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The Precedent: Federal Circuit Affirms Ineligibility of Asynchronous Web Conferencing Patent in US Pat. No. 7,679,637 LLC v. Google LLC

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In this edition of *The Precedent*, we outline the decision in *US Pat. No. 7,679,637 LLC v. Google LLC*.

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Overview

In *US Pat. No. 7,679,637 LLC v. Google LLC*, the Federal Circuit affirmed dismissal of a patent infringement suit, holding that the claims directed to asynchronous web conferencing were patent-ineligible under 35 U.S.C. § 101. The district court found that the claims merely described the abstract idea of allowing users to review and manipulate multimedia presentations asynchronously. The Federal Circuit reaffirmed that, under *Alice* step one, claims using “result-oriented functional language” must either explain *how* the results are achieved or disclose a specific technological improvement apparent to a person skilled in the art; otherwise, such claims are typically deemed abstract and ineligible under § 101.

Issues

1. Are claims directed to allowing asynchronous review of web conferencing presentations patent-eligible under § 101 or do they merely recite an abstract idea?
2. Do the claims include an “inventive concept” sufficient to transform the abstract idea into a patent-eligible application?
3. Was it proper for the district court to resolve patent eligibility at the Rule 12(b)(6) stage without claim construction or further factual development?

Holdings

1. The claims are directed to the abstract idea of asynchronous review and manipulation of multimedia presentations, not to a specific technological improvement.

2. The claims lack an inventive concept; they use only functional, result-oriented language and rely on conventional components and methods.
3. The district court properly resolved the § 101 issue on a motion to dismiss, as there were no factual allegations that would preclude dismissal as a matter of law.

Background and Reasoning

US Pat. No. 7,679,637 LLC sued Google, alleging that Google's web conferencing products infringed claims covering systems and methods for allowing participants to review, manipulate and sense multimedia presentations asynchronously, such as rewinding a video or reviewing chat data while a live presentation continues.

To determine whether the claims at issue are patent-eligible via 35 U.S.C. § 101, the Federal Circuit utilized the two-part test as provided in *Alice*.

Alice Step One

The Federal Circuit agreed with the district court that the claims were directed to the abstract idea of asynchronous review of presentations. The claims describe a system with client applications that allowed users to share and review data streams (video, chat, documents, etc.) in real time or asynchronously. However, the claims do not specify how this was achieved technically because they recite only the desired result (e.g., "allowing an observing participant to selectively sense a previously presented and recorded part of said data stream while a presenting participant is sharing a current part").

The Federal Circuit emphasized that claims must do more than describe a goal or result. Instead, they must explain how the result is achieved. In determining whether a patent supports goal or results-oriented claims, Federal Circuit precedent permits several means of analysis to ascertain patent eligibility. In some cases, analysis of the specification may provide an understanding of the issue facing the inventor and what the patent itself describes as the invention. Alternatively, the Court may look to the claims to determine whether any technological improvement is embodied within them. Here, neither the claims nor the specification provided a concrete technical solution or improvement over the prior art. Instead, the Federal Circuit, relying on its prior precedent from *Beteiro, LLC v. DraftKings Inc.*, 104 F.4th 1350 (Fed. Cir. 2024), found the claims were "result-oriented" and lacking the specificity required for patent eligibility.

Alice Step Two

At step two, the Federal Circuit found no inventive concept that would transform the abstract idea into a patent-eligible invention. In this case, the claims rely on generic client / server components and standard data streams, and the specification repeatedly acknowledges that these elements were well known as of the priority date of the patent. The "time-scale modification component" for audio playback, for example, is described as using off-the-shelf algorithms and do not provide a novel or nonobvious technical advance. This was similar to the patents at issue in *Beteiro*, which also lacked an inventive concept because they "repeatedly, but briefly, refer to conventional use of GPS in connection with...convention computers[.]"

Procedural Issues

The Federal Circuit also held that the district court properly decided the eligibility issue at the pleading stage. “A patent may be determined ineligible at the Rule 12(b)(6) state ‘when there are no factual allegations that, taken as true, prevent resolving the eligibility question as a matter of law.’” The patent itself makes clear that the claimed components and methods are conventional, and here the plaintiff did not propose any claim construction or factual allegations that would have changed the § 101 analysis.

Takeaway

Patent claims must do more than recite functional goals or results. Instead, they must provide a specific, technical solution to a technical problem. Result-oriented claims that rely on conventional technology and lack concrete implementation details are unlikely to survive § 101 scrutiny, even at the motion to dismiss stage.