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Datasheet for the decision of 24 October 2025

Case Number: T 1288/23 - 3.5.01

Application Number: 16786555.9

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IPC: G06Q10/08, B65G1/137, E05B49/00, E05B65/02, G06K17/00

Language of the proceedings: EN

Title of invention:
STORAGE CABINET

Applicant:
SATO Corporation

Headword:
Storage cabinet/SATO

Relevant legal provisions:
EPC Art. 56, 111(1)
RPBA 2020 Art. 11

Keyword:
Inventive step (no) - judgement whether item information meets a warning occurrence (no technical effect)
Remittal - special reasons for remittal (no)

Decisions cited:
T 0641/00

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Case Number: T 1288/23 - 3.5.01

D E C I S I O N
of Technical Board of Appeal 3.5.01
of 24 October 2025

Appellant: (Applicant)	SATO Corporation 3-1-1 Shibaura Minato-ku Tokyo 108-0023 (JP)
Representative:	Grünecker Patent- und Rechtsanwälte PartG mbB Leopoldstraße 4 80802 München (DE)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted on 31 January 2023 refusing European patent application No. 16786555.9 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman	L. Falò
Members:	N. Glaser
	L. Basterreix

Summary of Facts and Submissions

I. This appeal is against the decision of the examining division to refuse European patent application No. 16786555.9 pursuant to Article 97(2) EPC on the ground of lack of inventive step (Article 56 EPC).

II. In this decision, reference is made, *inter alia*, to the following documents:

D1 US2014/138440A1
D7 US7348884B2

D7 is a member of the same patent family as a document incorporated by reference in D1 (paragraph [0031] of D1) and is from the same applicant.

III. In the 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 one of auxiliary requests 1 to 3 on which the impugned decision was based and which were refiled with the statement setting out the grounds of appeal.

The appellant also requested, should the Board not be willing to grant a patent, that the case be remitted to the examining division.

Oral proceedings were requested as an auxiliary measure.

IV. In a communication accompanying the summons to oral proceedings, the Board set out its preliminary opinion

that the invention did not involve an inventive step (Article 56 EPC).

V. The appellant did not respond to the communication and did not file further requests.

VI. The oral proceedings took place on 23 and 24 October 2025 by videoconference. The final requests of the appellant were identical to its initial requests. After due consideration of the appellant's arguments, the Chairman announced the decision.

VII. Independent claim 1 of the main request reads as follows:

"*1. A storage cabinet (1) for storing a plurality of items (IM1 to IM6), each item including a first tag attached thereto, the first tag being an RF tag for recording item information relating to a corresponding item, the storage cabinet (1) comprising:*

a housing (2) for storing the plurality of items;

a door (3) connected to the housing (2), the door (3) being in a open state in which the plurality of items is accessible from the outside, or in a closed state in which the plurality of items is inaccessible from the outside;

a first reader (21) configured to read item information recorded in the first tag of all items stored in the housing (2), when the door (3) is in the closed state;

a second reader (21) configured to read item information of the first tag, when the door (3) is in the open state and an item to which the first tag is

attached is made proximate from the outside to a predetermined area (10) on the housing (2);

a memory (23) configured to record item information; and

a first controller (20) configured to record the item information read by the first reader (21) in the memory (23), ***characterized in that*** *the first controller (20) is further configured to determine a judgment result of whether the item information read by the second reader (21) meets a warning occurrence by comparing the item information read by the second reader (21) and the item information recorded in the memory (23).*"

VIII. Claim 1 of auxiliary request 1 adds the following feature to claim 1 of the main request:

"*the item information includes an item code and an expiration date, and the warning occurrence condition is that the item made proximate to the predetermined area (10) is an item having a period of time to an expiration date which is not the shortest among items of the identical item code in the housing (2), or that the item made proximate to the predetermined area (10) is expired".*

IX. Claim 1 of auxiliary request 2 adds the following feature to claim 1 of auxiliary request 1:

"*the first reader (21) is configured to read the item information recorded in the first tag of all items stored in the housing (2) in a case in which the door (2) changes its state from the open state to the closed state".*

X. Claim 1 of auxiliary request 3 adds the following feature to claim 1 of auxiliary request 2:

"*wherein the storage cabinet (1) further comprises a displaying part (32) configured to display on a display panel (22a) the judgement result determined by the first controller (20) and/or the storage cabinet (1) further comprises a voice output part (24) configured to output a voice of the judgement result determined by the first controller (20)*".

Reasons for the Decision

1. The invention

1.1 The invention relates to a storage cabinet for storing items, such as products or goods. It is known in the art that storage cabinets manage items by using radio frequency identification (RFID) tags attached to the items. These tags store information, such as the date when the item was stored in the storage cabinet or an expiry date, which is read by RFID scanners. A goods management system notifies a user who has retrieved an item that it has expired (see paragraphs [0001] to [0002] of the published application).

1.2 In a conventional cabinet storing many items, a "*full scanning*" of all items is usually performed when the cabinet door is closed. This scanning can take 20 seconds and even longer, depending on the quantity of items stored (see paragraph [0148]). It therefore takes a long time until a full scan is finished and a user is notified about any item which has been retrieved from or returned to the cabinet (see paragraphs [0002] to [0005] and [0147]).

1.3 The invention aims to shorten the wait time of users until they are notified as to whether a retrieved item meets a predetermined condition (see paragraphs [0002] to [0005] and [0014]).

1.4 The solution is to provide a further scanning facility on a "*predetermined area*" on the outside of the cabinet housing. While the cabinet door is open, a user may hold an item that they are about to retrieve from the storage cabinet over this "*predetermined area*" on the cabinet housing. In this way, the user can confirm that they are about to retrieve an item, and it can be immediately determined whether the item information read by the second reader meets a warning occurrence condition by comparing the information read by the second reader with the item information stored in the memory and read by the first reader.

2. Auxiliary request 3 - Article 56 EPC

2.1 The Board considered it more expedient to start by examining the inventive step of auxiliary request 3, which is more specific than the other requests.

2.2 D1 represents the closest prior art. It discloses a storage cabinet with a housing for storing a plurality of items, each including an RFID tag (see paragraphs [0005] and [0007]), and a door connected to the housing (see paragraphs [0023] and [0039]). The RFID tag of an item can include information regarding the expiry date of the item. The storage cabinet of D1 comprises a computer system (see paragraphs [0034]) corresponding to the claimed controller(s). It comprises a plurality of processors, memory and computer code and controls the operation of the various systems associated with the storage cabinet, such as the scanners, door locks,

light indicators (see paragraph [0031]), a console screen 114 and an input area 112, including a keyboard, a numerical pad, a touchscreen and the like (see paragraphs [0022] and [0035]). The input area 110 can be used to identify a user who inputs a user ID, password, PIN and/or other identifier, such as an RFID badge, into the input area 112 to validate or authenticate their identity. D1 (paragraphs [0035] to [0039]) further explains that a user may select a goal for an item to be removed or placed into the storage cabinet. Based on the selected goal, the computer system (controller) operates in a particular mode. The cabinet includes a first reader or set of readers for scanning the items stored within the cabinet when the door is closed and a second reader or set of readers for reading the tags upon removal of the associated item when the door is open (paragraphs [0006] and [0021]).

2.3 The examining division was of the opinion that claim 1 of auxiliary request 3 was distinguished from D1 by the following features:

(a) determining a judgement result of whether the item information read by the second reader meets a warning occurrence condition by comparing the item information read by the second reader and the item information recorded in the memory

(b) the warning occurrence condition is that the item made proximate to the predetermined area is an item having a time to an expiry date which is not the shortest among items of the identical item code in the housing or the item is expired

(c) the storage cabinet comprises a displaying part configured to display the judgement result and/or a

voice output part outputting the judgement result as voice.

2.4 As regards features (a), the examining division found that they defined a non-technical business requirement defining when a warning occurrence condition was met for a particular item following a comparison of item information (e.g. the expiry date) on the retrieved item with item information on all stored items. D1 only disclosed a comparison of item information read by a second reader with item information recorded in a memory (see paragraph [0031]), which was not a check for meeting a warning occurrence condition. However, performing this type of check was a non-technical condition which could not contribute to inventive step.

2.5 As regards features (b), the examining division considered that they further defined the non-technical warning occurrence condition.

Moreover, D1 already disclosed several types of warnings about the expiry date of an item (see paragraph [0037]). The warnings about expired items were based on the readings of the first reader stored in a database (see paragraph [0031]). The database of D1 included the expiry date (see paragraph [0025]). Warnings may be given upon removal of an item, which was detected by a second reader (see paragraph [0022]).

The examining division considered it obvious to carry out a comparison of the data stored in the database with information read by a second reader to find out whether an alert was necessary. Furthermore, such a comparison step was known from D7, column 2, lines 54 to 56, teaching that the comparison of a result list with a previous list allows determining whether an item

has been removed. D7, column 5, lines 52 to 54, also teaches the provision of a warning with regard to the expiry date.

2.6 As regards features (c), the examining division found that D1 disclosed a display and also that an alert may be presented to the user (see paragraph [0024]). Using the display for the purpose of outputting the judgement result to the user was an obvious choice for the person skilled in the art. Voice alerts were known from D7, column 45 to 60, and would be an obvious alternative.

2.7 The appellant essentially argued that the invention according to claim 1 provided assistance to the user by outputting a warning message to select a particular item from the storage cabinet.

As regards features (a), the claimed "*warning occurrence*" was established by comparing two types of item information, that is, from the first reader (as stored in memory) and from the second reader. This was an important functionality which *correlated* transacted item information against item information (expiry dates of items in the cabinet housing) stored in memory. Since the item information of the memory was immediately available and the second reader only scanned the transacted item, the determination of a judgement result could be performed efficiently, and the selection of items could be made much faster.

As regards features (b), these made sure that the correct item could be selected in terms of its expiry date. In this way, the discarding of items and the time necessary to operate the storage cabinet were reduced, which optimised the process of emptying the storage cabinet and avoided waste. The warning occurrence

condition of claim 1 assisted the user in selecting the item having the shortest period to the expiry date. This made item handling safer. D1 was about inventory management, speeding up the scanning of items and correct inventory management. D1 may disclose that information relating to the removal or placement of items is checked against a database (see paragraph [0031]), but this was not the same as item information concerning the properties of an item. Warnings might be given about expired items (paragraph [0037]), but if the user took out an incorrect item, there was no immediate judgement and output of a warning.

As regards features (c), the display of information in D1, as disclosed in paragraph [0022], was only about the transaction performed. This led away from the invention as it only concerned a single item, whereas the invention was about all the items stored in the storage cabinet. Starting from D1, the obvious solution would have been to take each individual item out and check it, this being a cumbersome process.

2.8 The Board does not agree with the appellant's assessment of D1. D1 explicitly discloses that a transaction can be stored or checked against a database during a scanning operation by the static and dynamic RFID scanners, in their role as first and second readers (see [0041]). In other words, data of a transaction which is obtained from scanning is stored in the inventory database and is also checked against it. Even though D1 does not explicitly disclose what kind of data is checked or compared, it discloses that the data stored in the database encompasses data concerning the product, expiry date and other parameters (see paragraph [0025]). The Board considers this to represent item information relating to the properties of an item.

2.9 Pursuant to the established COMVIK approach (see T 641/00 - *Two identities/COMVIK*, OJ EPO 2003, 352), non-technical features do not contribute to inventive step but can form part of the problem formulation, in particular as constraints or requirements provided to the skilled person for implementation.

2.10 The Board agrees with the examining division that the definition of the "*warning occurrence condition*", that is, features (b), expresses an administrative, non-technical requirement or rule which is not based on any technical considerations. Furthermore, the Board considers that judging whether the warning occurrence has been met (features (a), first part) is also part of the underlying non-technical requirements, as well as a comparison of relevant data, because it sets out how the condition is defined.

2.11 As regards the way in which the judgement is implemented, namely by comparing the item information read by the second reader with the item information read from memory (features (a), second part), the Board considers that these features are obvious in light of D1 for the following reasons.

Paragraphs [0041] and [0042] of D1 mentions the use of static and dynamic (or "*transaction*") RFID scanners. The static scanners perform scanning when the doors are closed, while the dynamic scanners operate when the doors are open to scan removed and/or placed items, and therefore require less time. The data read by both types of scanners can be stored and/or checked against the database (paragraph [0041]). A similar embodiment is disclosed in paragraphs [0020] to [0022]. In this embodiment, the second reader provides near real-time data (see paragraphs [0022] and [0029]) while scanning

only removed or added items, so that the inventory database is maintained, and transaction data can be displayed. Therefore, the operation of the D1 system is not technically different in making data immediately available and assisting the user.

In summary, D1 discloses the first and second readers, the storage of item information and the checking of read item information. The second reader is moreover said in D1 to have the advantage of providing near real-time data when an item is added or removed.

In view of this, it would be obvious for the skilled person, provided with the above-described non-technical requirements, to implement the "judgement" step by checking the item information read by the second reader against the data stored in the database.

2.12 Concerning features (c), the Board considers that it would also be obvious to display the judgement result on the display panel of D1 when a transaction is performed, especially considering that D1 provides a display (see paragraph [0031], middle part) and also discloses providing alerts when an item is removed (paragraph [0026]). The claimed provision of voice output is merely an optional feature and, moreover, the Board considers it an obvious possibility for the person skilled in the art as a way to alert the user. As an example, document D7 teaches the voice output (see column 5, lines 45 to 60), and the use of this teaching to adapt the D1 system is obvious.

2.13 Accordingly, the Board concludes that the person skilled in the art, starting from D1, would have no difficulty, using their general knowledge, to adapt the operation of the D1 system and arrive at the subject-

matter of claim 1 without making use of an inventive activity. Claim 1 of auxiliary request 3 therefore lacks an inventive step over D1 (Article 56 EPC).

2.14 The conclusion on inventive step reached for auxiliary request 3 also applies to the higher-ranking requests, which are less specific. The subject-matter of claim 1 of these requests therefore lacks an inventive step over D1 (Article 56 EPC).

3. Request for remittal

3.1 The appellant requested that the case be remitted to the examining division, should the Board not be minded to grant a patent.

3.2 Under Article 11 RPBA, the Board must not remit a case unless special reasons are present, such as fundamental deficiencies in the decision under appeal. No such fundamental deficiency is apparent, and none was substantiated. Furthermore, since all issues of the present decision can be decided by the Board without undue burden on the basis of the documents on file, a remittal would serve no purpose.

3.3 Exercising its discretion under Article 111(1) EPC, the Board therefore refuses the request for remittal and decides the case itself.

4. Conclusion

As there is no allowable request on file, the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chairman:

T. Buschek L. Falò

Decision electronically authenticated