In **T 49/99** the board ruled that information modelling was a non-technical intellectual activity, but that the purposive use of information modelling in the context of a solution to a technical problem could contribute to the technical character of an invention.

In **T 858/02** the board held that an electronic message was not automatically excluded from patentability as a presentation of information. It depended on whether the message was defined by its structure or its content. A computer data structure was not under all circumstances excluded from patentability; the fact that in the present case the instructions defined a structure of the message did not automatically lead to the conclusion that a "format (i.e. data structure)" was unpatentable.

In **T 1351/04** an index file used for the purpose of controlling the computer "along the path leading to the desired data" was considered to contribute to the solution of a technical problem. See also decisions **T 1902/10**, **T 2539/12**, **T 2330/13**.

9.2.11 Assessment of features relating to mathematical algorithms

In **T 1784/06** the board stated that as the algorithm is a mathematical (inter alia Boolean) method and mathematical methods as such are deemed to be non-inventions, mathematical algorithms may contribute to the technical character of an invention only in so far as they serve a technical purpose (Art. 52(2) and (3) EPC), (see also **T 208/84**; **T 1227/05**, OJ 2007, 574; **T 1358/09**; **T 306/10**; **T 566/11**; **T 2035/11**; **T 2249/13**; **T 2330/13**).

In **T 208/84** the board made a distinction between abstract concepts on the one hand and technical processes involving and modifying a "physical entity", such as an electrical signal, on the other hand. It held that a basic difference between a mathematical method and a technical process could be seen in the fact that a mathematical method or a mathematical algorithm was carried out on numbers (whatever these numbers may represent) and provided a result also in numerical form, the mathematical method or algorithm being only an abstract concept prescribing how to operate on the numbers. No direct technical result was produced by the method as such. In contrast thereto, if a mathematical method was used in a technical process, that process was carried out on a physical entity (which could be a material object but equally an image stored as an electric signal) by some technical means implementing the method and provided as its result a certain change in that entity.

In **T 1161/04** the invention related to an apparatus for rebalancing a stock index. The board held that apart from the input means, processing means and output means, the features of the claim did not contribute to the technical character of the invention. They merely defined the computer operations necessary to implement an algorithm for rebalancing a capitalization-weighted stock index. The board further concluded that the data input to the claimed apparatus was cognitive and had no technical function. The processing performed on them comprised classification, scaling and redistribution. These steps concerned exclusively the cognitive content of the data (their numerical value) which was pure information processing and as such excluded as a mental act.