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**Datasheet for the decision
of 25 July 2023**

Case Number: T 1253/21 - 3.5.01

Application Number: 18882275.3

Publication Number: 3611680

IPC: G06Q20/06, G06Q20/40

Language of the proceedings: EN

Title of invention:

CURRENCY INFORMATION PROCESSING DEVICE AND CURRENCY
INFORMATION PROCESSING SYSTEM

Applicant:

Standard Transaction Co., Ltd.

Headword:

Temporary cryptocurrency issuance/STANDARD TRANSACTION

Relevant legal provisions:

EPC Art. 84

Keyword:

Clarity - issuing temporary cryptocurrency on the blockchain
and validating it (no - not clear in terms of blockchain
technology)



Beschwerdekammern

Boards of Appeal

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Case Number: T 1253/21 - 3.5.01

D E C I S I O N
of Technical Board of Appeal 3.5.01
of 25 July 2023

Appellant: Standard Transaction Co., Ltd.
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 12 March 2021
refusing European patent application No.
18882275.3 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman W. Chandler
Members: W. Zubrzycki
D. Rogers

Summary of Facts and Submissions

- I. This is an appeal against the decision of the examining division to refuse European patent application No. 18882275.3 for lack of inventive step (Article 56 EPC).
- II. The examining division issued a decision according to the state of the file referring to a communication of 6 November 2020 in which they found that the main request, first auxiliary request and third auxiliary request lacked an inventive step over D1 (Satoshi N. : "Bitcoin: A Peer-to-Peer Electronic Cash System", published on 4 July 2010, retrieved from the Internet on 2019-01-22) and the second auxiliary request lacked an inventive step over D3 (US 2017/352012 A1).
- III. In the statement setting out the grounds of appeal, the appellant requested that the decision be set aside and a patent be granted on the basis of the refused requests. The auxiliary requests were re-filed therewith.
- IV. Claim 1 of the main request reads:
- "A currency information processor capable of processing cryptocurrency in a method of validating a transaction of the cryptocurrency on a blockchain on the basis of a plurality of signatures, the currency information processor comprising:*
- a receiving unit capable of receiving, from a user, cryptocurrency issuance request including a first signature of the user related to the issuance of the cryptocurrency;*
- a temporary issuing unit that issues temporary cryptocurrency on the blockchain on the basis of the*

*cryptocurrency issuance request received by the receiving unit; and
a setting unit that sets, when a second signature of a custodian related to the temporary cryptocurrency is received from the custodian within a predetermined period after the temporary cryptocurrency is issued by the temporary issuing unit and the second signature is confirmed to be valid, the temporary cryptocurrency issued by the temporary issuing unit to be processed as valid cryptocurrency that has been approved."*

V. Claim 1 of the first auxiliary request differs from claim 1 of the main request:

- By addition of the article "a" at the beginning of the cryptocurrency issuance request in the receiving unit feature and the wording "*and information indicating a designated custodian*" at the end of the feature.
- In that the setting unit feature was amended as follows (additions underlined, deletions struck-through): "*a setting unit that configured to sets, when a second signature of ~~a~~ the designated custodian related to the temporary cryptocurrency is received from the designated custodian ...*".

VI. Claim 1 of the second auxiliary request differs from claim 1 of the first auxiliary request:

- By addition of the further wording "*and information comprising a public key corresponding to a secret key owned by the designated custodian*" at the end of the receiving unit feature.
- In that the definition of the temporary issuing unit feature was amended as follows (additions underlined, deletions struck-through): "*a temporary issuing unit*

that configured to confirm the first signature of the user is valid using a public key of the user, and to issues-temporary cryptocurrency on the blockchain on the basis of the cryptocurrency issuance request received by the receiving unit in the case where the user signature has been confirmed to be valid;"

- By the addition of the wording "using the public key of the designated custodian included in the information" after "the second signature is considered to be valid" in the setting unit feature.

VII. Claim 1 of the third auxiliary requests adds to claim 1 of the main request the wording "the predetermined period comprising a predetermined number of blocks being added to the blockchain" after "the second signature is confirmed to be valid" in the setting unit feature.

VIII. In the communication accompanying the summons to oral proceedings, the Board set out its preliminary opinion that the main and third auxiliary requests lacked clarity (Article 84 EPC). Concerning the clarity of the main request, the Board stated:

"4.1 Article 84 EPC, claim 1

While not discussed in the appealed decision, the Board considers that it is not clear from the claim, and indeed the description (see [55] and [58]), how the temporary cryptocurrency reservation and subsequent validation actually work in terms of blockchain technology. Accordingly, the Board considers these features as being merely a result to be achieved, with no technical implementation ..."

Furthermore, the Board considered that all requests

lacked an inventive step over D1.

- IX. In a reply dated 15 June 2023, the appellant provided arguments in favour of inventive step of the second auxiliary request.
- X. In a further reply dated 18 July 2023, the appellant indicated that they would not be represented at the oral proceedings.
- XI. Oral proceedings were held by videoconference on 25 July 2023 in absentia. After deliberation of the appellant's written requests and arguments the Chairman announced the decision.

Reasons for the Decision

- 1. The invention
 - 1.1 The invention concerns validating a cryptocurrency purchase based on two digital signatures, one by a user requesting the purchase, the other by his custodian (originally filed application, [13]). The custodian, which is the user's trust bank, confirms with his signature that the user has deposited assets, such as fiat money or gold, sufficient to complete the purchase transaction ([27], [28] and [53]).
 - 1.2 Looking at Figure 1, the invention is implemented on a system comprising three devices connected over a peer to peer network: a user terminal 100, a currency information processing server 200 (in the claims called a currency information processor) and a custodian system 300 ([19]).

The user terminal provides a digitally signed cryptocurrency purchase request to the currency information processing server. The request includes the designation of a custodian and the user's and custodian's public keys ([53] and [54], two last sentences).

The currency information processing server authenticates the user's signature using his public key and if the signature is valid, it "*issues temporary cryptocurrency on the blockchain*" ([55]). Claim 1 of all requests lacks details on how this is done.

Then, the currency information processing server notifies a time limit by which the temporary cryptocurrency issuance needs to be validated to the custodian system ([56]).

If the currency information processing server receives the custodian's digital signature within the time limit and successfully authenticates the signature using the custodian's public key, it sets "*the temporary cryptocurrency ... as valid cryptocurrency that has been approved*" ([58]). Here again, claim 1 of all requests lacks details on how this is done.

2. Article 84 EPC

2.1 Main request

In the annex to the summons, the Board gave reasons why claim 1 of the main request was not clear (see point VIII. above). The appellant did not provide any arguments concerning this objection. Therefore, the Board maintains this opinion and judges that the main request does not comply with the requirements of

Article 84 EPC for the reasons given in the annex.

2.2 First to third auxiliary requests

Claim 1 of the first to third auxiliary requests includes the unclear features of the main request. Thus, although not explicitly stated in the communication accompanying the summons, this objection extends also to the auxiliary requests and the Board judges that they do not comply with the requirements of Article 84 EPC for the same reasons.

3. Since none of the appellant's requests are allowable, it follows that the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chairman:



T. Buschek

W. Chandler

Decision electronically authenticated