

# *Everything is Patentable*

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The currently confused and inconsistent jurisprudence of patentable subject matter can be clarified by implementing a single rule - that which is otherwise patentable under the Patent Act is patentable subject matter. In other words, if a discovery otherwise meets the requirements of patentability - namely category, utility, novelty, unobviousness, and specification - then the discovery will be properly patentable without need to consider traditional subject matter questions about "mathematical algorithms," "products of nature," or "human thought processes." The proposed rule may give pause to all who are unhappy with the current state of the law. Those who favor less protection might fear that that the rule will expand what is patentable. In this article, however, I will show that strict application of my proposed rule will in fact reduce the number of discoveries that might otherwise be patentable.