

**Internal distribution code:**

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

**Datasheet for the decision  
of 3 December 2019**

**Case Number:** T 1863/14 - 3.5.01

**Application Number:** 10011926.2

**Publication Number:** 2299397

**IPC:** G06Q30/00

**Language of the proceedings:** EN

**Title of invention:**  
Electronic vouchers

**Applicant:**  
I-Movo Limited

**Headword:**  
Electronic vouchers/I-MOVO

**Relevant legal provisions:**  
EPC Art. 56

**Keyword:**  
Inventive step - voucher redemption request comprising an alphanumeric string having a cash value, issuer id and a redemption message (no - cognitive data)

**Decisions cited:**  
T 1194/97, T 0641/00, T 0258/03



**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 1863/14 - 3.5.01

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.01**  
**of 3 December 2019**

**Appellant:** I-Movo Limited  
(Applicant) 203/204 Great Guildford Business Square  
30 Great Guildford Street  
London SE1 0HS (GB)

**Representative:** Moore, David Simon  
Jensen & Son  
366-368 Old Street  
London EC1V 9LT (GB)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 1 April 2014  
refusing European patent application No.  
10011926.2 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** W. Chandler  
**Members:** M. Höhn  
Y. Podbielski

## Summary of Facts and Submissions

- I. This appeal is against the examining division's decision refusing European patent application No. 10011926.2 pursuant to Article 97(2) EPC on the ground of lack of inventive step (Article 56 EPC) with regard to prior-art publication US 6330544 B1 (D7).
- II. In the statement setting out the grounds of appeal, the appellant requested that the appealed decision be set aside and that a patent be granted on the basis of the main request submitted therewith. Oral proceedings were requested on an auxiliary basis.
- III. In the annex to the summons to oral proceedings, the Board expressed its preliminary opinion that the subject-matter of claim 1 of the request lacked inventive step (Article 56 EPC).
- IV. In a reply dated 2 December 2019, the appellant submitted a post-published document said to relate to the standards mentioned in the application together with arguments in support of inventive step. The Board was further informed that the appellant would not be attending the oral proceedings.
- V. Oral proceedings were held on 3 December 2019 *in absentia*. After due consideration of the appellant's arguments the Chair announced the decision.
- VI. Independent claim 1 of the main and only request reads as follows:

"1. A method in an ISO7812:2000 compliant electronic funds network comprising of authorising the redemption

of an electronic voucher via a standards compliant top up or EFTPOS terminal comprising the steps of:

providing a cash value voucher comprising an alphanumeric string and having a cash value, which cash value is not related to the string, the method further comprising the step of entering the alphanumeric string at the standards compliant top up or EFTPOS, wherein the voucher is validated by a host system, characterised in that

the voucher has 6 to 10 digits and

standards compliant top up or EFTPOS terminal has a software program installed and preconfigured to add the issuer identification number to the voucher numbers

the host system determines whether the Voucher Number is valid and/or whether the Voucher Number has been used before and/or whether the Voucher Number has any "balance of uses" left against it

such that if the Voucher Number is not valid or the Voucher Number has been used before or the Voucher Number does not have "balance of uses" left against it, the host system generates an invalid redemption message depending on the parameters specified in the host system for that particular voucher or campaign under which the voucher was issued,

whereas if either the Voucher Number is valid and the Voucher Number has not been used before or the Voucher Number is valid and the Voucher Number does have a "balance of uses" left against it, the host system generates a valid redemption message, wherein the redemption message comprises a concatenated

alphanumeric string comprising a further alphanumeric string and the cash value stored in the host system database, the amended string being transmitted via the acquirer to the POS terminal to authorise the redemption of the voucher for the cash value."

- VII. The appellant's arguments are considered in the reasons of the decision.

## **Reasons for the Decision**

Introductory remarks

1. The invention concerns replacing paper based vouchers by an e voucher scheme, which is able to work with existing point-of-sale equipment (see e.g. page 1. last paragraph of the description).
2. Article 56 EPC - Inventive step

The Board agrees with the decision under appeal that the subject-matter of similar independent claim 1 lacks an inventive step for essentially the same reasons.

- 2.1 The claim is directed to a mix of technical and non-technical features. The Board does not dispute that the method according to claim 1 appears in a technical context. The method can be considered to be performed by technical means, because it involves an ISO/IEC 7812-1 and/or ANSI X4.14 compliant POS terminal with means for storing data, means for processing data and means for transmitting and receiving data, and, therefore, has technical character. Accordingly, the claimed subject-matter is an invention in the sense of

Article 52(1) EPC (see T 258/03 "Auction method/  
HITACHI").

2.2 However, the question of inventive step requires an assessment of whether the invention makes a technical contribution over the prior art. Features which do not make such a contribution cannot support the presence of an inventive step (see T 641/00 "Two identities/  
COMVIK", Headnote I). The assessment of inventive step in the decision under appeal considered D7 to be the closest prior art.

2.3 What the application itself calls "an e voucher scheme" (see e.g. page 1. last par. of the description) is regarded by the Board as an administrative business related concept of distributing, validating and authorising vouchers. The Board does not agree with the appellant's argument that such a voucher scheme cannot be carried out with pen and paper (see point 6 of the statement setting out the grounds of appeal). It is an abstract concept for authorising variable value vouchers by

- providing a cash value voucher comprising an alphanumeric string and having a cash value, which cash value is not related to the string,
- validating the voucher by determining whether the Voucher Number is valid and/or whether the Voucher Number has been used before and/or whether the Voucher Number has any "balance of uses" left against it and generating either
- an invalid redemption message depending on the parameters specified for that particular voucher or campaign under which the voucher was issued, or
- a valid redemption message comprising a concatenated alphanumeric string comprising a further alphanumeric string and the cash value.

The idea of not providing the voucher value together with the voucher and distributing vouchers without the notion of an account or balance is a business scheme and does not involve technical considerations. The possibility of making different pricing schemes possible is a direct consequence of the business idea. This scheme could be carried out in a conventional way without involving electronic means. It therefore does not contribute to the technical character of the invention.

- 2.4 The contribution of the invention does not lie in an improved POS infrastructure for redeeming cash value vouchers. The technical infrastructure used according to claim 1 is that of an ISO 7812:2000 compliant electronic funds network with a standards compliant top up or compliant EFTPOS terminal with means for storing data, means for processing data and means for transmitting and receiving data such as a networked general purpose computer, which were common general knowledge before the priority date. The contribution lies rather in the way of associating information with existing transaction data such as cash value, voucher number, invalid or valid redemption messages. Such data, however, in the Board's view, is not technical, since it is cognitive data, not functional data (see T 1194/97 Data structure product/PHILIPS, OJ EPO 2000, 525).

The appellant argued that the concatenated string comprised cognitive and functional data and gave an example of a voucher redemption request and a corresponding response message. The appellant also cited a standards-related document that showed that certain fields could not be changed in the response

message. These fields represented functional data, without which the system would not understand the messages. This was said to be analagous to the functional data in T 1194/97 (*supra*), without which the operation of the television system would be impaired. However, the example of a voucher redemption request presented and the changes made to the string therein do not reflect features of claim 1. According to the wording of the claim, the string is alphanumeric having a cash value and adding the issuer identification number and a redemption message. These are fields of cognitive data and they do not interact with the system to produce a technical effect as was the case in T 1194/97. They merely enable a business scheme. No further implementation details are given in the claim, in particular it is not specified what the messages look like. Even if the appellant was right with regard to the specific example, which the Board doubts, there is no corresponding concrete feature in claim 1, which could be considered when assessing inventive step.

Storage, selection and processing of such data are administrative measures, such as would be performed by a human when handling cash vouchers, implemented using general purpose computer functions (e.g. storing and retrieving information and transaction data, authenticating and authorising in electronic form) without creating a further technical effect.

The fact that these steps are performed automatically is an obvious consequence of using an ISO 7812:2000 compliant electronic funds network with a standards compliant top up or compliant EFTPOS terminal following known standard protocols and does not involve an inventive technical contribution.



2.5 The Board therefore considers that the problem to be solved is the implementation of the claimed business related administrative voucher scheme on a POS terminal infrastructure such as an ISO 7812:2000 compliant electronic funds network with a standards compliant top up or compliant EFTPOS terminal infrastructure.

The person skilled in the art within the meaning of Article 56 EPC, a computer expert provided with the complete description of the non-technical voucher-based business scheme, would have considered the claimed implementation obvious in view of the normal skills and the general knowledge of computer programming. It is the Board's view that what the appellant considers to be a novel technical use of a known measure (see point 5 of the grounds) merely amounts to the implementation of a novel non-technical voucher scheme on a well known standard POS terminal infrastructure.

2.6 The Board agrees with the appellant that the features of the voucher having 6 to 10 digits (labeled (a) in point 19 of the grounds of appeal) and the POS terminal having a software program to add the issuer identification number to the voucher numbers (b), as well as the fact that it is the host system with a database carrying out several steps are technical features.

2.7 However, the Board considers that (b) is a mere automation by software for the purpose of implementing an administrative measure to speed up the process of entering a string. The use of 6 to 10 digits according to (a) does not provide any unexpected technical effect, which would require an inventive activity and is considered to be an obvious routine design option.

2.8 D7 is also regarded as a suitable starting point for assessing inventive step, since it discloses a POS infrastructure with host system, database and a credit card POS terminal (see e.g. D7, column 9, line 24 onwards; in particular line 49). The Board notes that in D7 as in the present application, the e voucher emulates a standard payment card authorisation request (see [0028] of the published application). D7 therefore provides a technical infrastructure and even some of the administrative steps of the claimed voucher scheme.

2.9 The Board considers that the invention differs by features that are in the non-technical domain. Furthermore, D7 discloses for example (see column 16, lines 46 to 57):

*"a flow chart that illustrates the salient processes carried out within the system shown in FIG. 1 including the issuance and authorization processing of redemption vouchers. Many of the steps depicted in FIGS. 9A and 9B illustrate the sequence of operations carried out by the computers forming essential parts of the system shown in FIG. 1 including the credit card issuer's data processing system, the merchant's POS system, and the credit card processor's data processing system (e.g., the clearing house's data processing system). The computer programming necessary to carry out the functions stated below will be readily apparent to those skilled in the art of computer programming."*

In the Board's view, given this disclosure, the skilled person provided with the complete description of the non-technical abstract administrative voucher scheme, would have considered the claimed implementation obvious in view of the normal skills and the general knowledge of computer programming.

- 2.10 The same is true when starting from a known ISO 7812:2000 compliant electronic funds network with a standards compliant top up or compliant EFTPOS terminal infrastructure described as industry standard in the description of the present application (see e.g. page 3, second paragraph) in view of the aforementioned arguments.
- 2.11 In the absence of any technical contribution beyond the straight-forward computer-implementation, the subject-matter of claim 1 does not involve an inventive step (Article 56 EPC).
3. Thus, the request does not fulfil the requirements of the EPC.

### **Order**

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

The appeal is dismissed.

The Registrar:

The Chairman:



T. Buschek

W. Chandler

Decision electronically authenticated