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**Datasheet for the decision
of 19 November 2025**

Case Number: T 1327/22 - 3.5.01

Application Number: 18173191.0

Publication Number: 3404605

IPC: G06Q20/20, G06Q20/22,
G06Q20/32, G06Q20/40

Language of the proceedings: EN

Title of invention:

METHOD AND SYSTEM FOR REVERSING A SELECTION OF A PAYMENT
METHOD FOR A SPECIFIC TRANSACTION

Applicant:

Curve UK Limited

Headword:

Selecting a payment method/CURVE UK

Relevant legal provisions:

EPC Art. 56, 123(2)

Keyword:

Inventive step - selecting a second payment method after funds
have been deducted from a first payment method and refunding
the amount to the first payment method - (no - not technical)

Decisions cited:

T 0641/00



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Case Number: T 1327/22 - 3.5.01

D E C I S I O N
of Technical Board of Appeal 3.5.01
of 19 November 2025

Appellant: Curve UK Limited
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Representative: Pearl Cohen Zedek Latzer Baratz UK LLP
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 15 December
2021 refusing European patent application No.
18173191.0 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 appeal against the examining division's decision to refuse European patent application No. 18173191.0.
- II. The examining division's decision was a "decision according to the state of the file". It referred to the examining division's communication dated 15 November 2021. In this communication, the examining division raised objections under Articles 123(2), 54, and 56 EPC.
- III. The appellant requested that the decision to refuse the application be set aside and that a patent be granted on the basis of main or first auxiliary request both submitted with the grounds of appeal dated 14 April 2022.
- IV. In the communication annexed to the summons to oral proceedings pursuant to Article 15(1) RPBA, the Board was of the preliminary view that the claims complied with Article 123(2) EPC, but claim 1 of both requests lacked an inventive step (Article 56 EPC).
- V. In a letter submitted via online filing on 16 September 2025, the appellant informed the Board that the appellant's representative would not attend the oral proceedings.
- VI. Accordingly, the Board cancelled the oral proceedings.
- VII. Claim 1 of the main request reads:

A computer-implemented method for reselecting a payment method from a plurality of payment methods associated with a consolidated payment device where a transaction has been finalized, the method comprising:

obtaining, at a remote server, a transaction request, responsive to initiation by a holder of the consolidated payment device, wherein the transaction request indicates a first payment method of said plurality of payment methods;

authorizing and finalizing the transaction request, following a process that comprises verifying sufficient funds on the first payment method;

receiving, at said remote server, a reselection request indicating a second payment method which is different than the first payment method;

authorizing the transaction request with the second payment method; and

initiating a cancel and refund process for the transaction with the first payment method,

wherein the obtaining, the authorizing, the initiating and the receiving are executed by a computer processor.

VIII. Claim 1 of the first auxiliary request reads (the differences with respect to the main request being indicated in underlined and strike-through):

A computer-implemented method for reselecting a payment method from a plurality of payment methods associated with a consolidated payment device where a transaction has been finalized, the method comprising:

obtaining, at a remote server, a transaction request, responsive to initiation by a holder of the consolidated payment device, wherein the transaction request indicates a first payment method of said plurality of payment methods;

~~authorizing the transaction request and finalizing the transaction request by deducting funds corresponding to the transaction amount from the first payment method,~~ following a process that comprises verifying that sufficient funds are available on the first payment method;

finalizing the transaction request including deducting funds corresponding to a transaction amount of the transaction request from the first payment method;

receiving, at said remote server, a reselection request associated with the transaction request indicating a second payment method which is different than the first payment method;

authorizing the transaction request ~~by deducing funds corresponding to the transaction amount from~~ with the second payment method;

finalizing the transaction request according to the reselection request including deducting funds corresponding to the transaction amount from the second payment method; and

initiating a cancel and refund process for the transaction amount to the first payment method, wherein the obtaining, the authorizing, the initiating and the receiving are executed by a computer processor.

Reasons for the Decision

1. *Main request*

- 1.1 The invention in claim 1 of the main request relates to changing the payment method using a consolidated payment device (CPD), such as a card or mobile phone which allows payment with multiple payment methods (see

paragraph [0004]), after a transaction has been finalised. Firstly, a server (110 in Figure 1) receives a first transaction request from the CPD (50) indicating a first payment method. Upon authorisation - i.e. checking that there are sufficient funds on the first payment method - the transaction is finalised, presumably by the server although this is not specified. The server receives a reselection request indicating a second payment method, presumably from the CPD although again this is not specified. In response, the transaction is authorised using the second payment method, again presumably by the server, and a cancel and refund process is initiated for the first payment method.

- 1.2 On appeal, claim 1 was amended by replacing the term "reselection request" with "transaction request" in the second "authorizing" feature. This amendment overcomes the examining division's objection under Article 123(2) EPC in point 2.1 of the communication of 15 November 2021.
- 1.3 The examining division considered that claim 1 lacked novelty over D1 (US 2011/191149). The Board, however, agrees with the appellant that D1 does not disclose the steps of finalising the transaction request for the first payment method and subsequently initiating a cancel and refund process for this payment method. In D1, the customer may change payment method after the transaction has occurred at the POS, but in this scenario, the payment to the retailer is provided by the financial institution without debiting the customer's account until the time has elapsed for the customer to choose a payment method. This is not strictly the same as the cancel and refund in claim 1.

1.4 However, the Board shares the examining division's view expressed in the same communication that first finalising the transaction using the first payment method and subsequently refunding the paid amount is a financial i.e. non-technical matter which does not contribute to inventive step under the "Comvik approach" (T 641/00 - *Two identities/COMVIK*). Thus, in line with the second headnote in *COMVIK*, this rule is given as part of the framework of the technical problem as a requirement to implement. The Board agrees with the examining division that the claim does not specify any technical implementation means going beyond the use of a computer. Thus, the Board considers that it would have been obvious for the skilled person to implement the non-technical requirement on the computer system in D1, using standard computer means.

1.5 The appellant argued that the claim included several technical features for carrying out the underlying business activity. In particular, the data carrier had to be configured to:

receive, process and authorise a transaction request in respect of a first payment method; finalise and debit payment from an authorised first payment method;

receive and process a reselection request denoting a second payment method for the transaction amount; check and authorise the reselection transaction using a second payment method;

and, most importantly, cancel and refund/reimburse the original transaction amount to the first (original) payment method.

The invention allowed the user of a consolidated payment device to "go back in time" and vary the

payment method used for a particular registered transaction to a different payment method, and to have the transaction amount refunded to the original payment method. In the appellant's view, this was a technical effect that contributed to inventive step.

1.6 The Board, however, agrees with the examining division that the means for sending, receiving, and processing transaction requests, including the reselection request, is disclosed in D1. D1 indeed allows the user to "go back in time" by changing the payment method after the transaction has taken place at the POS. The difference is merely in how this is solved financially. Instead of giving the customer a credit until he has indicated the final payment method as in D1, the claimed invention debits the customers account and later refunds the amount. As stated above, in the Board's view, this is not technical and is part of the requirements given to the skilled person to implement. The implementation itself might require technical modifications to the payment system, but these are not specified and the mere definition of means that achieve this is self-evident.

1.7 For these reasons, the Board judges that claim 1 lacks an inventive step (Article 56 EPC).

2. *First auxiliary request*

2.1 The first auxiliary request adds to claim 1 that:

- i) The transaction request is finalised for both the first and second payment method and includes deducting funds from the first and second payment method, respectively;
- ii) The transaction request has a corresponding

transaction amount which is deducted from, and refunded to, the payment method(s); and

iii) The reselection request is associated with the transaction request.

- 2.2 The examining division considered that this was added matter (Article 123(2) EPC) as the originally filed application failed to disclose deducting funds from either payment method.
- 2.3 The Board agrees with the appellant that, although the wording "deducting funds" is not explicitly used in the application as filed, it is implicit that funds are deducted in the sense that the respective payment method is charged. A refund on the first payment method implies that the amount is first charged. Similarly, it is clear that the transaction amount is paid using the second method, which involves charging this payment method. Therefore, the Board does not see a problem with added matter.
- 2.4 However, the first auxiliary request does not add any technical features which contribute to inventive step. The appellant has not argued any further technical effects or advantages of the first auxiliary request. Therefore, the reasons for the main request apply also to claim 1 of the first auxiliary request.
- 2.5 For these reasons, the Board holds that claim 1 of the first auxiliary request lacks an inventive step (Article 56 EPC).

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chairman:



T. Buschek

W. Chandler

Decision electronically authenticated