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**Datasheet for the decision
of 12 December 2025**

Case Number: T 1613/22 - 3.5.01

Application Number: 17830010.9

Publication Number: 3555832

IPC: G06Q20/34, G06Q20/40

Language of the proceedings: EN

Title of invention:

METHOD AND SYSTEM OF SECURE PAYMENT

Applicant:

Gre-Lab S.r.l. Unipersonale

Headword:

Secure payment/GRE-LAB

Relevant legal provisions:

EPC Art. 56

Keyword:

Inventive step - (all requests - no)



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Case Number: T 1613/22 - 3.5.01

D E C I S I O N
of Technical Board of Appeal 3.5.01
of 12 December 2025

Appellant: Gre-Lab S.r.l. Unipersonale
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 21 December
2021 refusing European patent application No.
17830010.9 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman W. Zubrzycki
Members: L. Falò
E. Mille

Summary of Facts and Submissions

- I. This decision relates to an appeal against the examining division's decision to refuse European patent application No. 17 830 010.9.
- II. In its statement setting out the grounds of appeal, the appellant requested that the decision under appeal be set aside and that a patent be granted on the basis of the main request or, alternatively, on the basis of one of the first to sixth auxiliary requests filed with the statement setting out the grounds of appeal. It also requested oral proceedings.
- III. In its communication accompanying the summons to oral proceedings, the board informed the appellant that it considered all of the requests to be unallowable on the grounds of a lack of inventive step (Article 56 EPC) in view of a combination of D1 and D3. Moreover, it considered the fourth, fifth and sixth auxiliary requests to be unallowable on the grounds of added subject-matter (Article 123(2) EPC). Therefore, the board was minded to dismiss the appeal.
- IV. In a letter dated 12 June 2025, the appellant withdrew its request for oral proceedings, which were subsequently cancelled.
- V. Claim 1 of the main request reads as follows.

A management method of an electronic transaction between an account of a purchaser subject and an account of a seller subject by means of a management system (1), said method comprising the steps of:

a) registration of a user, comprising storing at least one user biometric data, wherein said at least one biometric data is a user's fingerprint, a security code associated with the user and data of at least one account associated with the user in storage means comprised in a central unit (2) of said management system (1);

b) authentication of the user registered at step a) by means of a payment device (3) connected to said central unit (2), said step of authentication comprising an acquisition of said at least one user biometric data by means of acquisition means and a verification of the correspondence of said acquired at least one biometric data with said stored at least one biometric data;

c) choosing an account associated with the user on which charging a payment through memorized accounts associated with the user;

d) request for insertion of said security code to authorize the payment; and

e) if an inserted code matches said stored security code, authorizing the electronic transaction from the chosen account of the purchaser subject to the account of the seller subject;

wherein said step of user registration comprises insertion of user's personal data and storage in said storage means;

characterized in that said step of registration of the user comprises the further step of:

- acquisition of a picture of the user's face and storage in said storage means;

and in that said management method comprises the step of displaying said image of the user's face stored and associated with said acquired biometric data before authorizing the transaction, so as said seller subject can view said picture of the user's face in order to verify user's identity.

- VI. Claim 1 of the first auxiliary request differs from claim 1 of the main request in that it specifies that the management system comprises a central unit (2) and at least one payment device (3) connected to the central unit (2) and remote from said central unit (2).
- VII. Claim 1 of the second auxiliary request differs from claim 1 of the first auxiliary request in that the term "central unit" has been replaced by the term "server".
- VIII. Claim 1 of the third auxiliary request differs from claim 1 of the second auxiliary request in that it specifies that the method *"is carried out in a dematerialized mode without using physical money, such as banknotes/coins, or credit cards or telephone"*.
- IX. Claim 1 of the fourth, fifth and sixth auxiliary requests is based on claim 1 of the first, second and third auxiliary requests, respectively, and further specifies that the image displaying method is executed *"after said authentication of the user and, if the payment exceeds 30 euros, also after said request for insertion of said security code"*.

Reasons for the Decision

1. The invention concerns the management of secure electronic transactions. According to Figure 2, the system comprises at least one payment device ("terminal") connected to a server storing user-specific information, including biometric data, a PIN, account data and a picture of a user's face, provided during a registration phase (page 4, lines 1 to 10). When users want to make a payment, they provide to the payment device their biometric data (for example, fingerprints) and, for transactions exceeding a predefined threshold, also a PIN (Figure 4 and the description, page 4, line 31, to page 5, line 8, and page 5, lines 22 to 23). The data are compared with those stored on the server (page 5, lines 5 to 6 and 23 to 25). If the check results are positive, the picture of the user's face is retrieved from the server and displayed to the seller as a further identity check before authorising the transaction (page 5, lines 6 to 8). In this way, it is possible to perform authentication during a transaction without requiring users to carry cards, cash or mobile devices.

2. The examining division refused the application on the grounds of a lack of inventive step of claim 1 of all of the requests in view of D1, i.e. US 2015/046328 A1, added subject-matter (Article 123(2) EPC) in respect of all of the auxiliary requests, and a lack of clarity (Article 84 EPC) of auxiliary requests 2 to 8 then on file. In its decision, reference was also made to document D5, i.e. US 2006/069922 A1, as an example of a transaction system in which a registered image of a customer is displayed in order to verify the customer's identity.

Main request - inventive step

3. It is common ground that the subject-matter of claim 1 of the main request differs from the disclosure of D1 by the features defined in the characterising portion, namely:
 - the acquisition and storage of a picture of the user's face in the central unit's storage means
 - the display of the user's face stored and associated with the acquired biometric data before authorising the transaction
4. The examining division argued that systems providing a seller, e.g. a POS clerk, with a registered image of a customer in the context of a payment transaction in order to verify the identity of the customer were already known, and cited D5 as an example thereof.
5. However, the board doubts that the general idea of displaying a user's picture to authorise a transaction would lead the skilled person to the claimed subject-matter and, in particular, to storing in the central unit the user's picture in association with the user's biometric data.
6. Furthermore, in D5 the picture of a user's face is stored on the user device, rather than on a central server. Therefore, even a combination of D1 and D5 would not lead to the claimed subject-matter.
7. The board notes, however, that document D3, i.e. US 7 523 067 B1, which was introduced during the

examination proceedings, discloses a central server ("settlement apparatus") storing user-related authentication information, including a picture of a user's face, and displaying said picture to a shop assistant for authentication (column 3, lines 3 to 53, column 4, lines 18 to 23, column 7, lines 4 to 13, column 14, lines 1 to 10, Figure 2, column 19, lines 1 to 3, and Figure 5).

8. Both D1 and D3 concern the authentication of users in the context of a transaction by comparing data provided by the user with those stored on a database, and they both disclose combining several authentication methods for any given transaction (see, for example, D1, paragraphs [0025], [0026] and [0028], and D3, column 13, lines 59 to 67).
9. Accordingly, the board judges that it would be obvious to the skilled person, starting from D1, to add the facial recognition process disclosed in D3 as a further safety measure and therefore they would arrive at the subject-matter of claim 1 without making use of an inventive activity.
10. Claim 1 therefore lacks an inventive step over a combination of D1 and D3 (Article 56 EPC).

First and second auxiliary requests - inventive step

11. The amendments to claim 1 of the first and second auxiliary requests essentially consist of some rephrasing and the replacement, in the second auxiliary request, of the term "central unit" by the equivalent term "server". These amendments do not further limit the claimed subject-matter. The claim has been also amended to specify that the central unit or server is

remote from the payment device, which had already been considered implicit in the wording of the main request.

12. Claim 1 of the first and second auxiliary requests therefore also lacks an inventive step over a combination of D1 and D3, essentially for the same reasons as those provided with respect to the main request.

Third auxiliary request - inventive step

13. As compared with claim 1 of the second auxiliary request, claim 1 of the third auxiliary request contains the further feature of the method being carried out *"in a dematerialized mode without using physical money, such as banknotes/coins, or credit cards or telephone"*.
14. This feature is anticipated by the method of D1, in which the information is entered by the user on the merchant's transaction device and transmitted by the device to the bank server (see, for example, paragraphs [0021] and [0025] to [0028], and Figure 2). Avoiding the use of cash or cards is even explicitly mentioned in paragraph [0030].
15. This claim therefore also lacks an inventive step over a combination of D1 and D3.

Fourth, fifth and sixth auxiliary requests - inventive step

16. Claim 1 of the fourth, fifth and sixth auxiliary requests corresponds to claim 1 of the first, second and third auxiliary requests, respectively, and further includes a qualification (underlined below) of the following feature.

"in that said management method comprises, after said authentication of the user and, if the payment exceeds 30 euros, also after said request for insertion of said security code, the step of displaying said image of the user's face"

17. In the light of the application (see in particular Figure 4), this passage is interpreted in the sense that entering the security code is required only if the payment exceeds 30 euros, and the image is displayed only if the user is authenticated and the entered security code (if required) is correct.
18. The board notes however that, strictly speaking, the wording of the claim is not so limited. For example, it does not mention performing a verification of the security code prior to displaying the image. Moreover, it could be questioned whether the presentation of the request for the insertion of the security code also depends on the payment amount.
19. However, even when adopting the narrower interpretation provided under point 17 above, the board judges that claim 1 lacks an inventive step for the following reasons.
 - 19.1 D3 discloses carrying out additional authentication checks for particularly expensive transactions (see column 22, lines 40 to 43). The definition of the exact threshold beyond which the additional checks are required (i.e. 30 euros) is non-technical and cannot contribute to the assessment of inventive step.
 - 19.2 The board agrees with the appellant that neither D1 nor D3 discloses displaying the stored image of the user's

face after the user's identity has been verified by means of biometric data and the PIN has been checked (see the letter of 15 November 2021, filed during the examination proceedings). Indeed, in D3 the image appears to be displayed at the beginning of the authentication procedure (see, for example, Figure 9 and the passages cited in the letter).

- 19.3 The appellant argued that this feature was a safety measure, ensuring that images of a registered user were not seen by third parties who may have illegally obtained a transaction number.
- 19.4 The board notes that the image is not shown to the party requesting the transaction, but to the shop assistant. It is therefore unclear whether it may be visible also to a third party.
- 19.5 In any case, the board considers avoiding the unauthorised display of sensitive personal data (the user image) to be a non-technical requirement. Pursuant to the established "Comvik" approach, for the purpose of assessing inventive step it can be considered a "given", i.e. a requirement provided to the skilled person for implementation.
- 19.6 It would be obvious to the skilled person to implement this requirement by executing the picture-based identification only after verifying the user's biometric credentials, especially considering that D1 discloses displaying a user's name after the fingerprint verification (see paragraph [0026]).
20. Accordingly, claim 1 of the fourth, fifth and sixth auxiliary requests also lacks an inventive step over a combination of D1 and D3 (Article 56 EPC).

Conclusion

21. Since none of the appellant's requests are allowable,
the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chairman:



T. Buschek

W. Zubrzycki

Decision electronically authenticated