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**Datasheet for the decision
of 24 October 2025**

Case Number: T 1393/23 - 3.5.01

Application Number: 16786552.6

Publication Number: 3291153

IPC: G06Q10/08, B65G1/137, 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), 114(1), 123(2)

Keyword:
Inventive step - main request (no) - auxiliary request 1B (yes)
Amendments - auxiliary request 1A - extension beyond the content of the application as filed (yes)
Examination of own motion - appeal proceedings
Remittal - (yes)

Decisions cited:

T 0641/00



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Case Number: T 1393/23 - 3.5.01

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

Appellant: SATO Corporation
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Minato-ku
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Representative: Grünecker Patent- und Rechtsanwälte
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 8 February 2023
refusing European patent application No.
16786552.6 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. 16786552.6 pursuant to Article 97(2) EPC on the ground of lack of inventive step (Article 56 EPC).

II. In the contested 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 1A, 1B, 2A, 2B, 3A and 3B 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 none of the requests involved 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 item information including at least an item code identifying an item and information of an expiration date of the 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 configured to be in an 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 judgment part configured to judge whether an expired item exists in the housing (2), based on a reading result of the first reader (21); **characterized by**

a first controller (20) configured to control item retrieval from the housing (2) in a first mode if the judgment part judges that an expired item does not exist in the housing (2), the first mode being a mode in which retrieval of an item other than an item having a period of time to an expiration date which is the shortest among items of the identical item code is restricted; and

a second controller (20) configured to control item retrieval from the housing (2) in a mode selected from the first mode and a second mode based on an operation of a user if the judgment part judges that an expired item exists in the housing (2), the second mode being a mode in which retrieval of an item other than an expired item is restricted,

the storage cabinet (1) further comprises a second reader (21) configured to read information recorded in a second tag when the door (3) is in the closed state and the second tag is made proximate from the outside to a predetermined area (10) on the housing (2), the information recorded in the second tag including user identification information identifying a user,

wherein, when the second reader (21) reads the user identification information after the judgment part has judged that an expired item exists in the housing (2), the second controller (20) is configured to select the second mode."

VIII. Claim 1 of auxiliary request 1A corresponds to auxiliary request IIIA at the examination stage. It adds the following features to claim 1 of the main request:

"the second controller (20) is configured to:

output a warning message if the judgment part has judged that an expired item exists in the housing (2),

when the second reader (21) reads the user identification information within a preset period of time after the warning message is output, output a confirmation message, otherwise select the first mode,

when the second reader (21) reads the user identification information within a preset period of time after the confirmation message is output, select the second mode, otherwise select the first mode"

IX. Claim 1 of auxiliary request 2A corresponds to auxiliary request IVA at the examination stage. It adds the following feature to claim 1 of auxiliary request 1A:

"the storage cabinet further comprising a first alarm part configured to output at least one of a vocal alarm and a displayed alarm."

X. Claim 1 of auxiliary request 3A corresponds to auxiliary request VA at the examination stage. It adds the following feature to claim 1 of auxiliary request 2A:

"if the second controller (20) judges that the first mode is selected and an item other than an item having

a period of time to an expiration date which is the shortest among items of the identical item code has been retrieved from the storage cabinet (1); or that the second mode is selected and an item other than an expired item has been retrieved from the storage cabinet (1)."

- XI. Claim 1 of auxiliary requests 1B, 2B and 3B differs from claim 1 of auxiliary requests 1A, 2A and 3A in that the messages are displayed on a display panel.

Reasons for the Decision

2. The invention
- 2.1 The application concerns a storage cabinet which manages stored items by using radio frequency identification (RFID) technology (see paragraphs [0002] to [0008]). Each item in the cabinet includes an RFID tag storing item-related information (e.g. an expiry date). This information is read by a first reader when the cabinet door is closed. A goods management system notifies a user who has retrieved an item that the item has expired.
- 2.2 The application addresses the problem of preventing misuse by users, in particular if expired items which should not be used are still present in the cabinet (see paragraphs [0005] to [0008]).
- 2.3 This is achieved by a two-level (cascaded) selection process of a first or a second operating mode, which is guided by the storage cabinet itself. If no expired items are present, the cabinet operates automatically in the first mode, in which retrieval of an item other than the item having the shortest time to an expiry

date among items with the identical item code is "restricted" (i.e. the user must retrieve the item closest to the expiry date). If the cabinet stores at least one expired item, the cabinet operates either in the first or in the second mode, depending on a user selection. In the second mode, retrieval of an item other than an expired item is restricted (i.e. the user must retrieve the expired item first) (see paragraph [0009]). The second mode is selected by the user by presenting an RF tag ("*second tag*") with user identification information to a reader external to the cabinet ("*second reader*").

According to some embodiments (auxiliary requests 1A and 1B), to select the second mode, the user must present the second tag twice within a preset period of time, first in response to a warning message indicating that the cabinet stores an expired item and then in response to a confirmation message.

3. Main request - Article 56 EPC

- 3.1 D1 represents the closest prior art. It discloses a storage cabinet which anticipates the features of the preamble of claim 1.

The storage cabinet comprises a computer system (see paragraph [0034]), which corresponds 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 and the like (see paragraph [0031], lines 19 to 22). The computer system comprises 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. D1 further discloses that the user may select a goal for an item to be removed or placed into the storage cabinet (paragraphs [0035] to [0039]). Based on the selected goal, the computer system controls the doors of the cabinet and the internal and external RFID readers. The goal may be selected by scanning a customer ID card (paragraph [0038], lines 17 and 18).

D1 therefore also discloses that the reading of a second tag, that is, a user or customer ID card, can be used to trigger an operation of the computer system (controller). Based on the selected goal, the computer system (controller) operates then in a particular mode.

- 3.2 The examining division considered that the distinguishing features of claim 1 over D1 related to non-technical, administrative rules, such as the selection between a first mode (retrieval of an item having the shortest time to an expiry date among items with the identical item code) and a second mode (retrieval of an expired item). These rules did not have a technical effect, and their implementation using the technical means disclosed in D1 - namely, means for processing item information, issuing warnings, and restricting access to items based on a user ID - would have been obvious to the person skilled in the art.
- 3.3 The examining division concluded that claim 1 lacked an inventive step (Article 56 EPC).
- 3.4 The appellant contested the analysis of D1 given by the examining division. In its view, D1 was completely silent on any restriction of item retrieval and did not

disclose a "second level" enabling the user to make a decision on which items were restricted from being retrieved. While D1 (paragraph [0037]) may disclose generating an alert when an item approaches its expiry date, this alert concerns the contents of the storage cabinet as a whole and merely invites the user to retrieve certain items without restricting item retrieval. The user was moreover not enabled to select a first or second mode if an expired item existed. Paragraph [0035] disclosed the presentation of a user ID, but not that this would trigger the selection of a second mode.

3.5 The appellant further argued that the distinguishing features enabled operation of the cabinet in line with the user's preferences as to which item was to be retrieved. In the first mode, the user was prevented from taking out the items other than those with the shortest expiry time. In the second mode, the user had to take out the expired items first. The machine offered the user a choice between the two modes. This required a particular interaction of a first and second controller and a second reader to achieve a two-level selection process which was not suggested by the prior art on file, in particular D1.

3.6 The Board observes that the expression "*restricting retrieval of an item*" is broad. The application does not disclose any technical means for physically preventing a user from retrieving the wrong items. It only disclosed the feature of the storage cabinet outputting a warning message meant to prevent the user from retrieving the wrong items (see paragraphs [0114] to [0116]). Therefore, this expression is interpreted, in light of the description, as covering the mere displaying of a warning message (expired item). This

was conceded by the appellant during oral proceedings. It follows that, contrary to the appellant's arguments, the characterising features do not necessarily lead to a more efficient operation of the storage cabinet, as it is the user who decides which item to select for retrieval. The invention only assists the user in the selection process by providing warning messages.

- 3.7 In the Board's view, the features defining which items should be retrieved and the two-level, user-assisted selection of the two modes of operations do not have a technical character, but only express a set of administrative preferences or requirements. Following the well-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, particularly as requirements or constraints to be met.
- 3.8 Accordingly, the Board formulates the objective technical problem as how to assist a user in operating the storage cabinet in accordance with the given non-technical requirements.
- 3.9 Starting from D1, the person skilled in the art would have no difficulty in making the necessary adaptations to the software and units of the D1 system to operate the computer system (controller) and readers in the claimed manner and to provide messages and/or warnings to guide users in accordance with the given non-technical scheme.

As it is known from D1 that the reading of a user ID can trigger an operation of the cabinet, it would further be obvious to use the same input means for

enabling the user to select an operating mode, that is, the second mode, of the storage cabinet.

It would also be obvious to alert the user (e.g. by means of a warning message) if the wrong item has been picked, i.e. if the given non-technical requirements have not been met. Contrary to the appellant's argument, this alert is not information representing the internal mode of operation of the storage cabinet but only an indication as to whether the given administrative requirements are being met.

3.10 The Board therefore concludes that the subject-matter of claim 1 lacks an inventive step (Article 56 EPC) over D1.

4. Auxiliary request 1A

4.1 Claim 1 of auxiliary request 1A does not meet the requirements of Article 123(2) EPC, because the feature "*output a warning message if the judgment part has judged that an expired item exists in the housing (2)*" is not directly and unambiguously derivable from the application as filed.

The original application (paragraphs [0079] and [0080], which the appellant indicated as a basis for the amendment) only discloses the more specific feature of the warning message being displayed on a display panel.

4.2 This objection was not raised by the examining division but was introduced by the Board *ex officio* under Article 114(1) EPC.

5. Auxiliary request 1B

5.1 Claim 1 of auxiliary request 1B further defines, in essence, that selection of the second mode (retrieval of an expired item) is prompted by the display of a warning message on a display panel indicating that an expired item exists. Once the warning message has been displayed, the user is given a preset period of time in which to present the second tag again on a predetermined area of the storage cabinet housing. If the second tag is presented within that preset period of time, a confirmation message is displayed on the display panel and the second mode is selected. If the second tag is not presented within the preset period of time, the first mode is selected. The first mode is therefore the default mode of operation of the storage cabinet.

In the Board's view, these features are of a technical nature. The warning message indicates that a mode of operation, namely the second mode, may be selected, while the confirmation message indicates that the second mode has been confirmed by re-presenting the second tag. Taken together with the preset time period for making that selection, these features define an input-security mechanism that guides the user through the selection of the machine's mode of operation and reduces the risk of accidental selection.

5.2 D1 (see paragraphs [0035] and [0038]) discloses the presentation of a user ID for the purpose of authenticating a user to operate the storage cabinet. For example, presentation of a valid user ID unlocks the doors of the cabinet (paragraph [0036]). A user may also input a goal by presenting a customer ID (paragraph [0038]), which may include the removal of

items from the storage cabinet. However, D1 is silent as to the presentation of a user ID card or customer ID card for confirming the selection of a mode of operation, which, in this context, would correspond to confirming a transaction, and furthermore it does not disclose displaying a confirmation message following successful confirmation within a preset time. D1 further discloses a single mode of operation, namely the retrieval of items on the basis of a goal.

- 5.3 Starting from D1, the person skilled in the art would therefore have to carry out two successive steps: first, to provide and set up a timer for receiving the user's confirmation of a transaction and, second, to display a confirmation message if the user confirms its choice within the preset time defined by that timer.
- 5.4 Nothing in D1 suggests the distinguishing features, nor does it provide any motivation for the skilled person to adopt them. Accordingly, the subject-matter of claim 1 involves an inventive step over D1 (Article 56 EPC).
- 5.5 With respect to auxiliary request 1A, claim 1 of auxiliary request 1B specifies that the warning message is displayed on a display panel. This is in line with the original disclosure, see paragraphs [0079] and [0080] of the description as filed.

Therefore, the requirements of Article 123(2) EPC are met.

6. Remittal for grant

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

6.2 Since the claims according to auxiliary request 1B on file are allowable, the appropriate course is to remit with an order to grant under Article 111(1) EPC.

Order

For these reasons it is decided that:

1. The decision under appeal is set aside.
2. The case is remitted to the examining division with the order to grant a patent on the basis of the claims of auxiliary request 1B filed with the statement setting out the grounds of appeal. The description is to be adapted if necessary.

The Registrar:

The Chairman:



T. Buschek

L. Falò

Decision electronically authenticated