



# Software Technology Patent-Eligibility

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**Q** Is software patentable?

**A** Generally yes – in the United States, truly inventive software should be patentable in some form or combination. The law governing patent-eligibility of software technology is evolving, however, and heed must be paid to the evolving legal standards. For example, the Supreme Court recently emphasized that abstract ideas, alone, cannot be patented. The Court explained that merely programming a generic computer to perform conventional, previously-known functions is not patent-eligible. In the same decision, however, the Court also indicated that software patents drawn to improving the technical performance of a computer, or to providing an advancement in a non-computer field, may be patent-eligible. An experienced patent practitioner can help you assess whether your particular software inventions are patentable.

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