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D E C I S I O N
of 28 May 2002

Case Number: T 0109/98 - 3.4.1

Application Number: 93250240.4

Publication Number: 0589545

IPC: G07F 17/32

Language of the proceedings: EN

Title of invention:
Gaming machine change system

Applicant:
BALLY GAMING INTERNATIONAL, INC.

Opponent:
-

Headword:
-

Relevant legal provisions:
EPC Art. 56

Keyword:
"Inventive step - (yes) after amendment"

Decisions cited:
-

Catchword:
-



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Boards of Appeal

Chambres de recours

Case Number: T 0109/98 - 3.4.1

D E C I S I O N
of the Technical Board of Appeal 3.4.1
of 28 May 2002

Appellant: BALLYS GAMING INTERNATIONAL, INC.
6601 South Bermuda Road
Las Vegas
Nevada 89119-3605 (US)

Representative: Pfenning, Meinig & Partner
Kurfürstendamm 170
D-10707 Berlin (DE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 9 September 1997
refusing European patent application
No. 93 250 240.4 pursuant to Article 97(1) EPC.

Composition of the Board:

Chairman: G. Davies
Members: G. Assi
M. G. L. Rognoni

Summary of Facts and Submissions

I. The applicant (appellant) lodged an appeal, received on 3 November 1997, against the decision of the Examining Division, dispatched on 9 September 1997, refusing the European patent application No. 93 250 240.4 (publication number 0 589 545). The fee for the appeal was paid on 3 November 1997. The statement setting out the grounds of appeal was received on 8 January 1998.

In its decision, the Examining Division held that the application did not meet the requirements of Articles 52(1) and 56 EPC having regard to the following document:

(D1) EP-A-0 360 613.

II. Oral proceedings were held on 28 May 2002.

At the oral proceedings, the appellant requested that the decision under appeal be set aside and a patent be granted on the basis of the following documents:

Claims: 1 to 35 filed in the oral proceedings,

Description: pages 1, 2 filed with the letter of 14 October 1996,
pages 3, 3a, 6 filed in the oral proceedings,
pages 4, 5, 7 to 12 as originally filed,

Drawings: sheet 1/1 filed in the oral proceedings.

III. The wording of claim 1 reads as follows:

- "A gaming machine change system comprising*
- a plurality of gaming machines (10) played by players,*
 - a change card (66) including a card memory (70) for storing a cash value,*
 - a change station (40) for entering an initial cash value into said card memory (70) of the change card,*
 - a game monitor unit (28) operatively connected to each of said gaming machines (10) and including a first card reader (34) for receiving said change card (66), first data transfer means for transferring a selected cash value from said card as a credit to said gaming machine, a first keypad (32) for entering a personal identification number and for selecting said selected cash value and a first display (30) for displaying said selected cash value,*
 - a change station monitor unit (50) operatively connected to said change station (40), said change station monitor unit (50) including a second card reader (56) for receiving said change card (66) and a second data transfer means for transferring said initial cash value to said card memory (70) and a second keypad (54) for entering said personal identification number into the card memory (70) and*
 - a central data system (60) operatively connected to said plurality of gaming machines and said change station (40) for recording transactions of said change card in parallel with the card including said initial cash value and said*

selected cash value."

Claims 2 to 35 are dependent claims.

Reasons for the Decision

1. The appeal is admissible.
2. *Amendments*
 - 2.1 All the features recited in the amended claim 1 are supported by the disclosure of the original application (see the description concerning the embodiment of Figure 1, in particular page 4, line 11, to page 5, line 29, and the operation of the system with particular regard to the beginning of the change person's shift and the phase occurring when a player requests change from the change person on pages 6 to 9).
 - 2.2 Claims 2 to 35 essentially correspond to the original claims 2 to 4, 6 to 16, 18 to 26 and 29 to 39, whereby the claim numbering and dependencies have been changed to take account of the deletion of the original dependent claims 5, 17, 27 and 28. Moreover, minor amendments have been made to make their wording consistent with that of claim 1.
 - 2.3 The original description has been amended so as to be adapted to the new claim 1 and to acknowledge the prior art, in particular document D1, without, however, introducing new elements.
 - 2.4 Therefore, all amendments are admissible under

Article 123(2) EPC.

3. *Novelty*

3.1 Document D1 is considered to represent the closest state of the art. It discloses a gaming machine change system comprising

- a plurality of gaming machines 10 (see Figure 1),
- a change card 20 including a card memory 26 (see Figure 2),
- a central data processor 82 acting as a change station for entering an initial cash value into the card memory of the change card, the central data processor being operatively connected to a system interface 84, a terminal 86 and a display 88 (see Figure 4),
- an interface unit 40 acting as a game monitor unit operatively connected to each of the gaming machines, the interface unit including, *inter alia*, a card reader 42, data transfer means 46 and a display 78 (see Figure 3).

According to the disclosure of D1, the interface unit 40 does not include a keypad. Moreover, the known gaming machine change system does not comprise a central data system.

3.2 Therefore, the subject-matter of claim 1 is new having regard to document D1 (Article 54(1),(2) EPC).

4. *Inventive step*

4.1 As pointed out in the present invention (see page 2 on file, second paragraph), most gaming machines are not equipped with bill acceptors and, in many cases, players do not possess or want to use a credit card with a gaming machine. For these reasons, casinos employ change persons who circulate in the gaming machine area to exchange coins or tokens for currency bills. The change person must normally carry a large number of coins of varying denominations. In addition to the inherent problems of carrying about a large amount of change on the casino floor, this method of supplying players with change complicates the casino's accounting procedures and increases the security concerns.

These problems are solved by the gaming machine change system according to claim 1.

4.2 The claimed system relies on the presence of change persons who carry a change card charged with a cash value instead of a large amount of change. More precisely, at the beginning of the shift, a change person employed by the casino receives, at the change station, a non-active card which is issued to his/her name, initialized, *inter alia*, with a personal identification number and charged with a selected cash value. On request of a player, the change person introduces the card into the game monitor unit of a gaming machine and enters, via a keypad, the personal identification number and the cash value requested by the player in exchange for cash. This cash value is thus transferred, as credit, from the change card to the gaming machine and the central data system stores in real-time, for safety reasons, the information concerning the transaction. The change person has to

return to the change station either to replenish the cash balance in the card memory or to give back the card at the end of the shift. In the latter case, the cash balance is transferred to the central data system and the card is deactivated.

It is thus clear that the claimed features concerning the keypad of the game monitor unit and the central data system are essential for the invention.

- 4.3 The claimed solution is not rendered obvious by the disclosure of document D1. Indeed, the known system is based on an operation which is quite different. On request of a player, a change card is inserted by a casino employee into the system interface of the central data processor to be issued to the player and initialized. Thereafter, the casino employee accepts payment and, using a terminal of the central data processor, loads the desired monetary value in the memory of the change card. The card is thus ready for use with a gaming machine and handed over to the player. In order to play, the player has to insert the change card into the interface unit of a gaming machine, communication between the card and the gaming machine being so established. The change card, which is left inserted during the whole play, interacts with the gaming machine so that information concerning the player and data relating to machine operation are stored in the card memory (see portions 90 and 120, respectively, in Figures 5 and 6). After play, the player has to return the change card to a casino employee who inserts it into the system interface of the central data processor. At this point, the player can receive payment or credit derived from the information on the card. In particular, the player's

individual account status is printed out or displayed.

- 4.4 Although the claimed system and that according to D1 imply similar basic operations, namely providing a change card, letting it be issued, initialized and charged with a cash amount, transferring the desired amount to a gaming machine, replenishing the card, if necessary, or returning it back to the casino, there are substantial differences due to their essentially different functions.
 - 4.4.1 Whereas the player of D1 has his/her own change card, according to the invention the change person has a change card and provides the players with the desired electronic cash value at their request. To do this, the provision of the keypad in the game monitor unit is an essential feature of the present invention, which cannot be considered to be an obvious modification of the system of D1 because it is not apparent what function a keypad would have in the known system.
 - 4.4.2 An advantage of the system of the invention consists in the higher safety over that according to D1, because all the operations, which are necessary for the authorisation to play at a gaming machine, are under the direct control of casino employees.
 - 4.4.3 Contrary to D1 (see column 1, lines 21 to 31), in which data concerning a player are recorded and evaluated for marketing reasons, in particular for offering bonuses to frequent customers, the player using the system of the present invention can remain anonymous because his personal data are not recorded on the change card.
 - 4.4.4 The claimed system includes a central data system

operatively connected to the plurality of gaming machines and permitting to record transactions of the change card in parallel with the card itself. On the contrary, D1 (see column 3, lines 36 to 55) explicitly teaches away from the need to have a large central computer (see also column 1, lines 41 to 61), so that there is no real-time on-line communication with all the gaming machines.

- 4.5 Therefore, the subject-matter of claim 1 involves an inventive step having regard to document D1 (Article 56 EPC).

Order

For these reasons it is decided that:

1. The decision under appeal is set aside.
2. The case is remitted to the department of the first instance with the order to grant a patent on the basis of the following documents:

Claims: 1 to 35 filed in the oral proceedings on 28 May 2002,

Description: pages 1, 2 filed with the letter of 14 October 1996,
pages 3, 3a, 6 filed in the oral proceedings on 28 May 2002,
pages 4, 5, 7 to 12 as originally filed,

Drawings: sheet 1/1 filed in the oral proceedings

on 28 May 2002.

The Registrar:

The Chairman:

R. Schumacher

G. Davies