

Internal distribution code:

- (A) [-] Publication in OJ
- (B) [-] To Chairmen and Members
- (C) [-] To Chairmen
- (D) [X] No distribution

**Datasheet for the decision
of 1 September 2020**

Case Number: T 2362/13 - 3.5.01

Application Number: 01977530.3

Publication Number: 1330751

IPC: G06F17/60

Language of the proceedings: EN

Title of invention:

METHOD AND SYSTEM FOR INTERFACING WITH A SHIPPING SERVICE

Applicant:

Schneider Logistics, Inc.

Headword:

Logistics central station/SCHNEIDER LOGISTICS

Relevant legal provisions:

EPC Art. 56, 52(2)

Keyword:

Inventive step - providing different user interfaces and functions to different classes of users - (no - obvious implementation of non-technical requirements)

Decisions cited:

T 0641/00, T 0983/11, T 0003/90



Beschwerdekammern
Boards of Appeal
Chambres de recours

Boards of Appeal of the
European Patent Office
Richard-Reitzner-Allee 8
85540 Haar
GERMANY
Tel. +49 (0)89 2399-0
Fax +49 (0)89 2399-4465

Case Number: T 2362/13 - 3.5.01

D E C I S I O N
of Technical Board of Appeal 3.5.01
of 1 September 2020

Appellant: Schneider Logistics, Inc.
(Applicant) P.O. Box 2666
Green Bay, WI 54306-2666 (US)

Representative: Ashton, Gareth Mark
Baron Warren Redfern
1000 Great West Road
Brentford TW8 9DW (GB)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 4 July 2013
refusing European patent application No.
01977530.3 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman W. Chandler
Members: A. Wahrenberg
C. Schmidt

Summary of Facts and Submissions

I. This is an appeal against the decision of the examining division to refuse the European patent application No. 01977530.3 for lack of inventive step (Article 56 EPC).

II. The appellant requested that the decision of the examining division be set aside and that a patent be granted on the basis of the main request, or the first or second auxiliary request, all filed with the statement of grounds of appeal.

III. In the communication accompanying the summons to oral proceedings, the Board tended to agree with the examining division that the claimed subject-matter lacked an inventive step over notorious prior art.

IV. In response to the summons, the appellant informed the Board that it would not be represented at the oral proceedings but still maintained the appeal. The oral proceedings were thus cancelled.

V. Claim 1 of the main request reads:

Logistics central station (144, 108) for controlling transfer, transport, or shipment of a product from a source site to a destination site, said logistics central station comprising:

(i) an interface unit (304) for coupling the logistics central station (108) with at least one remote entity;

(ii) a digital processing unit (306) coupled to the interface unit (304) for controlling the operation of

the logistics central station;

(iii) a database (308) coupled to the digital processing unit for storing information pertaining to the shipment of a product from the source site to the destination site (106, 102);

(iv) an interface logic (310, 316) having a first interface and a second interface, the first interface permitting a first class of users to interact with the logistics central station (308) and providing access to a first set of functions, and the second interface permitting a second class of users to interact with the logistics central station (308) and providing access to a second set of functions;

(v) wherein the first set of functions differs from the second set of functions, and wherein the first set of users are affiliated with the source site (106) and the second set of users are affiliated with the destination site (102).

VI. The first auxiliary request adds the following feature at the end of claim 1:

(vi) wherein the interface logic (310, 316) is configured to permit a use of a third class of users to interact with the logistics central station (108) using a third interface providing access to a third set of functions, the third set of functions for instructing the logistics central station (108) to control the transfer, transport, or shipment of the product from the source site to the destination site, the third set of functions being different from the first and second sets of functions.

VII. The second auxiliary request adds the following feature at the end of claim 1:

(vii) wherein the third set of functions includes a function, configured to permit the user to change a priority level (1108, 1110) associated with the product, wherein the first, second and third interfaces present priority information that reflects the change in a priority level (1141, 1142, 972, 1026).

VIII. The appellant's arguments can be summarised as follows:

The invention as defined by claim 1 addressed the technical problem of how to effectively transfer products from source to destination sites. This was not a business problem. Rather, it was a technical problem because it posed the question of how to move real, physical items from one location to another location.

The claimed logistics central station was a new technical means solving the technical problem defined above. Specifically, the logistics central station provided a collection of functions that could be used to control the movements of products, and stored representations of the products being moved in a database.

The provision of different sets of functions to the users affiliated with the source and destination sites meant that the user only had to contend with the controls that were relevant to them and so was presented with a more streamlined user interface which was easier to use.

Reasons for the Decision

1. *The invention*

1.1 The invention concerns a "logistics central station", i.e. a node in a computer system for administering the shipment of products from a source site to a destination site (see item 144 in Figure 1 and item 108 in Figure 3).

1.2 The claimed logistics central station has an interface unit (304) for coupling to other nodes in the computer system, a digital processing unit (306), a database for storing shipment information, and additional functionality including an interface logic (316) for providing a number of interfaces that allow users to interact with the logistics central station and accessing its functions.

1.3 The interface logic (316) provides a first interface allowing a first class of users affiliated with the source site to access a first set of functions, and a second interface allowing a second class of users affiliated with the destination site to access a second type of functions. In other words, the logistics central station provides a different set of functions to the sender and the recipient of the shipment. An example of a sender interface is shown in Figures 9A to E. It includes functions such as shipment confirmation, a view of pending shipments, and the sending of a shipping notice. Figures 10A to E shows an example of the destination interface. It has another set of functions including a "trailer arrival history".

1.4 The application discloses additional user interfaces and their associated functions, provided to other classes of users, for example the "customer view" in Figures 11A to C, and the "logistics view" in Figures 12A and B.

2. *Main request, inventive step*

2.1 The examining division considered that the claimed invention was an obvious implementation of a set of administrative functions and business rules on a notoriously known networked computer, comprising a network interface unit, a digital processing unit, a database, and a user interface.

The functions in claim 1 were considered to be administrative functions relating to the shipment of products, and providing different functions to different classes of uses was considered to be a business rule. Although not explicitly stated, the examining division applied the "COMVIK approach" according to which non-technical features cannot contribute to inventive step (see T 641/00 - *Two identities/COMVIK*). Instead, the non-technical features are given to the skilled person as a set of requirements to implement.

The implementation of the administrative functions and business rules on the computer was considered to be a normal task for the skilled person in the art of data processing. Furthermore, no interaction was found between the clearly technical features (the computer and its components) and the non-technical features.

2.2 The appellant disputed the examining division's finding that the claimed invention was merely the

implementation of a business method on a notorious computer system, and argued that the "logistics central station" was a technical means that solved the technical problem of how to effectively transfer products from source to destination sites.

- 2.3 The Board is not persuaded by the appellant's arguments. The application does not concern the physical transfer of products; it is about providing access to functions in a computer system. Thus, the Board does not see a basis for the alleged effect in the application as filed.

In any case, the Board does not agree that the transportation of a product from A to B is necessarily technical. It is something that humans often do (for example when dropping off a packet at the post office). Thus, unless it is done in a technical way, using technical means, the transportation of products is not technical. At any rate, technical shipping infrastructure does not lend technical character to the activity of planning and scheduling shipments. Logistics is generally considered as falling within the categories of excluded matter in Article 52(2) EPC (see the Guidelines for Examination, G-II 3.5.3, and T 983/11 - *Coordinated marketing/PITNEY BOWES*).

- 2.4 The appellant also argued that the role based user interface was easier to use than a user interface comprising functions for all the roles. Ease of use was a technical effect that counted towards inventive step.

The Board, however, does not agree that removing functions that are irrelevant or inaccessible to the user constitutes a technical solution to a technical problem. It is rather a consequence of the business

requirement to provide different functions to different classes of users.

- 2.5 Thus, the Board agrees with the examining division that the subject-matter of claim 1 of the main request solves the problem of how to implement a set of administrative functions on a computer system. The computer implementation is technical, but, in the Board's view, it would have been obvious for the skilled person.

That one of the entities in the system is a "central station" does not appear to make any technical difference, because the role of the central station in the computer network is not clear. Indeed, the claim does not specify that the users access the central station from remote locations. In any case, it would have been obvious to use a centralised approach, because centralised or client-server computer systems were standard at the priority date.

- 2.6 For these reasons, the Board judges that the subject-matter of claim 1 of the main request lacks an inventive step (Article 56 EPC).

3. *First auxiliary request, inventive step*

- 3.1 Claim 1 of the first auxiliary request adds a third interface allowing a third class of users to access a third set of functions for instructing the logistics central station to "control the transfer, transport or shipment of the product from the source site to the destination site".

The claim does not define the third class of users, but the third interface covers the "customer view" in

Figures 11A to E, or the "logistics view" in Figures 12A and B. Both interfaces allow the user to control the shipment plan, for example by changing the priority level of the product.

3.2 In the Board's view, the first auxiliary request does not add anything of inventive character, because, also the third set of functions provided to the third class of users are administrative in nature. Therefore, the subject-matter of claim 1 of the third auxiliary request lacks an inventive step (Article 56 EPC) for the reasons already given with respect to the main request.

4. *Second auxiliary request*

4.1 Claim 1 of the second auxiliary request adds that the third set of functions includes a function configured to permit the user to change a priority level associated with the product, and that the first second and third interfaces present priority information that reflects the change in priority level.

4.2 The Board considers this to be part of the non-technical requirements that are implemented on the computer system. As such, the idea of allowing the user to change the priority level associated with a product does not solve a technical problem. The Board also considers that the computer implementation of the non-technical requirements would have been at matter of routine for the skilled person.

4.3 For these reasons, also the second auxiliary request is unallowable for lack of inventive step (Article 56 EPC).

5. The Board interpreted the appellant's statement not to attend oral proceedings as a withdrawal of the request for oral proceedings in accordance with decision T 3/90 (OJ EPO 1992, 737) and the subsequent case law (see Case Law of the Boards of Appeal, III C.4.3.2). This decision therefore could be taken in writing.

Order

For these reasons it is decided that:

The appeal is dismissed

The Registrar:

The Chairman:



T. Buschek

W. Chandler

Decision electronically authenticated