Appeal No.2020-16855

Appellant	Sammy Corporation

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The case of appeal against the examiner's decision of refusal of Japanese Patent Application No. 2017-60079, entitled "PACHINKO GAME MACHINE", [the application published on October 18, 2018: Japanese Unexamined Patent Application Publication No. 2018-161268], has resulted in the following appeal decision.

Conclusion
      The appeal of the case was groundless.

Reasons
I. Outline of the procedures
      The present application is the patent application filed on March 24, 2017, and a notice of reasons for refusal was issued on January 20, 2020. A written opinion and a written amendment were submitted on March 18, 2020. A notice of final reasons for refusal was issued on April 28, 2020. A written opinion and a written amendment were submitted on July 27, 2020. The amendments made in the written amendment on July 27, 2020 were dismissed on September 2, 2020 (certified copy service date: July 15, 2020), and a Decision of Refusal (hereinafter referred to as the "original decision") was issued. With this regard, a written amendment was submitted at the same time as the appeal against the examiner's decision of refusal was submitted on December 8, 2020.

II. Decision of dismissal for the amendments in the written amendment submitted on December 8, 2020
[Conclusion of the decision of dismissal for the amendments]
      The amendments made on December 8, 2020 (hereinafter referred to as the "the present amendment") shall be dismissed.

[Reasons]
1. Content of the amendments
      The present amendment comprises the following amendments: amending Claim 1

in the scope of claims of the written amendment dated March 18, 2020
"[Claim 1]
a pachinko game machine,
comprising:
a game area where game balls can fall;
multiple winning slots where game balls can enter, and prize balls are delivered when the game balls enter; and
an information display part that can display information,
having:
a ball-entry determination means that can detect the entrance of game balls into the multiple winning slots,
a counting means that can detect the number of all the out-balls delivered from the game area, and ball-entry information generating means that generates information of game balls entering the multiple winning slots, i.e., ball-entry information, based on detection results of the ball-entry determination means and the means for counting the number of out-balls,
which form the information display part that can display the generated ball-entry information; and
an information storage region for storing processing results data of a program, having a first information storage region and a second information storage region that is different from the first information storage region, and
a second information storage region at least storing ball-entry information;
the pachinko game machine being configured as: when initializing an information storage region, checking data in the information storage region when the game machine is powered on; in a normal situation, setting a predetermined range excluding ball-entry information stored in the second information storage region and performing initialization; in an abnormal situation, setting a predetermined range including ball-entry information stored in the second information storage region and performing initialization; or, checking data in the information storage region when the game machine is powered on, even if the information storage region is not initialized; in an abnormal situation, setting a predetermined range including ball-entry information stored in the second information storage region and performing initialization" as
Claim 1 in the scope of claims of the written amendment submitted (December 8, 2020) at the time of filing the appeal:
"[Claim 1]
a pachinko game machine,

comprising:

a game area where game balls can fall;

multiple winning slots where game balls can enter, and prize balls are delivered when game balls enter; and

an information display part that can display information;

and a RAM clear switch,

having

a RAM clear means that can initialize an information storage region if the power is turned on while operating the RAM clear switch;

a ball-entry determination means that can detect the entrance of the game balls into the multiple winning slots,

a counting means that can detect the number of all the out-balls delivered from the game area, and

a ball-entry information generating means that generates information of the game balls entering the multiple winning slots, i.e., ball-entry information, based on detection results of the ball-entry determination means and the means for counting the number of out-balls forming the information display part that can display the generated ball-entry information;

the information storage region having a first information storage region and a second information storage region that is different from the first information storage region, and the second information storage region at least storing the ball-entry information;

the pachinko game machine being configured as: when initializing the information storage region by the RAM clear means when the power is turned on while operating the RAM clear switch, checking data in the information storage region when the powered is turned on; in a normal situation, setting a predetermined range excluding the ball-entry information and performing initialization; in an abnormal situation, setting a specific range including the ball-entry information and performing initialization; or, checking data in the information storage region when the power is turned on, even if the power is turned on without operating the RAM clear switch and the information storage region is not initialized by the RAM clear means; in an abnormal situation, setting the specific range and performing initialization,

the predetermined range being configured to comprise an unused region that is not used for the game,

and the specific range being configured to comprise an unused region that is not used for the game" (the underlines are added by the trial collegial body to clarify the amendment parts).

2. Suitability of the amendment

2-1 Purpose of the amendments and new matters

  This amendment comprises the following amendments: (1) specifying the matters required for specifying the invention described in Claim 1 before the amendments, i.e., the amendment of comprising the "RAM clear switch" as a means for "initializing information storage region," and further specifying that the initialization is performed by "a RAM clear means that can initialize the information storage region when the power is turned on while operating the RAM clear switch;" (2) for the matter required for specifying the invention described in Claim 1 before the amendments, "an abnormal situation," i.e., "the information storage region is not initialized," specifying features of "the RAM clear means" and "the power is turned on without operating the RAM clear switch" for the feature of "checking data in the information storage region when the power is turned on, even if the information storage region is not initialized;" (3) amending the matter required for specifying the invention recited in Claim 1 before the amendments " in a normal situation, setting a predetermined range excluding ball-entry information stored in the second information storage region and performing initialization; in an abnormal situation, a predetermined range including ball-entering information stored in the second information storage region" as "in a normal situation, setting a predetermined range excluding the ball-entry information and performing initialization; in an abnormal situation, the specific range," deleting the "second information storage region" repeatedly specified; moreover, in order to distinguishing the "predetermined range excluding the ball-entry information" initialized in the "normal situation" from the "predetermined range excluding the ball- entry information" initialized in the "abnormal situation," for the expressions of "predetermined range," which are matters required for specifying the invention recited in Claim 1 before the amendments, the latter is specified as the "specific range," and both the "predetermined range" and the "specific range" "being configured to comprise an unused region that is not used for the game;" (4) and amendments in other forms.

  Moreover, the invention according to amended Claim 1 and the invention according to Claim 1 before the amendment relate to the same industrial application field and solve the same problem. The amendments in this amendment to Claim 1 of the scope of claims are aimed at "restriction on the scope of claims" provided in the Patent Act Article 17-2(5)(ii).

  In addition, the amended matters of this amendment are based on the recitations in paragraphs [0276], [0277], and [0483], and Figs. 67 and 136 in the description or the drawings (hereinafter referred to as the "original description") initially attached to the

application, and no new matter is added. Therefore, the amendment satisfies the requirements stipulated in the Patent Act Article 17-2(3).

2-2 Regarding independent claims

Therefore, whether the invention according to amended Claim 1 (hereinafter referred to as "the present amended invention") shall be independently granted a patent at the time of filing the patent application, i.e., whether the invention satisfies the requirements stipulated in the Patent Act Article 126(6) that is applied mutatis mutandis pursuant to the provisions of Patent Act Article 17-2(7) would be examined as follows.

(1) the present amended invention

It is recognized that the present amended invention is as follows (configuration marks A to O are attached by the body for separately describing the invention).

"[Claim 1]

A pachinko game machine,

comprising:

A a game area where game balls can fall;

B multiple winning slots where the game balls can enter, and prize balls are delivered when the game balls enter; and

C an information display part that can display information,

D and a RAM clear switch,

having

E a RAM clear means that can initialize an information storage region if the power is turned on while operating the RAM clear switch;

F a ball-entry determination means that can detect the entrance of the game balls into the multiple winning slots,

G a counting means that can detect the number of all the out-balls delivered from the game area, and

H a ball-entry information generating means that generates information of the game balls entering the multiple winning slots, i.e., ball-entry information, based on detection results of the ball-entry determination means and the means for counting the number of out-balls,

I forming the information display part that can display the generated ball-entry information,

J the information storage region having a first information storage region and a second information storage region that is different from the first information storage region,

K the second information storage region at least storing the ball-entry information,

L the pachinko game machine being configured as: when initializing the information

storage region by the RAM clear means when the power is turned on while operating the RAM clear switch, checking data in the information storage region when the powered is turned on;

L1 in a normal situation, setting a predetermined range excluding the ball-entry information and performing initialization;

L2 in an abnormal situation, setting a specific range including the ball-entry information and performing initialization; or, checking data in the information storage region when the power is turned on, even if the power is powered on without operating the RAM clear switch and the information storage region is not initialized by the RAM clear means; in an abnormal situation, setting the specific range and performing initialization,

M the predetermined range being configured to comprise an unused region that is not used for the game, and

N the specific range being configured to comprise an unused region that is not used for the game.

(2) Cited invention

      (draft) Performance Display Monitor Mounting Requirements (Ver. 016) provided by Nippon Yugiki Kogyo Kumiai (Technical Data of "Performance Display Monitor"), publicly known on March 23, 2017 (hereinafter referred to as "Cited Document 1"), which is cited in the reasons for refusal of the original decision as a cited document and is publicly known prior to the filing of the present application, describes the following matters.

A Described matters

(A) Page 1

1. "Mounting conditions (hardware)":

   (1) a display and a circuit part are mounted on a main substrate (that cannot be a discharge control substrate).

   In addition, a display consisting of a display part and a circuit part can be mounted on the main substrate.

   (2) The display means shall be mounted in an easily visible location on the back of a game machine. Do not hide the display part with a seal or other structures.

   (3) 7-segment LEDs and the like can be used in the display for displaying a 4-digit number.

   (4) The 4-digit number is arranged side by side on the 7-segment LEDs and the like.

   (5) It is necessary to provide dot points under the numbers on the 7-segment LEDs and the like.

   (6) In order to accurately count the number of out-balls or the number of launched balls, it is necessary to provide a switch, or the like connected to the main substrate. In addition, if the counting is accurate, the mounting position of the switch and the type of switch do not matter.

   (7) Since the display content may change in the future, all the 7-segment LEDs and the dot points should be connected to the circuit.

(8) If non-maskable interrupt (NMI) is used for power supply monitoring, etc., and an NMI interrupt occurs during execution of processing outside a region, register protection processing may become difficult, and thus it is preferable not to use the NMI.

(B) page 2 (2. within the mounting condition (software))

２．実装条件（ソフト）

（表示例）
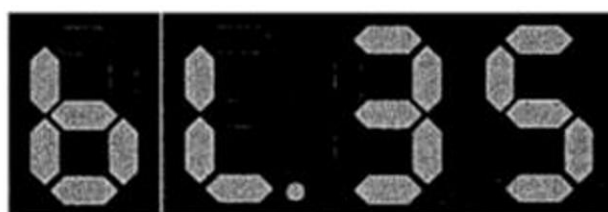
識別セグ　　　　　　比率セグ

ｂＬ．＝初回電源投入（ＲＷＭオール初期化）からの低確時短無時の累計ベース

（１）表示器は常時点灯とする。
（２）計測方法

　　ア．初回電源投入から『低確時短無時の払出個数（以下、「低時短無払出個数」）』、『すべての状態のアウト個数（以下、「総アウト個数」）』および『低確時短無時のアウト個数（以下、「低時短無アウト個数」）』を計測し、ベース値をリアルタイムに計算して比率セグに表示する。

　　イ．初回電源投入から総アウト個数が６０．０００個に達するまでは、識別セグを点滅させる。

　　ウ．総アウト個数が６０．０００個に達した時点で、識別セグが点灯となる。

　　エ．低時短無払出個数、総アウト個数および低時短無アウト個数を記憶するＲＷＭは３バイト構成とすること。
　　　　また、記憶するＲＷＭのいずれかが上限値になった場合は、すべての記憶するＲＷＭは計測を停止すること。
　　　　なお、上限値はオーバーフロー等を考慮し、実際の計算結果と乖離しないように注意すること。

"2. mounting condition (software)"

(表示例)	(Display example)
識別セグ	An identification segment
比率セグ	A ratio segment

bL. = an accumulated base in a "teikaku-jitan-nashi" mode since the first initial power-on (RWM all initialization).

(1) The display is always on.
(2) The counting method:
   A. "the number of delivered balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of delivered balls in a "teikaku-jitan-nashi" mode')," "the number of out-balls in all states (hereinafter referred to as the 'the total number of out-balls')" and "the number of out-balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of out-balls in a "teikaku-jitan-nashi" mode')" are counted from the first power-on, and the base value is calculated in real time and displayed in the ratio segment.
   B. The identification segment blinks from the first power-on until the total number of out-balls reaches 60,000.
   C. When the total number of out-balls reaches 60,000, the identification segment lights up.
   D. The RWM that stores the number of delivered balls having a low probability in a short time, the total number of out-balls, and the number of out-balls in a "teikaku-jitan-nashi" mode shall be configured in 3 bytes.

   In addition, when any of the RMW for storage reaches an upper limit value, all the RWMs for storage stop the measurement.

   In addition, please note that the upper limit value shall not deviate from the actual calculation result in consideration of overflow, etc.

(C) Page 3 (2. Within the mounting condition [software])
"
（４）ＲＷＭクリア条件
　　　ＲＷＭクリア時（ＲＷＭ消去スイッチを押して電源投入）および電源再投入では、
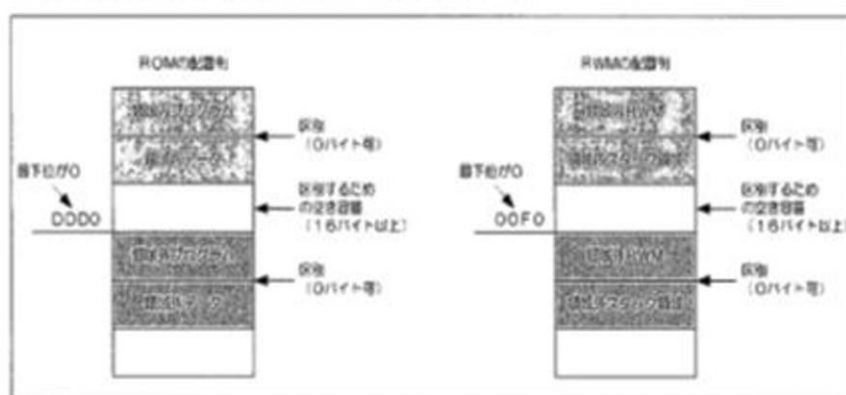　　　計測に必要なＲＷＭは０クリアしないこと。（ただし、ＲＷＭ異常時は除く。）
"
(4) RWM clear condition
   During RWM clear, (the power is turned on by pressing an RWM erase switch) and when the power is turned on again, the RWM required for measurement should not be cleared to 0. (Except for the condition when RWM is abnormal.)"

(D) Page 5 (2. Within the mounting condition [software])

(7) Configurations of ROM and RWM outside the region

A. A free region (unused region) of 16 bytes or more shall be provided at the boundary between the inside and outside of the region (16 Bytes = 1 line of a dump list).
    However, only CPUs with an RWM mounting capacity of 512 bytes (I DNAC CPUs) should be freed as much as possible for the RWM region.

B. Programs or data configured immediately after the free region should be configured from the address in multiples of 16 (the lowest is 0 in hexadecimal).
    However, for CPUs with an RWM mounting capacity of 512 bytes, the lowest level is set to 0 as much as possible in the RWM region.

(E) Page 5 (2. Within the mounting condition [software])

(9) Modularization of programs outside the region

  Programs outside the region should be modularized for each function,

  (For example) ~~fraud countermeasure processing~~, test signal output processing, and performance display monitor processing."

B Recognized matters

(A) The title of Cited Document 1 is "(draft) Performance Display Monitor Mounting Requirements (Ver. 016)." According to the recitation in A(A) that "(2) the display means shall be mounted in an easily visible location on the back of a game machine; and do not hide the display part with a seal or other structures," it can be recognized that Cited Document 1 describes providing "a performance display monitor" on "the back side of a game machine."

(B) A(A) describes "(6) providing a switch or the like connected to the main substrate in order to accurately count the number of out-balls or the number of delivered balls ... ", A(B) describes "(2) a counting method: A 'the number of delivered balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of delivered balls in a "teikaku-jitan-nashi" mode')," "the number of out-balls in all states (hereinafter referred to as the 'the total number of out-balls')" and "the number of out-balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of out-balls in a "teikaku-jitan-nashi" mode')" are counted from the first power-on, the base value is calculated in real time and displayed in the ratio segment; B, the identification segment blinks from the first power-on until the total number of out-balls reaches 60,000; C, when the total number of out-balls reaches 60,000, the identification segment lights up. ... Since the expressions of "the number of out-balls", "the number of delivered balls", "a teikaku-jitan-nashi mode", and "the base value" are described, it can be said that the "game machine" on which the "performance display monitor" is provided in Cited Document 1 is the claimed pachinko game machine. For a game machine where a base value is calculated and displayed to comprise a game area where game balls can fall, multiple winning slots where game balls can enter and prize balls are delivered when game balls enter, a winning detection means that can detect the winning of game balls entering multiple winning slots; and an out-ball detection means that can detect out-balls discharged from the game area is common knowledge in the field of pachinko game machines (if necessary, please refer to paragraphs [0038], [0090], and [0116] of JP 2006-149680A).

(C) With reference to A(A), a display example of the "display" of A(B) where "dot points are provided" "under the numbers" and "a 4-digit number can be displayed using 7-segment LEDs and the like," the "identification segment" is changed to "bL.," is an example where the "ratio segment" is set as "35." "bL. = an accumulated base in a "teikaku-jitan-nashi" mode since the first initial power-on (RWM all initialization)" is described below. Since A(B) describes "A, 'the number of delivered balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of delivered balls in a "teikaku-jitan-nashi" mode')," "the number of out-balls in all states (hereinafter referred to as the 'the total number of out-balls')" and "the number of out-balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of out-balls in a "teikaku-jitan-nashi" mode')" are counted from the first power-on, and the base value is calculated in real time and displayed in the ratio segment," it can be recognized that Cited Document 1 describes <u>a display that can display a 4-digit number using 7-segment LEDs and the like where dot points are provided under the numbers, and the power is turned on for the first time (RWM all initialization), consisting of an identification segment and a ratio segment, the identification segment displaying bL., which means an accumulated base in a "teikaku-jitan-nashi" mode since the first initial power-on (RWM all initialization), and the ratio segment calculating a base value in real time and displaying same.</u>

(D) Since A(C) describes "during RWM clear, (the power is turned on by pressing an RWM erase switch) and when the power is turned on again, the RWM required for measurement should not be cleared to 0 (except for the condition when RWM is abnormal) as the "(4) RWM clear condition," it can be said that Cited Document 1 describes that: <u>in the situation of a normal RMW, when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement during the RWM clear should not be cleared to 0; and in the situation of an abnormal RWM, when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement is cleared to 0.</u>

In this case, since "in a normal situation," "when the power is turned on by pressing an RWM erase switch and the power is turned on again," the RWM required for measurement is not cleared to 0, and in an abnormal situation, "when the power is turned on by pressing an RWM erase switch and the power is turned on again," the RWM required for measurement is cleared to 0, it can be recognized that there is the description that <u>"the regions where the RWM required for measurement is cleared to 0 are different in the normal situation and abnormal situation (hereinafter, the region where "the RWM required for measurement is cleared to 0" "in the normal situation" is referred to as a</u>

"predetermined region," and the region where "the RWM required for measurement is cleared to 0" "in the abnormal situation" is referred to as a "specific region.")

(E) Since A(D) describes "A. a free region (unused region) of 16 bytes or more shall be provided at the boundary between the inside and outside of the region (16 Bytes = 1 line of a dump list) as "(7) configurations of ROM and RWM outside the region," and illustrated contents of the configuration example of the RWM, it can be said that Cited Document 1 describes that the RWM has an in-region RWM and an out-of-region RWM, and an unused region is present at the boundary between the inside and outside of the region.

(F) Since A(E) describes that "programs outside the region should be modularized for each function" and "(For example) ... test signal output processing, and performance display monitor processing" as "(9) modularization of programs outside the region," it is obvious that the program and data relating to the performance display monitor processing are stored in the RMW outside the region. Since A(B) describes " "A, 'the number of delivered balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of delivered balls in a "teikaku-jitan-nashi" mode')," "the number of out-balls in all states (hereinafter referred to as the 'the total number of out-balls')" and "the number of out-balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of out-balls in a "teikaku-jitan-nashi" mode')" are counted from the first power-on, and the base value is calculated in real time and displayed in the ratio segment," it can be recognized that Cited Document 1 discloses that the base value is calculated in real time and displayed in the ratio segment according to the number of delivered balls in a "teikaku-jitan-nashi" mode, the number of out-balls in all states, and the number of out-balls in a "teikaku-jitan-nashi" mode.

C Cited invention
    According to the described matters in A and the recognized matters in B, it is recognized that Cited Document 1 described the following invention (hereinafter referred to as the "cited invention") (the symbols a to o and the like are attached in correspondence with the symbols A to O of the invention of the present application)
"o a game machine (described matter [A]) page 1 [2])
a game area where game balls can fall (recognized matter [B]);
b, f, and g multiple winning slots where game balls can enter and prize balls are delivered when game balls enter, a winning detection means that can detect the winning of game

balls entering multiple winning slots; and an out-ball detection means that can detect out-balls discharged from the game area (recognized matter [B]);

c a performance display monitor, provided on the back side of a game machine, comprising:

a display that can use 7-segment LEDs having dot points under the number to display a 4-digit number having dot points under the number, the display consisting of an identification segment and a ratio segment, the identification segment displaying bL., which means an accumulated base in a "teikaku-jitan-nashi" mode since the first initial power-on (RWM all initialization), and the ratio segment calculating a base value in real time and displaying same (recognized matter [A] and recognized matter [C]);

d a RAM clear switch (certification matter [C] [page 3 (4)]);

e 1, 11, and 12 in the situation of a normal RMW, when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement during the RWM clear should not be cleared to 0; and in the situation of an abnormal RMW, when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement is cleared to 0; the regions where the RWM required for measurement is cleared to 0 are different in the normal situation and abnormal situation (hereinafter, the region where "the RWM required for measurement is cleared to 0" "in the normal situation" is referred to as a "predetermined region," and the region where "the RWM required for measurement is cleared to 0" "in an abnormal situation" is referred to as a "specific region.") (recognized matter [D]);

h, i, calculating the base value in real time according to the number of delivered balls in a "teikaku-jitan-nashi" mode, the number of out-balls in all states, and the number of out-balls in a "teikaku-jitan-nashi" mode, and displaying same in the ratio segment (recognized matter (F));

e, j, m, n the RWM has an in-region RWM and an out-region RWM, and an unused region is present at the boundary between the inside and outside of the region (certification matter [E]);

k the program and data relating to the performance display monitor processing being stored in the RMW outside the region (recognized matter [F]).

(3) Technical matters described in Cited Document 2

JP 2017-56140 A (published on March 23, 2017) (hereinafter referred to as "Cited Document 2"), which is cited as the cited document in the reasons for refusal of the original decision and was filed prior to the filing of the present application or made available to the public through electric telecommunication lines, describes the drawings

and the following matters (the underlines are added by the body. The same also applies to the following.)

A Described matters
(A) "[0011]
(The present embodiment)
Before explaining each component, the features (outline) of a <u>reel slot game machine P</u> according to the present embodiment would be described. Hereinafter, each element would be described in detail with reference to the drawings.

(B) "[0109]
... In addition, although not shown, after the RAM is cleared due to the setting change process when the power is turned off and the power is restored normally, <u>the RT number can be restored before the RAM is cleared (the address for storing the RT number is not included in the address range that is cleared when the RAM is cleared)</u>, or may be "RT0." In addition, when the power is turned off in a specific RT state (for example, "RT5"), and after the RAM is cleared due to the setting change process when the power is turned off and the power is restored normally, the RT number can be set to "RT0." In addition, "RT3" is in the RT state having the highest probability of winning the replay combination. ... "

B Recognized matter
According to A, paragraph [0109] describes that the address for storing the RT number that is to be restored as the RT number before the RAM is cleared is not included in the address range that is cleared during the RAM clear, and therefore, it is obvious that the setting is made when the range of addresses to be cleared does not include the address for storing the RT number before the RAM clear.
Therefore, it can be recognized that Cited Document 2 describes that <u>when performing the RAM clear, setting a range of addresses to be cleared and executing the RAM clear.</u>

C Technical matters described in Cited Document 2
According to the described matters of A and the recognized matters of B, it is recognized that Cited Document 2 describes the following technical matters (hereinafter referred to as the "technical matters described in Cited Document 2").

"a reel slot game machine P, characterized by setting a range of addresses to be cleared

and executing the RAM clear when the RAM clear is performed."

(4) Well-known arts
A Well-known art 1
JP 2017-29593 A (published on February 9, 2017) (hereinafter referred to as "Well-known art 1"), which was newly published prior to the filing of the present application or made available to the public through electric telecommunication lines, describes the drawings and the following matters.

(A) "[Embodiment]
[0019]
An embodiment of a reel slot machine to which the invention of the present application is applied would be described with reference to the drawings. As shown in Fig. 1, the reel slot machine 1 of the present embodiment is composed of a housing 1a having a front surface opening and a front surface door 1b rotatably pivotally supported at a side end of the housing 1a."
(B) "[0242]
Secondly, a non-gaming region initialization process executed by a main control means 41 would be described. In addition, in this embodiment, the non-gaming region initialization process is included in the non-gaming program.
[0243]
As shown in Fig. 14, the main control means 41 sets a start address of an unused region 4 as the start address of the initialization target RAM (Sg1). Then, the start address value of the initialization target RAM (the start address value of the unused region 4) is subtracted from the final address value of the usable region of the RAM 41c to calculate the capacity of the initialization target RAM (Sg2), and the calculated capacity of the initialization target RAM is set as a register (Sg3). Further, the start address value of the initialization target RAM (the start address value of the unused region 4) is set as a designated address (Sg4), and the 1-byte data stored in the designated address is overwritten with 0 to clear the data. (Sg5) After that, the logical sum of the 1-byte data is calculated to determine whether the calculation result is 0 (Sf6). If the calculation result is not 0, the process returns to the step of Sg5, and the 1-byte data is again overwritten with 0 to clear the data. Then, when the calculation result is determined to be 0 in the step of Sg6 for updating the designated address to the address next to the address currently set as the designated address (Sg7), and the register is subtracted by 1 (Sg8), it is determined whether or not the register is 0 (Sg9)."

(C) "[0245]

as described above, in the non-gaming region initialization process of the present embodiment, the region from the start address to the end address of the initialization target RAM, i.e., the unused region 4 and the non-gaming RAM region, is initialized by sequentially clearing the RAM region corresponding to the capacity of the initialization target RAM from the start address of the initialization target RAM (the start address of the unused region 4)."

(D)"[0247]

In addition, in the non-gaming region initialization processing of this embodiment, the start address of the unused region 4 is set as the start address of the initialization target RAM, all the unused region 4 and the non-gaming RAM region is initialized, the non-game region initialization processing may be initializing at least a part of the non-gaming RAM region, and or initializing a part of the non-game RAM region, or initializing a part of the non-gaming region and the unused region 4."

B According to the described matters of A, well-known art 1 describes the following matters (hereinafter referred to as the described matter of the well-known art 1)
"a reel slot machine 1, wherein the non-gaming region initialization processing executed by the main control means 41 may be initializing at least a part of the non-gaming RAM region, and or initializing a part of the non-game RAM region or initializing a part of the non-gaming region and the unused region 4."

C Well-known art 2
    JP 2017-18286 A (published on January 26, 2017) (hereinafter referred to as "Well-known art 2"), which was newly published prior to the filing of the present application or made available to the public through electric telecommunication lines, describes the drawings and the following matters.

(A) "[0001]
the invention of the present application relates to a game machine such as a reel slot machine game machine (also referred to as a "pachislo slot machine" or a "reel slot machine")."

(B) "[0868]

Fig. 110 is a diagram for explaining a data block of RAM. Fig. 110 shows an internal image of the RAM 1114, with the upper end as the start of the memory address and the lower end as the end of the memory address. For example, the unused region 1114z is a data region in which data is not read/written (in other words, a data region other than the used region), and is grouped on the terminal side of the memory address. As shown in Fig. 110, in the RAM 1114, a plurality of "areas" is predetermined according to the type of data to be stored. In addition, <u>five types of "clear range 0" to "clear range 4" are defined as the target range for RAM clear</u>. In addition, <u>each clear range may be configured to include the unused region 1114z.</u>

D According to the described matters of C, well-known art 2 describes the following matters (hereinafter referred to as the described matter of the well-known art 2)

"a game machine, wherein five types of "clear range 0" to "clear range 4" are defined as the target range for RAM clear, and each clear range may include the unused region 1114z."

E Well-known arts

　　　In combination with the matters described in the well-known arts 1 and 2 of the B and D, it is recognized that "in a game machine, the feature that the clear range, which is the target range for RAM clear, may or may not include the unused region is well-known to the filing of the present application in the technical field of game machines (hereinafter referred to as the "well-known art").

(5) Comparison

　　　The present amended invention and the cited invention are compared according to the respective explanations.

A Regarding configuration A

　　　It is obvious that configuration a of the cited invention is equivalent to configuration A of the present amended invention.

B Regarding configuration B

　　　It is obvious that configurations b, f, and g of the cited invention are equivalent to configuration B of the present amended invention.

C Regarding configuration C

In configuration c of the cited invention, the feature of "bL., which means an accumulated base in a "teikaku-jitan-nashi" mode since the first initial power-on (RWM all initialization)," a "base value," and "a display consisting of" an "identification segment" and a "ratio segment" is equivalent to "information" "information display part" of the present amended invention.

Therefore, configuration c of the cited invention is equivalent to configuration of the configuration C of the present amended invention.

D Regarding configuration D

The "RWM erase switch" in configuration d of the cited invention is equivalent to the "RAM clear switch" of the present amended invention.

Therefore, configuration d of the cited invention comprises a configuration equivalent to configuration D of the present amended invention.

E Regarding configuration E

The features of "when the power is turned on by pressing an RWM erase switch" and "RWM clear" in configurations e, 1, 11, and 12 of the cited invention are respectively equivalent to the features of "turning on the power while operating the RAM clear switch" and "initialization."

In addition, in the configurations e, j, m, and n of the cited invention, since "the RWM has an in-region RWM and an out-region RWM," it is obvious that during the RWM clear, when the "in-region RWM and an out-region RWM" is normal, the clear is performed in any abnormal situation. "An in-region RWM and an out-region RWM" of the configurations e, j, m, and n of the cited invention is equivalent to "the information storage region" of the present amended invention; in the cited invention, "when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement should not be cleared to 0; and in the situation of an abnormal RMW, when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement is cleared to 0," it can be said that a means for executing RWM clear is obviously comprised. Therefore, it can be said that the cited invention has a configuration equivalent to the "RAM clear means" of the present amended invention.

Therefore, configurations e, 1, 11, and 12, and configurations e, j, m, and n of the cited invention comprise a configuration equivalent to configuration E of the present amended invention.

F Regarding configuration F

"the winning detection means" of the configurations b, f, and g of the cited invention is equivalent to "ball-entry determination means."

Therefore, the configurations b, f, and g of the cited invention comprises a configuration equivalent to configuration F of the present amended invention.

G Regarding configuration G

"Out-balls discharged from the game area" and "an out-ball detection means" of the configurations b, f, and g of the cited invention are respectively equivalent to "all the out-balls delivered from the game area" and "a means for counting the number of out-balls."

Therefore, the configurations b, f, and g of the cited invention comprises a configuration equivalent to configuration G of the present amended invention.

H Regarding configuration H

In the configurations h and i of the cited invention, the feature of "calculating the base value in real time according to the number of delivered balls in a "teikaku-jitan-nashi" mode, the number of out-balls in all states, and the number of out-balls in a "teikaku-jitan-nashi" mode, and displaying same in the ratio segment," the base value indicating a normal rate of put-out balls (the number of delivered balls/out-balls), and the feature of the number of delivered balls being information based on the game balls entering the winning slots are common knowledge. According to F and G, the "winning detection means" of the configurations b, f, and g of the cited invention, and "an out-ball detection means" of the configurations b, f, and g are respectively equivalent to "a ball-entry determination means" and "a means for counting the number of out-balls." Therefore, it can be recognized that the "base value" of the cited invention is equivalent to "information of game balls entering the multiple winning slots, i.e., ball-entry information."

In addition, according to the cited invention, "calculating the base value in real time and displaying same in the ratio segment," and therefore, generating the base value is obvious. It can be recognized that the cited invention comprises a configuration equivalent to "a ball-entry information generating means" of the present amended invention.

Therefore, configurations of the cited invention comprise a configuration equivalent to configuration H of the present amended invention.

I Regarding configuration I

In the configurations h and i of the cited invention, for the feature of "calculating the base value in real time according to the number of delivered balls in a "teikaku-jitan-nashi" mode, the number of the out-balls in all states, and the number of out-balls in a "teikaku-jitan-nashi" mode, and displaying same in the ratio segment," as described in C, "a display consisting of an identification segment and a ratio segment" of the cited invention is equivalent to the "information display part" of the present amended invention; and as described in H, the "base value" of the cited invention is equivalent to "information of the game balls entering the multiple winning slots, i.e., ball-entry information." Therefore, the cited invention comprises a configuration equivalent to configuration I of the present amended invention.

J Regarding configuration J

The "in-region RWM" and "out-region RWM" of the configurations e, j, m, and n of the cited invention are respectively equivalent to the "first information storage region" and the "second information storage region, which is different from the first information storage region" of the present amended invention.

Therefore, configurations e, j, m, and n of the cited invention comprise a configuration equivalent to configuration H of the present amended invention.

K Regarding configuration K

"Data" "relating to the performance display monitor processing" of configuration K of the cited invention is equivalent to "ball-entry information" of configuration K of the present amended invention.

Therefore, configuration K of the cited invention comprises a configuration equivalent to configuration K of the present amended invention.

L Regarding configurations L, L1, and L2

According to configurations e, 1, 11, and 12 of the cited invention, "in the situation of a normal RMW, when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement during the RWM clear should not be cleared to 0; and in the situation of an abnormal RMW, when the power is turned on by pressing an RWM erase switch and the power is turned on again, the RWM required for measurement is cleared to 0." In the cited invention, "when the power is turned on by pressing an RWM erase switch" "in the situation of a normal RMW," "the RWM required for measurement is not cleared to 0," and in the situation of an abnormal

RMW," "the RWM required for measurement is cleared to 0." Therefore, it is obviously necessary to determine if the "RMW" is "normal" or "abnormal" "when the power is turned on by pressing an RWM erase switch" Moreover, as described in D, the "RWM erase switch" of the cited invention is equivalent to the "RAM clear switch" of the present amended invention. As described in E, "an in-region RWM and an out-region RWM" and the "RWM clear" of the cited invention are respectively equivalent to the "information storage region" and "initialization" of the present amended invention. Therefore, configurations e, 1, 11, and 12 of the cited invention comprise a configuration equivalent to configuration L of the present amended invention.

In addition, in the cited invention, "in a normal situation" does not mean that "the RWM required for measurement during the RWM clear is cleared to 0." According to the recitation in (2)A(B) "(2) a counting method": "the number of delivered balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of delivered balls in a "teikaku-jitan-nashi" mode')," "the number of the out-balls in all states (hereinafter referred to as the 'the total number of out-balls')" and "the number of out-balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of out-balls in a "teikaku-jitan-nashi" mode')" for calculating the base value are counted, and the base value is calculated; and if random RWM reaches an upper limit, all the stored RWMs would stop counting. Therefore, it is obvious that the "RWM required for measurement" refers to the information of the RWM relating to the base value, including "the number of delivered balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of delivered balls in a "teikaku-jitan-nashi" mode')," "the number of the out-balls in all states (hereinafter referred to as the 'the total number of out-balls')" and "the number of out-balls in a "teikaku-jitan-nashi" mode (hereinafter referred to as the 'the number of out-balls in a "teikaku-jitan-nashi" mode')" for calculating the base value. It can be said that the information equivalent to the "ball-entry information" of the present amended invention is included.

Therefore, the "predetermined region," and the "specific region" of the cited invention are equivalent to the "predetermined range" and the "specific range" of the present amended invention.

In this way, in the cited invention, although it is unclear whether or not the region to be cleared to 0 is set and the region to be cleared to 0 is cleared when clearing to 0, the cited invention and the present amended invention are the same in respect of the configuration of "in a normal situation, initializing the predetermined range excluding the ball-entry information; in an abnormal situation, initializing the specific range including the ball-entry information; on the other hand, checking data in the information storage

region when the power is turned on, even if the power is powered on without operating the RAM clear switch and the information storage region is not initialized by the RAM clear means; in an abnormal situation, initializing the specific range."

O Regarding configuration O

The "game machine" of configuration o of the cited invention is equivalent to the "pachinko game machine" of configuration O of the present amended invention.

Therefore, configuration o of the cited invention comprises a configuration equivalent to configuration O of the present amended invention.

According to A-O, the present amended invention is the same as the cited invention in respect of
[the consistency point]
"O A pachinko game machine,
comprising
A a game area where game balls can fall;
B multiple winning slots where game balls can enter, and prize balls are delivered when the game balls enter; and
C an information display part that can display information,
D and a RAM clear switch,
having
E a RAM clear means that can initialize an information storage region if the power is turned on while operating the RAM clear switch;
F a ball-entry determination means that can detect the entrance of game balls into the multiple winning slots,
G a counting means that can detect the number of all the out-balls delivered from the game area, and
H a ball-entry information generating means that generates information of game balls entering the multiple winning slots, i.e., ball-entry information, based on detection results of the ball-entry determination means and the means for counting the number of out-balls,
I forming the information display part that can display the generated ball-entry information,
J the information storage region having a first information storage region and a second information storage region that is different from the first information storage region,
K the second information storage region at least storing the ball-entry information,
L the pachinko game machine being configured as: when initializing the information

storage region by the RAM clear means when the power is turned on while operating the RAM clear switch, checking data in the information storage region when the power is turned on;

L1' in a normal situation, initializing a predetermined range excluding the ball-entry information;

L2' in an abnormal situation, initializing a specific range including the ball-entry information; or, checking data in the information storage region when the power is turned on, even if the power is powered on without operating the RAM clear switch and the information storage region is not initialized by the RAM clear means; in an abnormal situation, initializing the specific range," but differ from each other in respect of the following points.

<Difference 1> (configurations L1' and L2')
when "initializing the information storage region,"
the present amended invention relates to "setting a range" and performing initialization; with this regard,
in the cited invention, it is unclear whether to "set a range" and perform initialization.

<Difference 2> (configurations M and N)
"the predetermined range" "initialized" "in a normal situation" and "the specific range" "initialized" "in an abnormal situation"
in the present amended invention are configured to comprise an unused region that is not used for the game; with this regard
in the cited invention, although the RWM has an unused region that is not used for the game, it is unknown whether the "predetermined region" and the "specific region" are configured to comprise the unused region that is not used for the game.

(6) Judgement
A Regarding difference 1,

     The technical matters described in Cited Document 2 are as described in (3) C.

     Herein, the technical matters "setting a range of addresses to be cleared" and "performing RAM clear" described in Cited Document 2 are respectively equivalent to the matters of "setting a range" and "performing initialization" of the present amended invention.

     Moreover, because the cited invention and the technical matters described in Cited Document 2 have the same function by relating to the processing made during the RAM

clear of a game machine, a person skilled in the art could easily achieve the configuration according to Difference 1 of the present amended invention by applying the technical matters described in Cited Document 2 to the processing made during the RAM clear of the cited invention, and setting a range of addresses to be cleared and clearing same when the RWM is cleared to 0.

B Regarding difference 2

As described in (4)E, the feature that "in a game machine, the feature that the clear range, which is the target range for RAM clear, may or may not include the unused region" is a well-known technique to the filing of the present application in the technical field of game machines.

Moreover, because the cited invention and the well-known technique have the same function by relating to the processing made during the RAM clear of a game machine, a person skilled in the art could easily achieve the configuration according to Difference 2 of the present amended invention by applying the well-known technique for configuring the "predetermined region" and "specific region" initialized to comprise an unused region that is not used for the game.

Moreover, the effect yielded by the present amended invention can be predicted from the effect yielded by the cited invention, the effect yielded by the technical matters described in Cited Document 2, and the effect yielded by the well-known technique.

(7) Regarding the allegation by the appellant

The appellant alleges in the request for examination dated December 8, 2020.
"(4-3) Difficulty in reaching the invention of the cited document
(4-3-1) Regarding <Difference 1>

In Cited Document 1, as described in "Decision for refusal of amendment," the feature of "setting a predetermined range" according to the configuration B of <Difference 1> is unclear. With this regard, the same also applies to configuration C of <Difference 1>.

The newly cited Document 2, as pointed out by the examiner in "Decision for dismissal of amendment," discloses "a technique, relating to a game machine that can control the initialization of RAM by operating the clear switch, and in the initialization control of the RAM, execution is made according to a preset range of RAM to clear."

However, as described in paragraph 0076 of Cited Document 2, "if an affirmative determination is made in step S103, the process proceeds to step S104. In step S104, the

mode for clearing the RAM is determined according to the setting contents of a DIP switch circuit 678. When the fifth switch is on, determining the mode is a mode where only the storage region for the number of prize balls is cleared (a first RAM clear mode); when the first or third switch is on, determining the mode is a mode where the entire region of region of the RAM is cleared (a second RAM clear mode); regarding the clear range (the initialization range), Cited Document 2 only describes an artificial setting by means of the DIP switch in advance, and but does not describe or teach configurations B and C according to <Difference 1>.

In addition, Cited Document 2 does not describe or teach, in general, configurations C and E according to <Difference 1> that "when the RAM clear switch is operated and when the RAM clear switch is not operated (whether or not the RAM clear switch is operated), a specific range including ball-entry state information is set and initialized."

Furthermore, regarding the initialization range, although Cited Document 2 describes in paragraph 0083 "a mode where only the storage region for the number of prize balls is cleared (a first RAM clear mode)," a mode where the entire region of region of the RAM is cleared (a second RAM clear mode)," "a mode where the entire region of theRAM is cleared (a third RAM clear mode)," but Cited Document 2 does not describe or teach configuration B according to <Difference 1> (in particular, a predetermined range that is an initialization range excluding the ball-entry state information) or configuration C according to <Difference 1> (in particular, a specific range that is an initialization range including the ball-entry state information).

That is, Cited Document 2, as stated above, describes "a technique, relating to a game machine that can control the initialization of RAM by operating the clear switch, and in the initialization control of the RAM, execution is made according to a preset range of RAM to clear," which is vague. Even if Cited Document 2 is applied to Cited Document 1, the following supplementary matters 1 to 3 are still insufficient, and the invention of the present application cannot be conceived. In addition, it is considerably difficult to arrive at the following supplementary matters 1 to 3 based on Cited Document 2, which does not describe or teach the following supplementary matters 1 to 3, and it is also impossible to achieve effect 1 yielded by <Difference 1>.

Supplementary matter 1: "when performing initialization by the RAM clear means, determining whether it is a normal situation/abnormal situation, and control initialization by setting the initialization range to a predetermined range or a specific range depending on whether it is a normal situation or an abnormal situation" of configuration B according to <Difference 1>; supplementary matter 2: "when the RAM clear switch is operated and when the RAM clear switch is not operated (whether or not the RAM clear switch is

operated), a specific range including ball-entry state information is set and initialized" of configurations C and E according to <Difference 1>; supplementary matter 3: "a predetermined range that is an initialization range excluding the ball-entry state information, or a specific range that is an initialization range including the ball-entry state information" of configurations B and C according to <Difference 1>.

(4-3-2) Regarding <Difference 2>

Cited Documents 1 and 2 does not describe or teach <Difference 2>, and no description is found in Cited Documents 1 and 2 for providing the motivation for arriving at <Difference 2>.

In addition, as stated above, since <Difference 2> is based on the fact that it is difficult to arrive at <Difference 1> according to Cited Documents 1 and 2, and looking into configurations F and G, it is considerably difficult to arrive at <Difference 2> on the basis of Cited Documents 1 and 2, and it is also impossible to achieve effects 2 and 3, which are yielded by <Difference 2>, in Cited Documents 1 and 2.

Regarding the concept of "initializing the unused region specifically" according to configuration G of <Difference 2>, it is impossible to arrive at configuration G having such concept based on Cited Documents 1 and 2, which do not provide the motivation for arriving at such concept, and it is also impossible to achieve the effect yielded by configuration G on the basis of Cited Documents 1 and 2.

(4-4) Brief Summary

As stated above, since it is not logical that the invention of the present application comprising <Difference 1> and <Difference 2> can be easily conceived based on Cited Documents 1 and 2, it cannot be said that the invention of the present application can be easily conceived based on Cited Documents 1 and 2."

B Judgement of the body

Regarding <Difference 1>

As explained in the (5) comparison, Difference 1 between the present amended invention and the cited invention is that in the present amended invention, when the information storage region is initialized, "a range is set" and initialization is performed; with this regard, in the cited invention, it is unclear whether to "set a range" and perform initialization. Regarding this difference, as explained in (6)A, a person skilled in the art can easily achieve the invention by applying the technical matters described in Cited Document 2 to the cited invention.

In addition, the effect alleged by the appellant that "since a specific range including or excluding the ball-entry state information is set as the initialization range, the

initialization process can be appropriately performed by only one initialization process (configurations A to D); In addition, regardless of whether the RAM clear switch is operated when the power is turned on, in an abnormal situation, a specific range including the ball-entry state information is set and initialized in (configurations C and E), such that Effect 1 ([4-2] characterizing item of the invention of the present application) of maintaining information in the information storage region consistent" can also be yielded in the cited invention where it is unclear whether to set a range, and it cannot be said that the effect is achieved by "setting a range." The allegation by the appellant cannot be accepted.

Regarding <Difference 2>

As explained in (5) comparison, Difference 2 between the present amended invention and the cited invention is that in the present amended invention, "the predetermined range" "initialized" "in a normal situation" and "the specific range" "initialized" "in an abnormal situation" are configured to comprise respective unused regions that are not used for the game; with this regard, in the cited invention, the RWM comprises an unused region that is not used for the game, but it is unclear whether to configure the "predetermined range" and the "specific range" to comprise respective unused regions that are not used for the game. Regarding this difference, as explained in (6)A, a person skilled in the art can easily achieve the invention by applying the well-known technique to the cited invention.

In addition, the appellant alleges "the concept of 'initializing the unused region specifically'" according to configuration G of <Difference 2>, however, the feature that "in a game machine, the clear range, which is the target range for RAM clear, may or may not include the unused region" is, as stated in (4)C, a well-known technique in the technical field of game machines. There is no difficulty for a person skilled in the art to choose either of them.

Furthermore, the appellant alleges that since <Difference 2> is based on the fact that it is difficult to arrive at <Difference 1> according to Cited Documents 1 and 2, ... looking into configurations F and G." However, even if Differences 1 and 2 are combined, the assertion is only a collection of a common technique and the well-known technique, and the assertion by the appellant cannot be accepted.

Therefore, the assertion by the appellant cannot be accepted.

(8) Summary

As stated above, a person skilled in the art could easily invent the present amended invention according to the cited invention, the technical matters described in Cited

Document 2, and the well-known technique.

Therefore, the present amended invention shall not be granted a patent independently at the time of filing the patent application according to the provisions of Patent Act Article 29(2).

3 Conclusion

Therefore, this amendment violates the provisions of the Patent Act, Article 126(7) as applied mutatis mutandis pursuant to the Patent Act, Article 17-2(6), and thus should be dismissed according to the provisions of the Patent Act Article 53(1) as applied mutatis mutandis pursuant to the Patent Act, Article 159(1).

III. Regarding the invention of the present application
1. The invention of the present application

The present amendment is dismissed as stated above. Therefore, the invention according to Claim 1 of the present application (hereinafter referred to as "the invention of the present application") is specified by the matters described in Claim 1 of the scope of claims in the written amendment dated March 18, 2020.
"[Claim 1]
a pachinko game machine,
comprising:
a game area where game balls can fall;
multiple winning slots where the game balls can enter, and prize balls are delivered when the game balls enter; and
an information display part that can display information,
having
a ball-entry determination means that can detect the entrance of game balls into the multiple winning slots,
a counting means that can detect the number of all the out-balls delivered from the game area, and
a ball-entry information generating means that generates information of game balls entering the multiple winning slots, i.e., ball-entry information, based on detection results of the ball-entry determination means and the means for counting the number of out-balls, which form the information display part that can display the generated ball-entry information; and
an information storage region for storing processing result data of a program, having a first information storage region and a second information storage region that is different

from the first information storage region, and

the second information storage region at least storing ball-entry information;

the pachinko game machine being configured as: when initializing an information storage region, checking data in the information storage region when the game machine is powered on; in a normal situation, setting a predetermined range excluding ball-entry information stored in the second information storage region and performing initialization; in an abnormal situation, setting a predetermined range including ball-entry information stored in the second information storage region and performing initialization; or, checking data in the information storage region when the game machine is powered on, even if the information storage region is not initialized; in an abnormal situation, setting a predetermined range including ball-entry information stored in the second information storage region and performing initialization."

2. Reasons for refusal (April 28, 2020)

The reasons for refusal of the original decision comprises: the invention according to amended Claim 1 in the written amendment submitted on March 18, 2020 of the present application shall not be granted a patent under the provision of Patent Act Article 29(2) for the reason that the claimed invention could have easily been achieved by a person skilled in the art to which the claimed invention pertains, on the basis of the invention described in the distributed publication listed below or made available to the public through electric telecommunication lines in Japan or other foreign countries prior to the filing of the patent application.

Cited Document 1: (draft) Performance Display Monitor Mounting Requirements (Ver. 016) provided by the Japan Amusement Machinery Industry Association (technical material relating to the "performance display monitor"), March 23, 2017, pages 4, 5, and 7.
Cited Document 2: JP 2017-56140 A.

3. Matters described in Cited Document 1

The matters described in Cited Document 1, i.e., (draft) Performance Display Monitor Mounting Requirements (Ver. 016) provided by the Japan Amusement Machinery Industry Association (technical material relating to the "performance display monitor"), March 23, 2017, in particular, pages 4, 5, and 7 and the certification of the cited invention, which belong to the reasons for refusal in the original decision, are as described in "2 2 2-2(2) cited invention."

4 Comparison and determination

Regarding (2 [Reason] 1) of the invention of the present application, according to the present amended invention (2 [Reason] 2, 2-2 [1]), as examined in 2 [Reason] 2, 2-1, the following amendments are included: in the present amended invention, omitting the feature that "RAM clear switch" is provided as a means for "initializing the information storage region;" furthermore, omitting the feature that what initialization is executed by an "RAM clear means that can initialize the information storage region when the power is turned on by operating the RAM clear switch;" in the situation of "not initializing the information storage region" "in an abnormal situation," omitting the feature of "checking data in the information storage region when the power is turned on even when the information storage region is not initialized" by "the RAM clear means when the power is turned on without operating the RAM clear switch;" specifying the "second information storage region" which is deleted for being redundant due to repeated definitions; in order to distinguish the "predetermined range excluding the ball-entry information" initialized in the "abnormal situation" from the "predetermined range excluding the ball-entry information" initialized in the "normal situation," for the expressions of "predetermined range," the latter is specified as the "specific range," and omitting the feature of "being configured to comprise an unused region that is not used for the game;" and omitting the feature of the "predetermined range" "being configured to comprise an unused region that is not used for the game;" restoring other amendments in other forms.

In this case, the invention of the present application differs from the cited invention only in respect of Difference 1 examined in "2 [Reason] 2 2-2(5)." The invention of the present application could also be easily achieved by a person skilled in the art based on the technical matters described in Cited Document 2 for the same reason shown in 2 [Reason] 2 2-2(6),

5 Conclusion

As described above, the invention of the present application shall not be granted a patent under the provisions of Patent Act Article 29(2).

Therefore, the appeal decision shall be made as described in the conclusions.

October 20, 2021

Chief administrative judge: YOSHIKAWA, Yasushi

Administrative judge: SAWADA, Shinji

Administrative judge: SENBON, Junsuke