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**Datasheet for the decision
of 26. April 2012**

Case Number: T 0051/09 - 3.4.03

Application Number: 04024211.7

Publication Number: 1522979

IPC: G07F 17/32

Language of the proceedings: EN

Title of invention:
Mail exchange between users of network game

Applicant:
Kabushiki Kaisha Square Enix
(also trading as Square Enix Co., Ltd.)

Headword:
-

Relevant legal provisions (EPC 1973):
EPC Art. 56

Keyword:
"Inventive step (yes)"

Decisions cited:
-

Catchword:
-

EPA Form 3030

C7697.D

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Case Number: T 0051/09 - 3.4.03

D E C I S I O N
of the Technical Board of Appeal 3.4.03
of 26. April 2012

Appellant: (Applicant)	Kabushiki Kaisha Square Enix (also trading as Square Enix Co., Ltd.) Shinjuku Bunka Quint Building 3-22-7 Yoyogi, Shibuya-ku Tokyo 151-8544 (JP)
Representative:	Grünecker, Kinkeldey, Stockmair & Schwanhäusser Anwaltssozietät Leopoldstrasse 4 D-80802 München (DE)
Decision under appeal:	Decision of the Examining Division of the European Patent Office posted 25 July 2008 refusing European patent application No. 04024211.7 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: G. Eliasson
Members: T. Häusser
              T. Bokor

C7697.D

Summary of Facts and Submissions

I.   The appeal concerns the decision of the examining
        division to refuse European patent application
        No. 04 024 211 for lack of inventive step (Article 56
        EPC 1973) in view of the following document:

        D1: EP 1 287 867 A2.

II.   At oral proceedings before the board the appellant
        requested that the decision under appeal be set aside
        and that a patent be granted in the following version:
        Description,   pages 1-5, 44 as filed with letter dated
                        4 July 2006,
                        pages 6-43 as originally filed.
        Claims   1-9 filed as 2nd auxiliary request with
                        the grounds of appeal.
        Drawings,   pages 1/14-14/14 as originally filed
                        (sole request).

III.   The wording of independent claims 1, 5, and 9 of the
        sole request reads as follows:

        "1. A mail managing apparatus for exchanging mail via a
        network between users in a network game,
        wherein the network game comprises a plurality of types
        of network game,
        comprising:
        a mail address storage (305) for storing mail
        addresses,
        a mail server (22) for receiving, storing, and
        transmitting mail using the mail addresses stored in
        the mail address storage (305),
        characterized by

a character name collecting section for collecting a
character name used in the network game by the users
from a server that provides the network game, wherein
the mail managing apparatus is adapted to set an email
address based on the character name collected by the
name collecting section,
wherein said character name collecting section is
adapted for collecting a type of network game
corresponding to the character name together with the
character name;
wherein said mail address storage (305) is adapted for
storing a mail address, which includes the collected
character name and the collected type of network game,
and
wherein the mail address stored in said mail address
storage (305) comprises the character name in a mail
account and the type of network game name in a domain
name."

"5. A method for exchanging mail via a network between
users in a network game,
Wherein the network game comprises a plurality of types
of network game comprising the steps of:
storing mail addresses, in a mail address storage
(305);
receiving (S601), storing (S605, S609), and
transmitting mail (S811) using the mail addresses
stored in the mail address storage (305);
characterized by
collecting (S501) a character name used in the network
game by the users from a server that provides the
network game; and
setting an email address based on the collected
character name,

storing the set mail address which includes a character
name used by the user in the network game in the mail
address storage (305),
wherein the step of collecting (S501) further collects
a type of network game corresponding to the character
name together with the character name;
wherein the mail address includes the collected
character name and the collected type of network game,
and
wherein the mail address stored in said mail address
storage (305) comprises the character name in a mail
account and the type of network game name in a domain
name."

"9. A computer program product comprising a computer
readable medium having computer readable program code
embodied thereon, the program code being adapted to
carry out all steps of any of claims 5 to 8."

IV.   In the appealed decision the examining division held
        that the implementation of the characterizing features
        of claim 1 followed from the non-technical,
        administrative aim to provide meaningful mail addresses.
        The claimed format of the mail addresses posed no
        technical challenge to the skilled person. Therefore,
        subject-matter of claim 1 – and hence that of
        corresponding claims 5 and 9 - did not involve an
        inventive step.

V.   The appellant argued essentially as follows:

        Starting from the prior art known from document D1, the
        invention aimed at improving the mail correspondence.
        The characterizing features allowed to avoid

conflicting email addresses by using the type of
network game in the domain name. From the state of the
art it was not even known to automatically create email
addresses. The subject-matter of the claimed invention
involved therefore an inventive step.

Reasons for the Decision

1.   Admissibility

      The appeal is admissible.

2.   Amendments

      Independent claims 1, 5, and 9 are based on original
      claims 1, 9, 14, 15, 19, and 20 and the description as
      originally filed (page 21, lines 3-10; page 28, lines
      8-13).

      Dependent claims 2-4 and 6-8 are based on original
      claims 7 and 8 and the description as originally filed
      (page 19, lines 8-13; page 28, lines 8-13).

      The description has been brought into conformity with
      the amended claims and supplemented with an indication
      of the relevant content of the prior art without
      extending beyond the content of the application as
      filed.

      Accordingly, the board is satisfied that the amendments
      do not violate the provisions of Article 123(2) EPC.

3.   Novelty

3.1   Document D1 discloses (see Figures 1-4, paragraphs
        [0007] and [0023]-[0049]) an online game system 1 which
        aims at allowing a player to easily select a desired
        game. The game system 1 and information terminals 101-
        104, which are used by multiple players A-D, are
        connected on a network 200. The game system 1 provides
        the players A-D with a place for a match in a
        predetermined game and includes - among others - a
        lobby server 2, a message server 5, and a mail server 6.
        The message server 5 and mail server 6 provide
        environments for exchanging messages in real time and
        for exchanging electronic mail among the players A-D,
        respectively.

        The lobby server 2 includes multiple chat servers 11-14
        through which messages are transmitted and received
        among players by specifying the "nickname" of the
        desired player. Furthermore, the lobby server 2 has a
        management master program, which includes a lobby
        navigator 30, and includes multiple zone servers 21-24
        which in turn comprise a management program including a
        room master 31 and a table master 32.

        The lobby navigator 30 selects a zone server 21-24
        through the corresponding chat servers 11-14. In the
        zone servers 21-24, the room master 31 selects the
        rooms 0-15 and the table master 32 selects the tables
        0-15. Zones, rooms, and tables are arranged in a
        hierarchical structure, a table being a "child" of a
        room, which is in turn a "child" of a zone. The room
        master 31 manages a room player list storing
        information about each player in a room, i.e. a

"nickname status" (e.g. "in the process of a game", "in a chat"), and the status of each table (e.g. "during the game", "in empty state").

3.2   Using the wording of claim 1, document D1 discloses a mail managing apparatus for exchanging mail via a network between users (A-D) in a network game, wherein the network game comprises a plurality of types of network game (implicit since a desired game may be selected),
comprising:
a mail address storage for storing mail addresses (necessarily part of the mail server 6),
a mail server (6) for receiving, storing, and transmitting mail (between players A-D) using the mail addresses stored in the mail address storage.

3.3   Document D1 does not disclose the characterizing features of claim 1, namely

        (1)   a character name collecting section for collecting a character name used in the network game by the users from a server that provides the network game,
        (2)   wherein the mail managing apparatus is adapted to set an email address based on the character name collected by the name collecting section,
        (3)   wherein said character name collecting section is adapted for collecting a type of network game corresponding to the character name together with the character name;
        (4)   wherein said mail address storage is adapted for storing a mail address, which includes the

collected character name and the collected type of
network game, and

(5)   wherein the mail address stored in said mail
      address storage comprises the character name in a
      mail account and the type of network game name in
      a domain name.

The subject-matter of claim 1 is therefore new over
document D1.

3.4   None of the remaining prior art documents on file is
      closer to the subject-matter of claim 1 than document
      D1.

      Method claim 5 and computer program product claim 9
      correspond to apparatus claim 1. Claims 2-4 and 6-8 are
      dependent on claims 1 and 5, respectively, providing
      further limitations.

      Accordingly, the subject-matter of claims 1-9 is new
      (Article 54(1) and (2) EPC 1973).

4.   Inventive step

4.1   Document D1 is regarded to represent the closest state
      of the art.

4.2   The subject-matter of claim 1 differs from the mail
      managing apparatus disclosed in D1 in comprising
      features (1) to (5) (see point 3.3 above).

      The effect of these features is to allow the users to
      easily exchange emails in a network game (see the
      description, page 2, lines 14-16). The objective

technical problem is therefore the technical
implementation of a system allowing such easy exchange
of emails.

4.3   It remains to be considered whether it would be obvious
        for the skilled person, an expert in the art of
        electronic mail communication, to solve the posed
        problem by incorporating the differing features (1) to
        (5) into the mail managing apparatus of D1.

        In the apparatus of D1 messages are transmitted and
        received using the chat servers 11-14 by specifying the
        "nickname" of a desired player. Furthermore, a zone
        server 21-24 is selected through the corresponding chat
        server 11-14 and message communication is not foreseen
        over multiple zones. This implies that the "nickname"
        must uniquely identify a player at least within a given
        zone since otherwise the player to which transmission
        of a message is desired could not be identified by
        specifying the "nickname".

        Furthermore, the players can see information about
        other players in the same room in the "player table
        list" PLT in which a "nickname status" is stored.

        In this context it would be natural for a player, if he
        wanted to send an email to another player, to identify
        the desired player by specifying the corresponding
        "nickname". The skilled person would therefore consider
        using the "nickname" in the mail address in order to
        implement a system allowing an easy exchange of emails.

        Since the "nickname" uniquely identifies the player it
        is not necessary for his identification to use the type

of game in which the player is engaged in his mail address. Furthermore, using the type of game in this way would lead to multiple mail addresses all belonging to the same player and corresponding to the various games played by the player. This would be confusing for the player himself and the other players rather than contributing to an easy exchange of emails. Moreover, it would fill up the mail address storage without due cause.

The skilled person would therefore not consider to collect the type of network game played by the player (feature (3)) and to use the type of network game in the mail address (features (4) and (5)). It would therefore not be obvious for the skilled person to incorporate features (3) to (5) into the apparatus of D1.

Accordingly, the subject-matter of claim 1 involves an inventive step over document D1.

4.4   None of the other prior art documents on file contains a teaching that would lead the skilled person in an obvious way to the subject-matter of claim 1.

The subject-matter of method claim 5 and computer program product claim 9 is not considered obvious either since these claims correspond to apparatus claim 1. Nor is the subject-matter of claims 2-4 and 6-8 considered obvious as these claims are dependent on claims 1 and 5, respectively.

Therefore, the subject-matter of claims 1-9 involves an inventive step over the available state of the art (Article 56 EPC 1973).

5.   Other requirements of the EPC and conclusion

The description has been brought into conformity with the amended claims in order for them to comply with the requirements of Article 84 EPC 1973. Furthermore, the description has been supplemented with an indication of the relevant content of the prior art to comply with the requirements of Rule 27(1)(b) 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 on the basis
        of the following documents:
        Description,   pages 1-5, 44 filed on 4 July 2006,
                        pages 6-43 as originally filed.
        Claims   1-9 filed as Auxiliary request 2 with
                        the grounds of appeal.
        Drawings,   pages 1/14-14/14 as originally filed.

The Registrar: The Chairman:

S. Sánchez Chiquero   G. Eliasson