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**Datasheet for the decision  
of 20 February 2008**

**Case Number:** T 0862/05 - 3.5.01

**Application Number:** 96937677.1

**Publication Number:** 0856178

**IPC:** G06F 17/60

**Language of the proceedings:** EN

**Title of invention:**

Sales process support system and method

**Applicant:**

CITIBANK, N.A.

**Opponent:**

-

**Headword:**

Sales system/CITIBANK

**Relevant legal provisions:**

-

**Relevant legal provisions (EPC 1973):**

EPC Art. 56

**Keyword:**

"Inventive step (no)"

**Decisions cited:**

T 0273/02

**Catchword:**

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Case Number: T 0862/05 - 3.5.01

**D E C I S I O N**  
of the Technical Board of Appeal 3.5.01  
of 20 February 2008

**Appellant:**

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**Representative:**

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**Decision under appeal:**

Decision of the Examining Division of the  
European Patent Office posted 8 February 2005  
refusing European application No. 96937677.1  
pursuant to Article 97(1) EPC 1973.

**Composition of the Board:**

**Chairman:** S. Steinbrener  
**Members:** S. Wibergh  
P. Schmitz

## Summary of Facts and Submissions

- I. This appeal is against the decision of the examining division to refuse European patent application No. 96 937 677.1.
- II. The examining division held that the invention according to the main request and two auxiliary requests lacked an inventive step over an article by K. Morrall entitled "Database Marketing leaves marketing to the branches" published in Bank Marketing, November 1994, p.23-30, and common general knowledge (Article 56 EPC 1973).
- III. In the statement of grounds of appeal, dated 16 June 2005, the appellants requested that the decision be set aside and a patent be granted based on claims 1-17 according to the main request or claims 1-13 according to auxiliary request 1 or claims 1-4 according to auxiliary request 2 or claims 1-12 according to auxiliary request 3, all claims having been filed together with the statement of grounds of appeal.
- IV. Claims 1 and 11 of the *main request* read:
- "1. An integrated sales process support system, comprising:
- a central database (10);
- means for inputting data into the central database (10) from a plurality of sources;
- means for searching the database in response to structured queries and identifying records that match said queries;

at least one micromarketing center (11) having at least one user workstation (12) and being arranged to generate sales leads, the micromarketing center further being linked by telecommunication or other means so that the micromarketing center can communicate electronically with the central database;

means for building said structured queries of said database (10) in response to a user's selection of criteria from a graphic user interface of at least one user workstation (12):

a plurality of geographically separated branch systems (17), each branch system including at least one branch workstation;

a central customer information system (13) linked by telecommunication or other means so that it can communicate electronically with the central database, the central customer information system (13) being geographically separated from, but linked (15,16) for electronic communication to, the workstations at the branch systems (17) and means for distributing the leads generated by the marketing centre among selected bankers at the bank branches and for assigning said leads to the selected bankers who will handle said leads".

"11. A process of identifying sales targets, distributing sales leads, and enhancing sales tools for a marketing campaign, for use in connection with a system that includes a central database (10); means (40) for inputting data into the central database (10) from a plurality of sources (21-25); means for searching the database (10) in response to structured queries and identifying records that match said queries; at least one micromarketing center (11) having a plurality of

user workstations (12) in electronic communication with said central database (10); a plurality of geographically separated branch systems (17), each branch system including at least one branch workstation; and a central customer information system (13), the central customer information system (13) being geographically separated from, but linked (15,16) for electronic communication to, the workstations at the branch systems (17), the process comprising the steps of:

inputting data into the central database (10) from a plurality of sources (21-25);

standardizing and householding said input data into a plurality of organizational levels within said central database (10);

communicating a sales campaign concept to the micromarketing center (11);

generating leads based on the sales campaign concept by entering criteria into a user interface of said user workstation (12) for defining a list of customers to target during the sales campaign, building structured queries in response to the selected criteria and searching the central database (10) using said structured queries, identifying records in said central database (10) that match said selected criteria, and generating said list of customers to target during the sales campaign;

electronically distributing said list of customers to said branch workstations (17) and distributing the leads among selected bankers at the bank branches and assigning the leads to the selected bankers who will handle the leads".

V. Claim 1 of *auxiliary request 1* is identical with claim 1 of the main request.

VI. Claim 1 of *auxiliary request 2* is identical with claim 11 of the main request.

VII. Claim 1 of *auxiliary request 3* adds to claim 1 of the main request the following features:

"means for communicating a sales promotion concept to the micromarketing center;  
means located at the micromarketing [*sic*] for generating leads based on the sales promotion concept;  
and a system for automatically providing leads to the branch systems (17) overnight".

VIII. Following a communication by the Board containing objections with regard to the clarity of the claims and the inventive step, the appellants filed, by letter dated 15 February 2008, a further set of claims 1-17 (*auxiliary request 4*). Claim 1 of this set differs from claim 1 of the main request in that the first instance of the expression "or other means" has been deleted and that the final feature has been amended to read:

"... the central customer information system further including workstations for distributing the leads among selected bankers at the bank branches".

Claim 11 of *auxiliary request 4* is identical with claim 11 of the main request (except for an omitted "of" in the beginning of the claim).

- IX. Oral proceedings, which the appellants did not attend, were held on 20 February 2008. The Board verified that the appellants had requested in writing that the decision under appeal be set aside and a patent be granted on the basis of the claims in accordance with the main request or auxiliary requests 1 to 3 presented with the statement setting out the grounds of appeal dated 16 June 2005 or on the basis of the claims in accordance with auxiliary request 4 presented by letter dated 15 February 2008.
- X. At the end of the oral proceedings the Board announced its decision.

### **Reasons for the Decision**

1. The invention concerns an electronic sales and service support system intended for banks. According to the explanations in the patent application (p.2-7), marketing of financial services must be targeted to people who were inclined to make a change or open other accounts. To anticipate a customer's needs and support targeted marketing, a service provider had to know its customers. In an effort to deal with a large customer database, businesses traditionally maintained customer records. The database must be assembled from diverse sources and information be retrieved from the central database in a meaningful and practical way. However, most bank employees never learned how to use complex query languages. Instead, developers wrote custom applications that were used by the bank employees having only a limited understanding of the program. Thus, an employee's ability to use a database was often

limited by the custom applications written by someone else. It was an object of the invention to provide an electronic sales and service support system that provided improved identification of sales targets using a centralized database.

*Main request*

2. The Board considers the technical features of claim 1 to be the following:

- a central database,
- means for inputting data into the central database,
- means for searching the database and identifying records,
- workstations with or without a graphic user interface,
- telecommunication links, and
- means for building structured queries.

2.1 The appellants do not deny that these features are known *per se* (cf also the description of the prior art as summarized above). They do however argue that the particular way the components are combined and interact was not known. It was a significant feature of claims 1 and 11 that electronic communication was used in the way specified by the claims. It resulted in a quicker generation and distribution of sales leads. The skilled person would not arrive at anything falling within the scope of claims 1 or 11.

2.2 Looking closer at the interactions invoked by the appellants, the Board notes that these are largely of a commercial or organisational nature. Sales leads - ie specific information about (potential) customers - are



generated by a so-called micromarketing centre. The only thing claim 1 says about this micromarketing centre is that it contains workstations. The workstations are connected to a database, but this is clearly necessary since sales leads must be generated from some kind of starting data. There is a central customer information system also linked to the database, but the function of this system is not further defined in the claim and thus has no specified bearing on the generation and distribution of sales leads.

2.3 The appellants have argued that by using a central database and a central customer information system linked with the central database and linked for electronic communication to the work stations at the plurality of branch systems it is possible to reduce the time required to generate and distribute sales leads. Claim 1 however merely states that leads are distributed among selected bankers by "means", even leaving it open whether these means are technical. If they are understood as telecommunication lines, their choice was trivial.

2.4 Furthermore, the appellants have pointed out that according to the description, p.7, l.7-26, prior systems suffered from errors due to bank employees having to use predefined queries since they were not skilled at the task of forming queries. The only feature in claim 1 which might conceivably address this problem is the provision of a "micromarketing center" containing work stations. But work stations are used for forming queries in the described prior art as well, and merely referring to the location of the work

station as a "micromarketing center" has no technical significance.

- 2.5 Finally, the appellants have insisted that the skilled person *would* not have arrived at anything falling within the scope of the claims. This is however not always a relevant argument with respect to a claim containing non-technical features. It was held in decision T 273/02 - IC card/TOSHIBA (not published in the OJ EPO) that the "could/would approach" only applies if the "would" part involves technical considerations. This is another way of saying that the ingenuity of a claim's non-technical features is of no relevance since only technical contributions may contribute to an inventive step. As for the claimed combination of technical features, the Board is convinced that the skilled person would indeed have arrived at it.
- 2.6 Thus the subject-matter of claim 1 does not involve an inventive step (Article 56 EPC 1973).
3. The same considerations apply to the system with which the method of claim 11 is to be used. The method features themselves are either of a non-technical nature (such as standardizing and householding, communicating a campaign or a concept, distributing and assigning leads to bankers) or, when implemented, arguably technical but well known (such as inputting data into the central database, building queries, generating a list, electronically distributing the list). Therefore, also the method of claim 11 does not involve an inventive step (Article 56 EPC 1973).

*Auxiliary requests 1 and 2*

4. Since these requests encompass claims 1 and 11, respectively, of the main request, they must also be refused (Article 56 EPC 1973).

*Auxiliary request 3*

5. Claim 1 additionally contains the following three features:

means for communicating a sales promotion concept to the micromarketing center;

means located at the micromarketing /center/ for generating leads based on the sales promotion concept; and a system for automatically providing leads to the branch systems overnight.

The first means could be a conventional telecommunication line. The second means are indistinguishable from the user work stations already present in the claim according to the main request. The third feature is a straight-forward automation motivated by the non-technical requirement that a branch manager's request for customer information receive a quick reply (cf the decision under appeal, point 10.3).

Thus, the subject-matter of claim 1 also does not involve an inventive step (Article 56 EPC 1973).

*Auxiliary request 4*

6. The appellants have explained that the amendments to claim 1 of this request are intended to overcome the objections with respect to clarity raised in the Board's communication. The changes have however no importance for the question of inventive step. Furthermore, independent claim 11 is identical with claim 11 of the main request. Thus this request is also refused (Article 56 EPC 1973).

**Order**

**For these reasons it is decided that:**

The appeal is dismissed.

The Registrar:

The Chairman:

T. Buschek

S. Steinbrener