

Website and Webpage Patents

Can one really patent a 'website' or 'webpage'?

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Sometimes one might ask: "How can a **website** or a **webpage** be patented"? While website and webpages are not precisely *traditional* patent subject matter, they are remain nevertheless patentable subject matter and this has now been reaffirmed and hardened up by the Supreme Court most recently¹. In *Bilski et al*, the Supreme Court was widely expected to *reign in* allowable subject matter with respect to 'business method' and perhaps software patents. However, in a surprise ruling they did not only fail to set any new limits, but did rather modify one measure of patentability by increasing its scope in saying the so called *Machine or Transformation* test "is not the **only** test" which may be used to determine patentability in these types of cases. What exactly does all this mean? - Software, and more precisely websites and webpages, in most cases are patentable.

Indeed, here are several recent US Patents which are explicitly drawn to 'website' or 'webpage':

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| 7,925,543 | Product characteristic selection website |
| 7,933,890 | Propagating useful information among related web pages, such as web pages of a website |
| 7,779,023 | Intelligent internet website with hierarchical menu |
| 7,702,523 | Website messaging system |
| 7,571,461 | Personal website for electronic commerce on a smart Java card with multiple security check points |

You may find many others simply by going to the [USPTO search site](#) and using the following query: "ttl/website OR ttl/webpage". While this business of patenting websites is a bit new in terms of legal rules and procedure timelines, you can bet your bottom dollar that since *Bilski* was settled we should see a serious acceleration of patent activity in these areas.

If you have questions regarding patenting of software or patenting of websites and webpages, we'd like to take a few moments and explain to you our approach of preparing these types of patents. Please contact us at your convenience to schedule a working meeting anywhere you'd like us to visit. Our primary office is in Europe (French Sophia Antipolis) however we will try to accommodate any travel request. Please call +1 858 699 6015 or e-mail jpage@integrityip.com now to start your software patent program.

Please download for more comprehensive detail about [Website Patents](#).

¹ [BILSKI ET AL. v. KAPPOS](#), UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR, PATENT AND TRADEMARK OFFICE ||| CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT — No. 08–964. Argued November 9, 2009—Decided June 28, 2010.