



Diamond v. Diehr

*Author: Kalyan Chakravarthy Kankanala, Chief Knowledge Office,
Brain League IP Services.*

Case facts

A method of curing rubber where the temperature in the mold is continuously measured and fed into a digital computer which calculates the cure time using Arrhenius equation and signals for the press to open when it is sufficient.

Issue

Whether a processing of curing synthetic rubber which in several of its steps includes use of a mathematical formula and a programmed digital computer is patentable subject matter?

Holding

Yes

Analysis

- A process is a step or series of steps leading to a particular result.
- The language in section 101 must be understood to mean the natural language.
- In this case the applicant claims a new process for curing synthetic rubber by using an old mathematical formula and a digital computer. The fact that the process is by itself new in the art makes the process patentable.
- The novelty of steps involved in the process does not influence the patentability of the process.
- As the process as a whole is new and produces a physical result it is patentable.