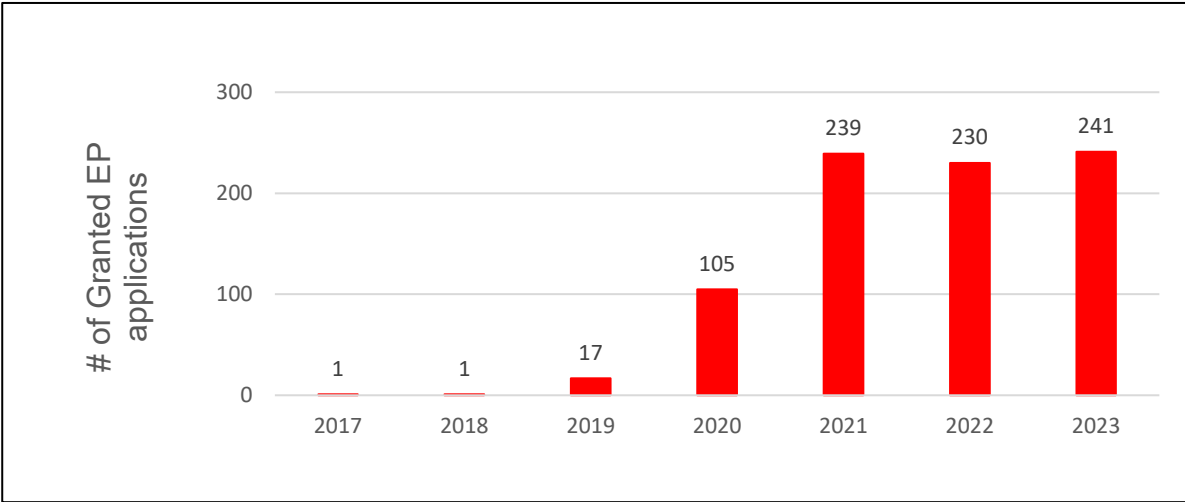




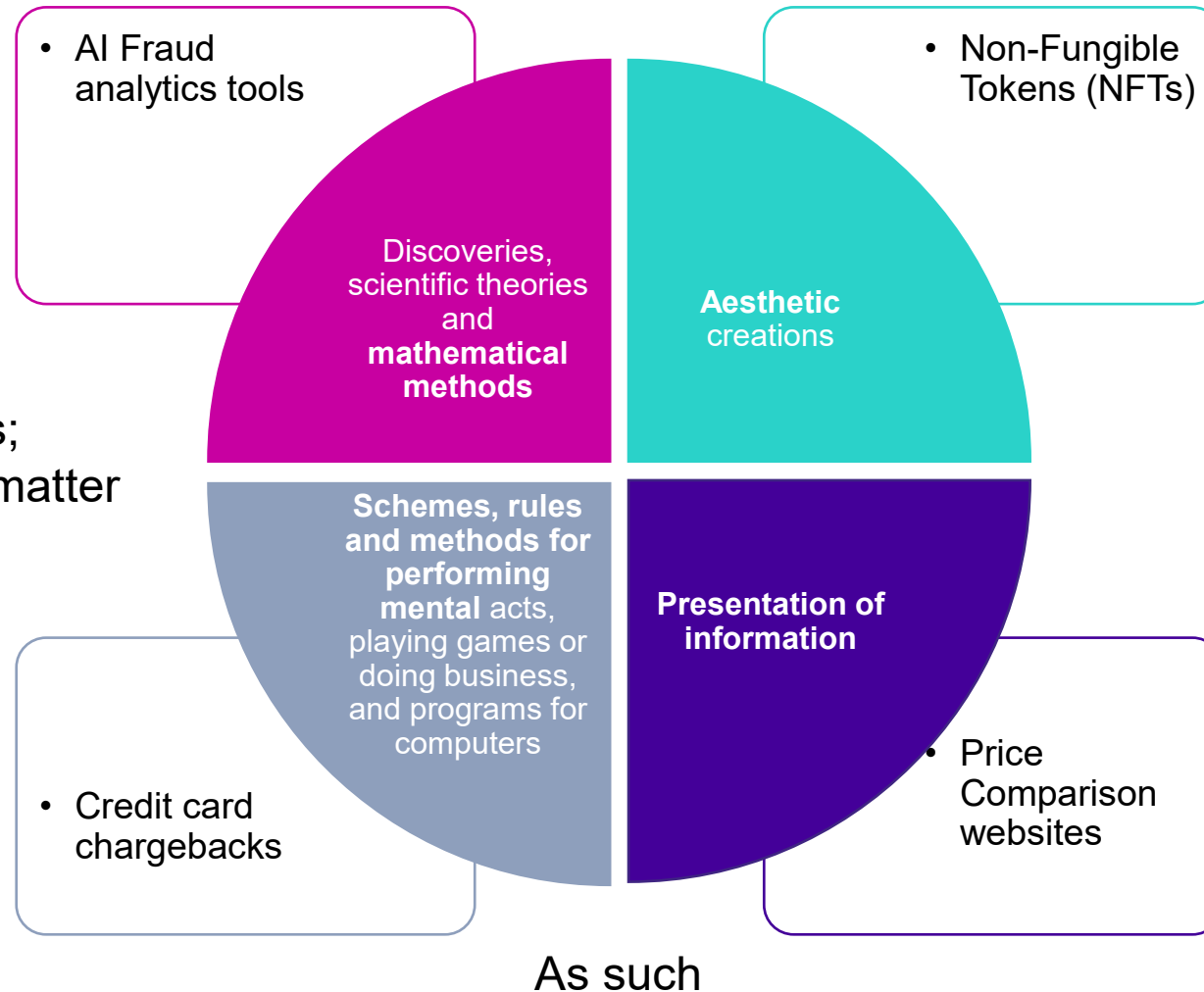
Prosecution/
published
apps



Granted
apps



Article 52 – Patentable inventions;
Article 52 (2) - Excluded subject matter

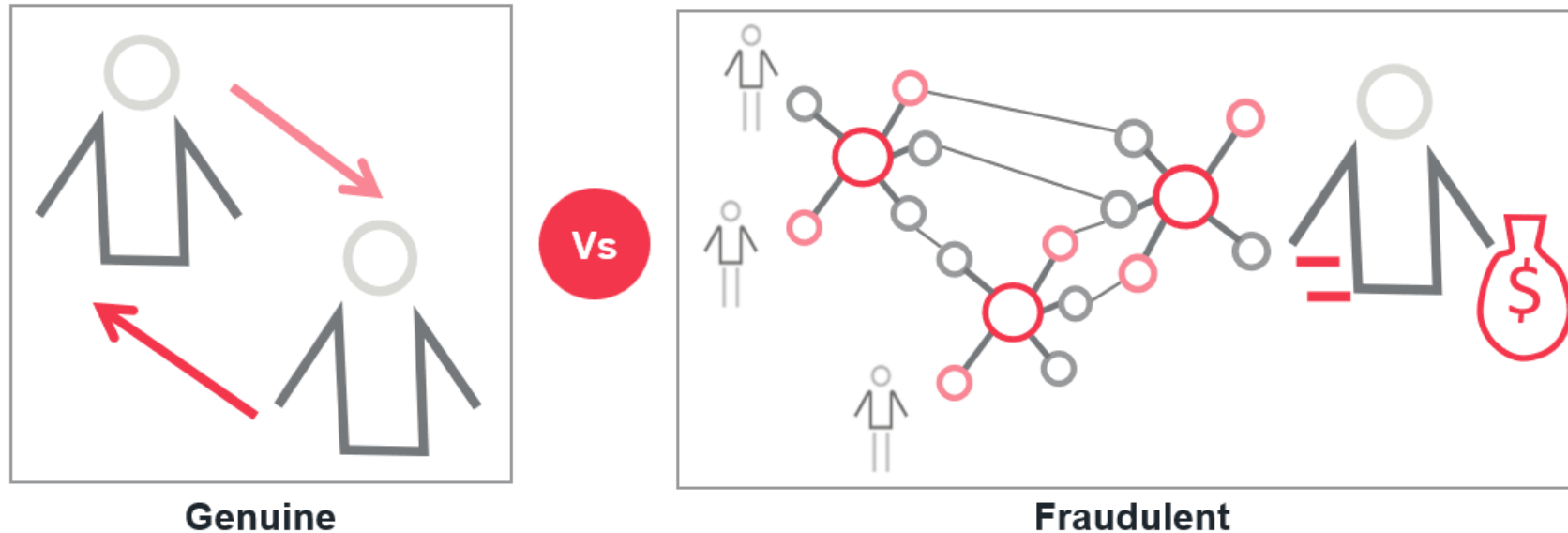


- Comvik concluded that an invention consisting of a mixture of technical and non-technical features and having technical character as a whole (i.e. any hardware) is to be assessed under inventive step by taking account of all the features that contribute to the technical character.
- Features with no such contribution cannot support the presence of an inventive step.
- A mathematical method (for example) may contribute to the technical character of an invention even though the mathematical method per se is excluded.
- NB the problem to be solved should not be formulated to contain pointers to the solution, non-technical features in the claim may still appear in the formulation of the problem.
- In particular, where the claim refers to an aim to be achieved in a non-technical field, this aim may legitimately appear in the problem to be solved.
- GL G-VIII, 5.4.2. has a number of examples of how the COMVIK approach is followed.

Technical effect examples

- T 1108/20 – Closed-circuit e-commerce entity with reduced load on server – Elbex Video Ltd.
- The invention relates to connecting and operating a closed-circuit e-commerce entity with a shopping terminal connected to a building server via internal communication lines. A closed circuit e-commerce service provides a predefined interface where products from different providers can be purchased within a closed system.
- The distinguishing features were determined to be the use of an additional CPU and an additional memory for each kiosk providing the closed circuit e-commerce service, which provides the technical effect of supporting a large number of kiosks without overwhelming a central server.
- The system comprises additional components at an interface that reduces the server's load and thus can support many kiosks without overwhelming the server – Technical.

Fraud detection in Faster Payments



Genuine payment transactions have a very different temporal appearance to fraudulent ones. Fraudulent activity can have a very high level of activity moving money between many different accounts at different banks in a short space of time often combining and separating both legal and illicit funds. The final transaction is often either withdrawing the funds at an ATM or sending them cross border. AI tools can spot this behaviour and freeze the accounts for further investigation.

- Notional business person – identify the new business concept
Skilled person – computer programmer – consider and identify the technical steps that can implement the business steps in a way that is beyond what the notional business person can provide
- From the above steps from the perspective of the skilled person, a technical contribution can be found in at least the step of accessing the cache memory in which optimal shopping tours determined for previous requests are stored, because it relates to the technical implementation of the business concept and has the technical effect of enabling rapid determination of the optimal shopping tour by accessing previous requests which are stored in a cache memory
- By considering these different perspectives, technical features providing a technical contribution may more easily be identified
- Identify technical problems
- DETAIL, DETAIL – describe in sufficient detail the infrastructure, devices, and protocols used to implement the business concept
- Nothing to feature in a news story! Your client's PR team will not be pleased...

Final thoughts

- Fintech is a growing industry in the UK
- Fintech inventions are patentable – drafting style needs some adaptations
- It is an industry with a mix of disrupting start ups and existing traditional players
- Some innovation is driving regulation whilst some regulation is driving innovation

Thank you for your attention

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