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**Datasheet for the decision  
of 25 October 2012**

**Case Number:** T 1073/07 - 3.4.03

**Application Number:** 02725581.9

**Publication Number:** 1472657

**IPC:** G07F 17/32

**Language of the proceedings:** EN

**Title of invention:**

Method and apparatus for providing a personal wide area progressive prize for a gaming apparatus

**Applicant:**

IGT

**Headword:**

-

**Relevant legal provisions:**

EPC Art. 123(2)

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

EPC Art. 56, 54(1)

**Keyword:**

"Inventive step (yes) "

**Decisions cited:**

-

**Catchword:**

-



Case Number: T 1073/07 - 3.4.03

**D E C I S I O N**  
of the Technical Board of Appeal 3.4.03  
of 25 October 2012

**Appellant:** IGT  
(Applicant) 9295 Prototype Drive  
Reno, Nevada 89511 (US)

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**Decision under appeal:** Decision of the Examining Division of the  
European Patent Office posted 16 February 2007  
refusing European patent application  
No. 02725581.9 pursuant to Article 97(1) EPC  
1973.

**Composition of the Board:**

**Chairman:** G. Eliasson  
**Members:** E. Wolff  
T. Karamanli

## Summary of Facts and Submissions

I. Patent application No. 02 725 581 was refused by the examining division for the reason that independent claims 1 and 14 did not fulfil the requirements of Art. 123(2) EPC 1973.

II. The examining division also cited the following documents

D1: US 6 162 122 A

D2: US 5 770 533 A

D8: US 6 312 333 B1

and, stating that a complete examination had been carried out, expressed the view that the invention as claimed in claim 1 lacked an inventive step starting from either document D2 or document D1 as nearest prior art. Independent method claim 14 was found to contain a further technical feature not disclosed in claim 1. As this feature was known from document D8 (abstract and associated Figure), the examining division concluded that claim 14, too, did not involve an inventive step.

III. During oral proceedings held before the board in response to the appellant's precautionary request, the appellant filed as sole request an amended set of claims and, to ensure its conformity with the amended claims, an amended description. The appellant requested that the decision of the examining division be set aside and that a patent be granted in the following version:

Claims: 1 to 16 filed during the oral proceedings of 25 October 2012 as a sole request,

Description pages:

1, 1a, 3 to 7, 9 and 29 as filed during the oral proceedings of 25 October 2012, and 2, 8 and 10 to 28 as published,

Drawings: Sheets 1/15 to 15/15 as published.

IV. The independent claims 1 and 10 of the request are worded as follows:

*"1. A gaming system, comprising:*

*a first group of gaming apparatuses (20), said first group of gaming apparatuses (20) being connected to a first local, satellite computer (45) comprising a first player tracking database (47), the first group of gaming apparatuses and the first local, satellite computer being located in a first facility;*

*a second group of gaming apparatuses (30), said second group of gaming apparatuses (30) being connected to a second local, satellite computer (46) comprising a second player tracking database (48), the second group of gaming apparatuses and the second local, satellite computer being located in a second facility in a separate geographic location than the first facility;*

*a remote central computer (43), the first and second local, satellite computers being linked to the central computer, the central computer comprising a central database (44) and configured*

*to provide periodic updates of player tracking data to the first and second local, satellite computers;*

*each of said first and second gaming apparatuses (20,30) including:*

*a display unit (70) that is capable of generating video images;*

*a value input device (64);*

*a player tracking card reader/writer (58);*

*a controller (100) operatively coupled to said display unit, said value input device, and said player tracking card reader/writer, said controller comprising a processor (104) and a memory (102)*

*operatively coupled to said processor,*

*said controller being programmed to allow a person to make a wager;*

*said controller being programmed to cause said display unit to generate an image of a game;*

*said controller being programmed to read a player tracking card, acquire player tracking data from the player tracking database of said corresponding first or second satellite computer (45, 47), determine if a player is a personal wide area progressive member, and write data to the player tracking card;*

*said controller being programmed to evaluate an outcome of said game;*

*said controller being programmed to determine if said outcome of said game was a*

*qualified personal wide area progressive jackpot win;*

*said controller being programmed to increment a credit account for said player by a personal wide area progressive jackpot total if said outcome of said game was a qualified personal wide area progressive jackpot win;*

*said controller being programmed to reset said personal wide area progressive jackpot total if said outcome of said game was a qualified personal wide area progressive jackpot win; and*

*said controller being programmed to increment said credit account for said player by a contribution amount if said outcome of said game was not a qualified personal wide area progressive jackpot win;*

*wherein the first and the second group of gaming apparatuses (20, 30) are configured to perform a query for player tracking data by first attempting to locate the player tracking data from the first and, respectively, second local, satellite computers (45, 46); and*

*wherein the first and the second local, satellite computers (45, 46) are configured to forward a look-up request to the remote central computer (43) in case the player tracking data cannot be found at the first and, respectively, second player tracking database (47, 48)."*

"10. A gaming method comprising the steps of:

- causing, at a gaming apparatus (20), a game image to be generated, said game image representing a game selected from the group of games consisting of video poker, video blackjack, slots, video keno and video bingo,

said game image comprising an image of at least five playing cards if said game comprises video poker,

said game image comprising an image of a plurality of slot machine reels if said game comprises slots,

said game image comprising an image of a plurality of playing cards if said game comprises video blackjack,

said game image comprising an image of a plurality of keno numbers if said game comprises video keno, and

said game image comprising an image of a bingo grid if said game comprises video bingo;

- reading a player tracking card;

- acquiring player tracking data from a player tracking database;

- determining if a player is a personal wide area progressive member who is eligible to win a personal wide area progressive jackpot;

- evaluating an outcome of said game represented by said game image;

- determining if said outcome of said game was a qualified personal wide area progressive jackpot win;

- incrementing a credit account for said player by a personal wide area progressive jackpot total if said outcome of said game

was a qualified personal wide area progressive jackpot win;  
- locking said gaming apparatus and performing a jackpot verification if said outcome of said game was a qualified personal wide area progressive jackpot win;  
- resetting said personal wide area progressive jackpot total if said outcome of said game was a qualified personal wide area progressive jackpot win;  
- incrementing said credit account by a contribution amount if said outcome of said game was not a qualified personal wide area progressive jackpot win; and  
- writing data to said player tracking card;  
wherein a plurality of gaming apparatuses

(20) form a first group, said first group of gaming apparatuses (20) being connected to a first local, satellite computer (45) comprising a first player tracking database (47) and being located in a first facility;

wherein a plurality of gaming apparatuses (30) form a second group, said second group of gaming apparatuses (30) being connected to a second local, satellite computer (46) comprising a second player tracking database (48) and being located in a second facility in a separate geographic location than the first facility; and

wherein said first and second local, satellite computers (45, 46) are linked to a central computer (43) comprising a central database (44) and configured to provide periodic updates of player tracking data to the first and second local, satellite computers,



*the method further comprising the steps of:  
perform, by the first and the second group  
of gaming apparatuses (20, 30), a query for player  
tracking data by first attempting to locate the  
player tracking data from the first and,  
respectively, second local, satellite computers  
(45, 46); and*

*forward, by the first and the second local,  
satellite computers (45, 46), a look-up request to  
the remote central computer (43) in case the  
player tracking data cannot be found at the first  
and, respectively, second player tracking database  
(47, 48)."*

## **Reasons for the Decision**

1. Amendments (Art. 123(2) EPC)
  - 1.1 The application was published as filed, with the exception of substitute sheets 1/15 to 15/15 of the drawings, which were filed under Rule 26 PCT on 4 June 2002. References to the application as filed are to be interpreted accordingly.
  - 1.2 In the following analysis of the amendments to independent claims 1 and 10, insertions are marked **bold and underlined**, deletions with ~~strikethrough~~ and in *italics*; no marking has been applied in respect of added reference numerals:
  - 1.3 The independent apparatus claim 1 of the sole request differs in wording from independent apparatus claim 13

as originally filed by incorporating the following changes (i) to (xi)

(i) "1. A gaming ~~apparatus~~ system, comprising:

(ii) a first group of gaming apparatuses (20), said first group of gaming apparatuses (20) being connected to a first local, satellite computer (45) comprising a first player tracking database (47), the first group of gaming apparatuses and the first local, satellite computer being located in a first facility;

(iii) a second group of gaming apparatuses (30), said second group of gaming apparatuses (30) being connected to a second local, satellite computer (46) comprising a second player tracking database (48), the second group of gaming apparatuses and the second local, satellite computer being located in a second facility in a separate geographic location than the first facility;

(iv) a remote central computer (43), the first and second local, satellite computers being linked to the central computer, the central computer comprising a central database (44) and configured to provide periodic updates of player tracking data to the first and second local, satellite computers;

(v) each of said first and second gaming apparatuses (20,30) including:

a display unit (70) that is capable of generating video images;

a value input device (64);

- (vi) a player tracking card reader/writer  
(58);
- (vi) a controller (100) operatively coupled to said display unit, said value input device, and said player tracking card reader/writer, said controller comprising a processor (104) and a memory (102) operatively coupled to said processor, said controller being programmed to allow a person to make a wager;
- (vii) said controller being programmed to cause ~~a video image to be generated on said display unit, said video image representing a game~~ said display unit to generate an image of a game;
- (viii) said controller being programmed to read a player tracking card, acquire player tracking data from ~~a~~ the player tracking database ~~and~~ of said corresponding first or second satellite computer (45, 47), determine if a player is a personal wide area progressive member, and write data to the player tracking card;
- (ix) said controller being programmed to evaluate an outcome of said game ~~represented by said video image;~~
  - said controller being programmed to determine if said outcome of said game was a qualified personal wide area progressive jackpot win;
  - said controller being programmed to increment a credit account for said player by a personal wide area progressive jackpot total if said outcome of said game was a

qualified personal wide area progressive jackpot win;

(x) said controller being programmed to reset said personal wide area progressive jackpot total ~~to an amount correlating to said player's gaming history~~ if said outcome of said game was a qualified personal wide area progressive jackpot win; and

said controller being programmed to increment said credit account for said player by a contribution amount if said outcome of said game was not a qualified personal wide area progressive jackpot win;

(xi) wherein the first and the second group of gaming apparatuses (20, 30) are configured to perform a query for player tracking data by first attempting to locate the player tracking data from the first and, respectively, second local, satellite computers (45, 46); and

(xii) wherein the first and the second local, satellite computers (45, 46) are configured to forward a look-up request to the remote central computer (43) in case the player tracking data cannot be found at the first and, respectively, second player tracking database (47, 48)."

1.4 Each of the indicated amendments in claim 1 can be found or be unambiguously derived as follows from the application as filed:

a) the amendments labelled (i) and (v) reflect the change from claiming an individual gaming

apparatus, as claimed in the originally filed apparatus claim 1 (or apparatus claim 13), to claiming a gaming system of the kind originally claimed in independent apparatus claim 17 (or independent apparatus claim 26). Claim 1 furthermore now requires that the system comprises a first and a second group of gaming apparatuses of the kind originally claimed in claim 1 (or claim 13);

- b) the amendments labelled (ii) to (iv) can be clearly and unambiguously derived from Figure 1B of the drawings and the description from page 8, line 29 to page 9, line 13, when read together with lines 3 to 7 on page 8 concerning the location of the first and second group of gaming apparatuses and their respective satellite computers at first and second locations respectively;
- c) the repeated amendment labelled (vi) is based on the card reader being described on page 11, lines 7 and 8 being used to *"read and/or write data"*;
- d) *the amendment labelled (vii)* the new wording "said controller being programmed to cause said display unit to generate an image of a game" merely expresses in more concise form the content of the previously used wording "said controller being programmed to cause a video image to be generated on said display unit, said video image representing a game"; the amendment labelled (ix) is merely consequent upon the change of wording of amendment (vii);

- e) in addition to changes consequent upon the amended wording of claim 1 now referring to a gaming system comprising first and second gaming apparatus, the amendment labelled (viii) specifies that tracking data obtained from the tracking data base of the respective satellite computer, and that data are written to the player tracking card (provided the player is a personal wide area progressive member), as detailed, for example, on page 11, lines 7 to 10 ("[i]f provided for player tracking purposes, the card reader 58 may be used to read data from and/or write data to, player tracking cards that are capable of storing data representing the identity of a player, the identity of the casino, the players gaming habits, etc.")
  
- f) the amendment labelled (x) concerns the omission of the feature of resetting the personal wide area progressive jackpot total "to an amount correlating to said player's gaming history"; removing this limitation reflects the description on, e.g., page 2, lines 18 to 20, which simply states that the controller may be programmed to reset the personal wide area progressive jackpot total if said outcome of said game was a qualified personal wide area progressive jackpot win, without mentioning any particular amount to which the total may be reset.
  
- g) the amendments labelled (xi) to (xii) can be clearly and unambiguously derived from page 9, line 18 to 20 and lines 20 to 22 respectively. The

board accepts in this respect that, as argued by the appellant, the statement at page 9, lines 11, 12, reciting that the second local satellite computer is located at the first facility is clearly a mistake, which is contradicted by page 8, lines 3 to 7, Fig. 1B and the remainder of the description.

1.5 The board considers the nearest corresponding claim to independent method claim 10 of the sole request to be independent method claim 31 of the application as originally filed. Claim 10 of the request differs in wording from independent method claim 31 as originally filed by incorporating the following changes (i) to (xi):

- (i) "10. A gaming method comprising the steps of:
- (ii) - causing, at a gaming apparatus (20), a ~~video~~ game image to be generated, said ~~video~~ game image representing a game selected from the group of games consisting of video poker, video blackjack, slots, video keno and video bingo,
- (iii) said ~~video~~ game image comprising an image of at least five playing cards if said game comprises video poker,
- (iii) said ~~video~~ game image comprising an image of a plurality of slot machine reels if said game comprises slots,
- (iii) said ~~video~~ game image comprising an image of a plurality of playing cards if said game comprises video blackjack,
- (iii) said ~~video~~ game image comprising an image of a plurality of keno numbers if said game comprises video keno, and

- (iii) said ~~video~~ **game** image comprising an image of a bingo grid if said game comprises video bingo;
  - reading a player tracking card;
  - acquiring player tracking data from a player tracking database;
  - determining if a player is a personal wide area progressive member who is eligible to win a personal wide area progressive jackpot;
- (iii)- evaluating an outcome of said game represented by said ~~video~~ **game** image;
  - determining if said outcome of said game was a qualified personal wide area progressive jackpot win;
  - incrementing a credit account for said player by a personal wide area progressive jackpot total if said outcome of said game was a qualified personal wide area progressive jackpot win;
- (iv) - locking said gaming apparatus and performing a jackpot verification if said outcome of said game was a qualified personal wide area progressive jackpot win;
  - resetting said personal wide area progressive jackpot total if said outcome of said game was a qualified personal wide area progressive jackpot win; ~~and~~
  - incrementing said credit account by a contribution amount if said outcome of said game was not a qualified personal wide area progressive jackpot win; and
- (v) - writing data to said player tracking card;
- (vi) wherein a plurality of gaming apparatuses (20) form a first group, said first group of gaming apparatuses (20) being connected to a first local, satellite computer (45) comprising a first



- player tracking database (47) and being located in a first facility;
- (vii) wherein a plurality of gaming apparatuses (30) form a second group, said second group of gaming apparatuses (30) being connected to a second local, satellite computer (46) comprising a second player tracking database (48) and being located in a second facility in a separate geographic location than the first facility; and
- (viii) wherein said first and second local, satellite computers (45, 46) are linked to a central computer (43) comprising a central database (44) and configured to provide periodic updates of player tracking data to the first and second local, satellite computers,
- (ix) the method further comprising the steps of:
- (x) perform, by the first and the second group of gaming apparatuses (20, 30), a query for player tracking data by first attempting to locate the player tracking data from the first and, respectively, second local, satellite computers (45, 46); and
- (xi) forward, by the first and the second local, satellite computers (45, 46), a look-up request to the remote central computer (43) in case the player tracking data cannot be found at the first and, respectively, second player tracking database (47, 48)."

1.6 Each of the indicated amendments in claim 10 can be found or be unambiguously derived as follows from the application as filed:

- a) amendments labelled (i), (ii) and (xi) are mere changes in wording. The formal amendments (i) and (xi) serve to make it explicit that the claimed method comprises a series of steps (i) and further steps (xi). In the amendment labelled (ii), the new wording both explicitly states what was previously implicit, viz., that the images are caused to be generated at a gaming apparatus (20), and replaces the wording "video image" with "game image", thereby making the wording of claim 10 consistent with the revised wording of apparatus claim 1 (see, paragraph 1.3 d) regarding amendment (vii) above). The repeated amendment labelled (iii) is merely consequent upon the change of wording of "video image" to "game image" in the context of amendment (ii);
- b) amendment (iv) specifies the additional step of locking the gaming apparatus for verification if a player has won a wide area jackpot, as described, e.g., on pages 2, line 30 to page 3, line 1.
- c) the repeated labelled (v) corresponds to amendment (vii) of claim 1 and is based on the card reader as described on page 11, lines 7 to 10 ("[i]f provided for player tracking purposes, the card reader 58 may be used to read data from and/or write data to, player tracking cards that are capable of storing data representing the identity of a player, the identity of the casino, the players gaming habits, etc.");
- d) the amendments labelled (vi) to (viii) can be clearly and unambiguously derived from Figure 1B

of the drawings and the description from page 8, line 29 to page 9, line 13, when read together with lines 3 to 7 on page 8, concerning the location of the first and second satellite computers at first and second locations respectively;

- e) the amendments labelled (ix) to (xi) reflect that the method is now claimed as being performed on a gaming apparatus comprising first and second groups of gaming apparatuses, and can be clearly and unambiguously derived from page 9, line 18 to 20 and lines 20 to 22 respectively.
- 1.7 The amendments restrict the claims to a system having groups of gaming apparatuses linked to first and second local satellite computers periodically updated with player tracking data, and to a method of operating such a system. To the extent that their subject matter was not incorporated into independent claims 1 and 10, the claims dependent on the independent apparatus claim 1 and the independent method claim 10, respectively, were amended to achieve consistency of wording with the respective one of the amended independent claims.
- 1.8 In particular, dependent apparatus claims 2 to 9 correspond to the originally filed claims as follows:
- a) claim 2 corresponds to originally filed claim 14, claim 3 to claim 15, claim 4 to claim 16, claim 5 to claim 22, and claim 6 to claim 23.
  - b) Claim 7 claims the subject matter originally claimed in claim 11. Although the originally filed

claim 11 was dependent on claim 1 rather than on claim 13 on which the new claim 1 is based, the general support for the claimed feature on page 18, lines 20 to 25 of the description makes this altered claim dependency unobjectionable.

- c) Claim 8 is based on some of the features of the original claim 54. Although mechanically rotatable reels are referred to in that claim as part of a combination with other features, the amendment is acceptable on account of the general reference on page 25, lines 15 to 17 of the description that instead of slot machine reels represented as image on the display unit, actual slot machine reels that can be spun can be utilized.
  
- d) New claim 9 corresponds to the originally filed claim 18 as dependent upon the originally filed claim 17, if the change of wording is taken into account which replaces the reference to gaming apparatuses being interconnected to from a network of gaming apparatuses (original claim 17) with the now explicit mention of the groups of gaming apparatuses of claim 1.

1.9 Similarly, the dependent method claims 11 to 16 correspond to the originally filed claims as follows:

- a) claim 11 corresponds to originally filed claim 32, claim 12 to claim 35, claim 13 to claim 36, claim 14 to claim 39, and claim 15 to claim 40.
  
- b) Claim 16 is based on features of the original claim 54. Although mechanically rotatable reels

are referred to in that claim as part of a combination with other features, the amendment is acceptable on account of the general reference on page 25, lines 15 to 17 of the description that instead of slot machine reels represented as image on the display unit, actual slot machine reels that can be spun can be utilized.

1.10 The board is satisfied that neither the formal changes to the wording nor the material amendments to the claims include subject matter going beyond the contents of the application as filed.

1.11 The changes to the description merely serve to provide consistency with the amended claims.

1.12 The board concludes that the amendments which lead to the present wording of the claims and description comply with the requirements of Article 123(2) EPC.

2. Novelty (Art. 54(1) EPC 1973)

2.1 The board considers that none of the prior art before it discloses the subject matter of claims 1 and 10 of the application.

2.1.1 Document D1 relates to gaming devices, and in particular to a method and apparatus for controlling gaming devices. It allows player tracking and aims to allow gaming devices to be reconfigured remotely. Gaming devices or machines are connected to floor controllers, and the floor controllers are interconnected by a high-speed network to a database where accounting and player tracking data are stored

(column 2, lines 40 to 42 and column 2, line 62 to column 3, line 1). The system allows for improved player tracking, because information about how long a player spends at each machine, the number of coins won, games played etc., is collected and stored by the system in the database and can later be analysed (column 3, lines 31 to 42).

2.1.2 Document D8 relates generally to electronic gaming machines interconnected by a computer network and more particularly to a method and apparatus for crediting winnings to such machines adjusted for tax laws. It was considered relevant by the examining division merely because it provides for the gaming apparatus to be locked for verification purposes following a win (column 2, lines 7 to 10; column 6, lines 4 to 7).

2.1.3 Document D2 addresses the problem of cheating by both players and the employees of the casino establishment. A casino operating system is proposed which enables monitoring of the flow of funds and gambling activities in a casino or a gaming establishment utilizing a network of computers. Players receive encoded betting cards from the cashier in place of gaming chips or cash to be used at the individual gaming computers. The betting cards may be returned to the cashier to receive cash, increase the available credit, or directly deposit the betting card cash balance into a bank account. Communications between the central computer (200) and an individual game computer takes place after play is complete. The winnings and losses of each individual player are debited from the player's account by the individual game computer and sent to the central computer (200). The central computer keeps a running

- total of the credit available to each player (column 6, lines 30 to 37).
- 2.2 Thus, documents D1, D2 and D8 neither disclose a gaming system with a structure according to claim 1, nor a method of operating it according to claim 10, in which first and second groups of gaming apparatuses at different geographical locations are linked to respective local satellite computers which are periodically updated by a remote central computer with player tracking data.
- 2.3 The board concludes that the subject matter of claim 1 and claim 10 is new.
3. Inventive step (Art. 56 EPC 1973)
- 3.1 The board considers that the disclosure in document D2 constitutes the nearest prior art for the purposes of assessing whether the claimed invention involves an inventive step.
- 3.2 Both the casino operating system of document D2 and the invention claimed in claim 1 are concerned with a system of computers in which a hub computer exchanges data relating to the player, the games played, winnings, account balances and the like, with a several peripheral computers.
- 3.3 The gaming system disclosed in document D2 consists of a system of computers. A central computer (200) is connected to individual game computers (207), each of which controls a group of slot machines. Remote Access Terminals (RSAT 1700, Figure 17) which may be provided

which are connected to the game computers, an RSAT 1700 being a portable two-way controller which transmits information to a selected individual game computer and receives information from the selected individual game computer (column 17, lines 59 to 62). The game computers collect information from each associated game machine and transmit the collected information to the central computer (column 5, lines 18 to 22).

3.4 More particularly,

- a) The central computer (200), which stores programs and accept and process data (column 5, lines 1 to 5). Any communication to be transmitted to the player is first transmitted by the central computer to an individual game computer, then the latter forward the communication to the player console (column 8, lines 58 to 64).
- b) The individual game computers (207), connected to a respective row of slot machines, adapted to collect information from each machine in the row and to transmit the collected information to the central computer (column 5, lines 18 to 22); individual game computers may also provide received information to the players.
- c) The RSAT, which is a portable terminal with wireless capabilities for transmitting and receiving information to/from an individual game computer (column 15, lines 26 to 29; column 16, lines 1 to 3) and to transmit information directly to the central computer (column 16, lines 10 to



13). It is the central computer that maintains the records for each player (column 16, lines 9, 10).

3.5 According to the invention as claimed in claim 1, a gaming system comprises first and second groups (20, 30) of gaming apparatuses located at geographically different locations, each group of apparatuses being connected each to its respective local satellite computer (45, 46). The satellite computers (45, 46) are connected to a remote central computer (43).

3.6 On the basis of the differences to the prior art disclosure in document D2, the objective problem addressed by the claimed invention can be considered to be the provision of a improved gaming system which allows a player to use the same gaming system from geographically different locations.

3.7 The objective problem is solved according to the invention claimed in claim 1 in that

- a) the first and the second group of gaming apparatuses (20, 30) are configured to perform a query for player tracking data by first attempting to locate the player tracking data from the first and, respectively, second local, satellite computers (45, 46); and
- b) the first and the second local satellite computers (45, 46) are configured to forward a look-up request to the remote central computer (43) in case the player tracking data cannot be found at the first and, respectively, second player tracking database (47, 48).

- 3.8 As persuasively presented by the appellant, initially querying a local satellite computer instead of a central computer considerably reduces the response time for providing and receiving data, because the data are available locally and are not susceptible to delays that might be caused if they had to be continuously transferred over the network connection with the central computer. Furthermore, each local gaming environment is almost independent from the status of the network connecting the central computer to the local satellite computers, which may be subject to occasional faults since, as described in the description on page 7, line 30 to page 8, line 2, the network may be the Internet, which is a cheap solution, but may be subject to faults, delays and/or service interruptions.
- 3.9 The aforementioned technical features make it possible for a player to move from one gaming station connected to one local satellite computer to another gaming station located in a geographically different location.
- 3.10 Moreover, the gaming system as claimed in claim 1 enables a personal wide area progressive jackpot total to be easily implemented over geographically distinct locations and, because the system provides for the data in each local satellite computer to be periodically updated, enables the player immediately to start to contribute to his personal progressive jackpot without the need for requesting a data transfer from the central computer to the local satellite computer.

- 3.11 As argued by the appellant, there is no indication in document D2 of an arrangement in which a gaming apparatus is provided at different geographic locations, in which player tracking data is held on respective local satellite computers which are periodically updated by the remote central computer, and in which primary data traffic of the gaming apparatus in the computer network is confined to data exchange between it and the satellite computers (45, 46) which merely receive periodic updates of player tracking data from the remote central computer.
- 3.12 This improved efficiency in data access time and independence from external network faults, as well as reduction in the amount of data transferred over networks not belonging to the casino establishment (external network, e.g., the Internet), is as was argued by the appellant, an advantage deriving from a technical solution to a technical problem. Moreover, these advantages are obtained without the need for providing a high capacity/high quality network connecting the central computer with the various local satellite computers, thus also reducing costs.
- 3.13 The above mentioned problem of operating a gaming system over two geographically separate locations is considered neither in document D2, nor in document D1. There is no indication in D1 or D2 that would give a person skilled in the art a motivation to use local databases at local satellite computers which are merely periodically updated with player tracking data. Instead, both D1 and D2 teach that every request for updated data must be sent to the central computer which is the only entity hosting a database.

3.14 Based on the foregoing discussion, the board concludes that amended claim 1 according to the sole request involves an inventive step over the disclosure of D1 and D2.

3.15 The same considerations apply for independent method claim 10.

4. The board is satisfied that the application complies with the requirements of Article 123(2) EPC. The board is also satisfied that, with respect to the prior art available to the board, the invention as claimed in claims 1 and 10 involves an inventive step within the meaning of Article 56 EPC 1973.

In view of the above, the sole request is allowable.

## Order

### For these reasons it is decided that:

1. The decision under appeal is set aside.
2. The case is remitted to the department of first instance with the order to grant a patent in the following version:

Claims: 1 to 16 filed during the oral proceedings of 25 October 2012 as a sole request

Description pages: 1, 1a, 3 to 7, 9 and 29 as filed during the oral proceedings of 25 October 2012, and 2, 8 and 10 to 28 as published

Drawings: Sheets 1/15 to 15/15 as published

Registrar:

Chair:

S. Sánchez Chiquero

G. Eliasson