

One-Click Shopping

<http://swpat.ffii.org/pikta/xrani/1click/index.en.html>

Workgroup

swpatag@ffii.org

english version 2004/08/16 by Hartmut PILCH*

2005-01-06

Amazon (internet bookstore) received a US patent on reducing the need for data input in case of repeated ordering through a network like the WWW. Based on this patent, Amazon sought an injunction against a competing bookstore. Amazon had applied for the same patent at the EPO under EP0902381 in Sep. 1998 under the name "Method and system for placing a purchase order via a communications network". By the time a search report was issued by the EPO, this patent had already aroused an uproar in the USA, leading to the discovery of new prior art, including similar patents which Amazon might be infringing. The EPO found the Amazon method patentable in principle, but listed new prior art in an examination report of 2001. Amazon decided to split the patent into two new applications. Of these, one, EP0927945, a method for simplified ordering of articles via Internet, was granted by the EPO in May 2003. The other is still pending.

Contents

- **Amazon 1Click¹**

*<http://www.ffii.org/~phm>

¹<http://localhost/swpat/pikta/mupli/ep902381/index.en.html>

Amazon's application for a patent on its One-Click Shopping method at the EPO. The application reached the third stage of examination (A3), i.e. it was recognised as referring to a patentable invention and a full novelty examination was conducted. In 2001 the patent application was split into two new applications, of which one was granted and one is still pending.

- **OpenTV Claims 1-Click Patent²**
- **United States Patent 5,819,034 Joseph , et al. October 6, 1998, assigned to Thomson³**
- **Software Patent Case Study: Amazon⁴**

Materials about the Amazon One Click Patent (one of several famous cases) collected by a group of computer science students from Stanford.

- **Freeman 2000: Amazon.com: No earnings, but plenty of lawyers⁵**

The writer is afraid that the Amazon case could spark off a discussion about reforming the patent system by reducing the number of years for software and business method patents such as 1click, which the american judicial system is granting in great numbers with a term of 20 years. Jeff Bezos of Amazon has proposed to differentiate between different types of patents, but the writer argues that there should be no special exception for the internet and all decisions must be taken by lawcourts, not by the legislator. This article has been quoted by some german patent lawyers in support of their views.

- **Derwent/Poynder 2000: Software Patent Controversy⁶**

Informative article about the software patent controversy of 2000 and how various recent cases contributed to it.

²http://www.allnetdevices.com/industry/news/2000/10/06/opentv_claims.html

³<http://164.195.100.11/netacgi/nph-Parser?Sect1=PT01&Sect2=HITOFF&d=PALL&p=1&u=/netahtml/srchnum.htm&r=1&f=G&l=50&s1='5,819,034'.WKU.&OS=PN/5,819,034&RS=PN/5,819,034>

⁴<http://www-cse.stanford.edu/classes/cs201/projects-99-00/software-patents/amazon.html>

⁵http://www.forbes.com/2000/03/20/freeman_0320.html

⁶<http://www.derwent.com/ipmatters/features/controversy.html>

- **Pinpoint sues Amazon over collaborative filtering⁷**

Collaborative filtering, best known in the form of “People who liked/bought this also liked/bought that”, is widely used in the e-commerce world. Pinpoint Incorporated, a patent litigation startup company whose activity has so far been confined to the US, holds several US patents on the use of collaborative filtering for different purposes. On July 18th 2003, Pinpoint filed a lawsuit against Amazon.com, alleging violation of several of its patents.

⁷<http://localhost/swpat/pikta/xrani/pinpoint/index.en.html>