

2010年英语一阅读 Text 2  
商业方法专利受到潜在法律威胁

读文章前 先思考：找出题干中的定位信息

26. Business-method patents have recently aroused concern because of \_\_\_\_\_.  
27. Which of the following is true of the Bilski case?  
28. The word “about-face” (Line 1, Para. 3) most probably means \_\_\_\_\_.  
29. We learn from the last two paragraphs that business-method patents \_\_\_\_\_.  
30. Which of the following would be the subject of the text?
- 

段1

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.

【段1】 \_\_\_\_\_

4句话之间的关系： \_\_\_\_\_

段1生词：

- patent n. \_\_\_\_\_ v. \_\_\_\_\_
- grant v. \_\_\_\_\_
- business-method patent \_\_\_\_\_
- allocation n. 配置，分配
- asset allocation 资产配置
- technique n. 技术，技巧

段2

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. ③In 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."

**【段2】** \_\_\_\_\_

**【句】** 长难句①见微信公众号田静老师的每日长难句4。

段2生词：

- scale back \_\_\_\_\_
- scale v. 测量，衡量；改变大小 n. 规模；比例；刻度；数值范围
- controversial adj. \_\_\_\_\_  
controversy n. \_\_\_\_\_ (26题)
- authorize v. \_\_\_\_\_  
authorization n. \_\_\_\_\_ (26题)
- intellectual-property 知识产权
- abuzz adj. 嗡嗡的，嘁嘁喳喳的，嘈杂的（句中指议论纷纷）
- the Federal Circuit 联邦巡回法庭
- the U.S. Court of Appeals for the Federal Circuit 美国联邦巡回法庭上诉法院
- a big deal \_\_\_\_\_
- potential n. \_\_\_\_\_ adj. 潜在的，可能的
- eliminate v. 消除，排除；淘汰；撤销

段3

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.

【段3】

【句】长难句①见微信公众号田静老师的每日长难句5。

段3生词：

- curb n. \_\_\_\_\_
- claim n. \_\_\_\_\_
- dramatic adj. 突然的，巨大的；戏剧性的
- pool v. 集中（金钱、资源等） n. 池塘，水池  
mutual-fund 共同基金
- ruling n. \_\_\_\_\_
- explosion n. 激增，扩大；爆炸
- filing n. 卷宗
- initially adv. \_\_\_\_\_
- stake out exclusive rights to sth. 宣布对.....的独占权
- emerging company 新兴公司

- established company 老牌公司
- race to do sth. 争相.....
- a defensive move against... 针对.....的防卫措施
- beat sb. to the punch 先下手为强
- issue v. \_\_\_\_\_ n. 问题；发行物

#### 段4

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.

【段4】 \_\_\_\_\_

【句】长难句①见微信公众号田静老师的每日长难句6。

段4生词：

- hedge risk \_\_\_\_\_
- hedge v. 避免损失，限制；避免做正面答复
- panel n. 小组，专家组，顾问组
- evaluate v. \_\_\_\_\_  
evaluation n. \_\_\_\_\_
- reconsider v. 重新考虑，再斟酌

#### 段5

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.

【段5】 \_\_\_\_\_

段5生词：

- come in the wake of... \_\_\_\_\_
- a series of... 一系列的；一连串的
- the Supreme Court 美国联邦最高法院
- narrow the scope of... \_\_\_\_\_
- narrow v. 使变狭窄；缩小 adj. \_\_\_\_\_  
narrowly adv. \_\_\_\_\_
- signal v. 表达，表示；发出信号 n. 信号
- uphold v. \_\_\_\_\_
- attorney n. 律师，代理人

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

选项B和D的正误原因？ \_\_\_\_\_

静姐的“填坑指南”： \_\_\_\_\_

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.

选项B的正误原因？\_\_\_\_\_

静姐的“填坑指南”：\_\_\_\_\_

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

语意题的解题关键是？\_\_\_\_\_

静姐的“填坑指南”：\_\_\_\_\_

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

细节+推断题，一定不要\_\_\_\_\_，去原文中找\_\_\_\_\_。

选项B和C的正误原因？\_\_\_\_\_

静姐的“填坑指南”：\_\_\_\_\_

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.

主旨题的解题关键？\_\_\_\_\_

静姐的“填坑指南”：\_\_\_\_\_