**Text 2**

①Over the past decade, thousands of patents have been granted for what are called business methods. ②Amazon.com received one for its “one-click” online payment system. ③Merrill Lynch got legal protection for an asset allocation strategy. ④One inventor patented a technique for lifting a box.

在过去的十年，成千上万的商业方法专利被授予。亚马逊获得了一项在线一键点击支付系统的专利。Merrill Lynch获得了资产分配策略的专利。一个发明家的提起一个箱子的技术被授予专利。

①Now the nation’s top patent court appears completely ready to scale back on business-method patents, which have been controversial ever since they were first authorized 10 years ago. ②In a move that has intellectual-property lawyers abuzz, the U.S. Court of Appeals for the Federal Circuit said it would use a particular case to conduct a broad review of business-method patents. ③*In re Bilski*, as the case is known, is “a very big deal,” says Dennis D. Crouch of the University of Missouri School of Law. ④It “has the potential to eliminate an entire class of patents.”

现在国家最高专利法院似乎完全准备好缩小那些10年前被授予的备受争议的商业方法专利。这次行动让知识产权律师议论纷纷，美国联邦巡回上述法院称将会用一个特殊的案件对商业方法专利进行广泛的审议。*Bilski* 事关重大，它又消灭一整类专利的潜力。

scale back ：缩小规模

abuzz : 议论纷纷

case : 案件

conduct ：实施

In re：是法律英语里面指只涉及一方当事人的案件，好像是拉丁语，相当于in matter of

①Curbs on business-method claims would be a dramatic about-face, because it was the Federal Circuit itself that introduced such patents with its 1998 decision in the so-called State Street Bank case, approving a patent on a way of pooling mutual-fund assets. ②That ruling produced an explosion in business-method patent filings, initially by emerging Internet companies trying to stake out exclusive rights to specific types of online transactions. ③Later, more established companies raced to add such patents to their files, if only as a defensive move against rivals that might beat them to the punch. ④In 2005, IBM noted in a court filing that it had been issued more than 300 business-method patents, despite the fact that it questioned the legal basis for granting them. ⑤Similarly, some Wall Street investment firms armed themselves with patents for financial products, even as they took positions in court cases opposing the practice.

对商业方法申请将会是一个戏剧性的大转变，因为1998年通过State Street Bank法案引入这种专利的正是联邦巡回法院它自己。这个种专利的引入导致了商业方法专利申请的爆炸，最初互联网公司试图获取特殊类型在线交易的垄断权。后来更多大公司争相申请，只为了防止被竞争对手申请。2005年，IBM在一份申请中注意到它起草了300多间商业办法专利，尽管这些专利的法律基础值得怀疑。相似的，一些华尔街投资公司用金融产品专利武装自己，即使他们在法律案件的立场反对这种行为。

exclusive ：独有的

punch ：牙齿

noted : 注意到

claims ：申请

①The Bilski case involves a claimed patent on a method for hedging risk in the energy market. ②The Federal Circuit issued an unusual order stating that the case would be heard by all 12 of the court’s judges, rather than a typical panel of three, and that one issue it wants to evaluate is whether it should “reconsider” its State Street Bank ruling.

Bilski案件是关于能源市场规避风险的方法专利的申请。联邦巡回法院下达了一个不同寻常的指令，声称要用12名法官审理此案，而不是典型的3名法官，还宣传他们要评估一个是否重新考虑State Street Bank规则的法案。

hedging risk 规避风险

order : 指令

①The Federal Circuit’s action comes in the wake of a series of recent decisions by the Supreme Court that has narrowed the scope of protections for patent holders. ②Last April, for example, the justices signaled that too many patents were being upheld for “inventions” that are obvious. ③The judges on the Federal Circuit are “reacting to the anti-patent trend at the Supreme Court,” says Harold C. Wegner, a patent attorney and professor at George Washington University Law School.

在最高法院宣布关于专利持有者的保护范围的一系列决定后，联邦巡回法院正在采取一系列行动。例如，法官发出太多明显的“发明”被授予的信号。联邦巡回法院的法官“在最高法院上表现出反专利的趋势”。

narrow 缩小范围

第一段：很多专利被授予。

第二段：要缩小专利的规模。用*Bilski*案件来做一个广泛的评估。

第三段：①专利的申请要有戏剧性的大转变，因为这种专利就是联邦巡回法院自己引入的。 ②③④⑤都是引入这个专利的后果。

第四段：详细介绍了*Bilski*案件

第五段：将要采取行动了。

26. Business-method patents have recently aroused concern because of

[A] their limited value to businesses.

[B] their connection with asset allocation.

[C] the possible restriction on their granting.

[D] the controversy over their authorization.

27. Which of the following is true of the Bilski case?

[A] Its ruling complies with the court decisions.

[B] It involves a very big business transaction.

[C] It has been dismissed by the Federal Circuit.

[D] It may change the legal practices in the U.S.

28. The word “about-face” (Para. 3) most probably means

[A] loss of goodwill.

[B] increase of hostility.

[C] change of attitude.

[D] enhancement of dignity.

29. We learn from the last two paragraphs that business-method patents

[A] are immune to legal challenges.

[B] are often unnecessarily issued.

[C] lower the esteem for patent holders.

[D] increase the incidence of risks.

30. Which of the following would be the subject of the text?

[A] A looming threat to business-method patents.

[B] Protection for business-method patent holders.

[C] A legal case regarding business-method patents.

[D] A prevailing trend against business-method patents.