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**Datasheet for the decision  
of 25 July 2024**

**Case Number:** T 1899/20 - 3.5.01

**Application Number:** 12837378.4

**Publication Number:** 2783338

**IPC:** G06Q30/02, H04B5/00

**Language of the proceedings:** EN

**Title of invention:**

APPLYING MOBILE DIGITAL COUPONS AT THE POINT OF SALE

**Applicant:**

Quotient Technology Inc.

**Headword:**

Digital coupons/QUOTIENT TECHNOLOGY

**Relevant legal provisions:**

EPC Art. 56

**Keyword:**

Inventive step - establish proximity-based link between user and terminal and the use of a payment server for handling payments (no - non-technical and/or obvious)



# Beschwerdekkammern

## Boards of Appeal

## Chambres de recours

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Case Number: T 1899/20 - 3.5.01

### D E C I S I O N of Technical Board of Appeal 3.5.01 of 25 July 2024

**Appellant:** Quotient Technology Inc.  
(Applicant)  
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**Representative:** Eisenführ Speiser  
Patentanwälte Rechtsanwälte PartGmbB  
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**Decision under appeal:** **Decision of the Examining Division of the European Patent Office posted on 29 May 2020 refusing European patent application No. 12837378.4 pursuant to Article 97(2) EPC.**

#### Composition of the Board:

**Chairman** W. Chandler  
**Members:** A. Wahrenberg  
D. Rogers

## **Summary of Facts and Submissions**

- I. This case concerns the applicant's appeal against the examining division's decision to refuse European patent application No. 12837378.4 for lack of inventive step (Article 56 EPC) over D1 (US 2011/231238 A1).
- II. In the statement setting out the grounds of appeal, the appellant requested that the decision to refuse the application be set aside and that a patent be granted on the basis of the refused main request, or the refused first or second auxiliary request, all re-filed with the grounds of appeal. The appellant requested oral proceedings if the main request could not be allowed.
- 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 (Article 56 EPC).
- IV. In a letter dated 4 December 2023, the appellant withdrew its request for oral proceedings and requested a decision according to the current state of the file. The Board thus cancelled the oral proceedings.
- V. Claim 1 of the main request reads:

A method comprising:  
at a point-of-sale terminal belonging to a retailer, receiving basket data specifying one or more item identifiers for one or more items to purchase in a transaction;  
at a sensor coupled to the point-of-sale terminal, receiving a wireless signal from a mobile device, the

wireless signal carrying token data;  
locating an identifier based on the token data;  
sending a request over a network to a coupon server, the request comprising the identifier, wherein the coupon server is a server configured to receive requests that include identifiers from a plurality of different retailers;  
responsive to the request, receiving from the coupon server digital coupon availability data, the digital coupon availability data specifying one or more coupon offers available to an account associated with the identifier;  
comparing the one or more item identifiers in the basket received at the point-of-sale terminal, to the digital coupon availability data received from the coupon server, the comparing including comparing one or more item identifiers associated with the one or more coupon offers specified in the digital coupon availability data to identify a particular coupon offer to apply to the transaction;  
applying the particular coupon offer to the transaction by adjusting a total amount to charge for the transaction in accordance with one or more terms of the particular coupon offer;  
sending transaction information and at least a portion of the token data to a payment server, wherein the transaction information specifies the adjusted total amount to charge for the transaction,  
wherein the portion of the token data sent to the payment server is the identifier sent to the coupon server;  
receiving, from the payment server, an indication that the transaction has been authorized;  
providing to the terminal an indication that the transaction has successfully completed;  
wherein the method is performed by one or more

computing devices.

VI. Claim 1 of the first auxiliary request differs from the main request in that the feature "wherein the identifier is one of an account identifier, device identifier, or payment identifier specified in the token data", without "and/or" at the end, is moved to the end of the "locating..." feature, and in that the beginning of the comparing feature reads "comparing the one or more item identifiers in the basket received at the point-of-sale terminal, to the digital coupon availability data received from the coupon server, the comparing including comparing ..." (the underline indicating additions).

VII. Claim 1 of the second auxiliary request differs from the first auxiliary request in that the second feature reads:

at a sensor coupled to the point-of-sale terminal, receiving a wireless signal from a mobile device via a proximity-based link, wherein the proximity-based link is established by a user inputting one of a terminal identifier, a transaction identifier or a pairing identifier, the wireless signal carrying token data.

## **Reasons for the Decision**

1. *Second auxiliary request*

1.1 In their decision, the examining division first considered the most narrowly defined second auxiliary request, and concluded that claim 1 lacked an inventive

step (Article 56 EPC) over D1.

1.2 The invention in claim 1 of this request concerns automatically applying digital coupons at a point-of-sale terminal.

The main idea is the following:

The customer presents his mobile phone (item 120 in Figure 1) at a point-of-sale terminal (130), which reads "token data" including an identifier of an account, device, or payment, from the phone via a proximity based link, e.g. NFC. The identifier is sent to a coupon server (110), which replies with available coupon offers for the identifier. The coupon offers are compared with the items that the customer is going to purchase at the point-of-sale, and the amount to be paid is automatically adjusted.

The payment transaction appears to be handled by a separate payment server (140), which also receives the identifier sent to the coupon server. However, in the claim, the payment server does not use this identifier. It merely authorises the transaction and sends a confirmation, presumably to the point-of-sale terminal.

1.3 The examining division considered that the invention in claim 1 differed from D1 by the following features:

- The proximity-based link was established by the user inputting "one of a terminal identifier, a transaction identifier, or a pairing identifier".
- The use of a separate payment server; in D1, the transaction data and identifier were sent to a payment terminal instead.

Moreover, the examining division considered that D1 did not disclose a second group of features:

- a) Receiving from the payment server an indication that the transaction had been authorised; or
- b) providing to the terminal an indication that the transaction had successfully been completed.

It was argued that there was no synergy between the two (groups of) features, and, therefore, they could be assessed separately for inventive step. The first feature was considered to solve the problem of how to ensure that the mobile phone was part of the transaction, and the second group of features to solve the problem of providing a payment service. The solutions to the respective problems were found to be obvious to the skilled person. It was well known and obvious to establish a proximity-based link by at least requiring the user of the mobile device to confirm the terminal that was going to be part of the transaction. The use of a payment server for the non-technical purpose of handling payments was also considered well known and obvious.

1.4 The appellant argued that the invention in claim 1 was entirely different from what was disclosed in D1.

In D1, the POS terminal received a coupon identifier from the mobile phone and might redeem the coupon on its own, or, alternatively, used a back-end server. There was also a coupon redemption server for checking whether the coupon was valid. This whole approach involved two comparing steps, namely a first comparing step of the coupon redemption server checking the

coupon's validity and a second step of comparing the coupon with the items in the check-out basket.

By contrast, in claim 1, the POS terminal received an account identifier, which was sent to a coupon server. The coupon server sent coupon availability data for the account, and this was compared with the basket items in a single comparing step.

1.5 The appellant's arguments do not convince the Board.

D1 discloses (see paragraph [0015]) the POS sending an account identifier (consumer identification information) to a server (110) and receiving coupon availability data (electronic coupons) as in claim 1. The fact that the POS in D1 also sends electronic coupon identifiers to the server is irrelevant as this is not excluded by claim 1. In any case, even if there was a difference in what is sent to and compared by the server, this is rather a consequence of a different (non-technical) coupon scheme where the customer does not carry the coupon. The Board does not see any technical effect in this. In any case, the choice of where such data is stored and compared is a trade-off between local processing and server processing, and the skilled person would have chosen the appropriate solution without inventive skill.

1.6 For these reasons, the Board concurs with the examining division that the subject-matter of claim 1 lacks an inventive step (Article 56 EPC).

2. *Main and first auxiliary request*

2.1 Since claim 1 of the main and first auxiliary request cover the subject-matter of claim 1 of the second

auxiliary request, these claims lack inventive step (Article 56 EPC) for the same reasons as the second auxiliary request.

**Order**

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

The appeal is dismissed.

The Registrar:

The Chairman:



T. Buschek

W. Chandler

Decision electronically authenticated