UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT AND TRIAL AND APPEAL BOARD
GSN GAMES, INC., f/k/a WORLDWINNER.COM, INC., Petitioner,
V.
BALLY GAMING, INC., Patent Owner.

Case No. CBM2015-00155 Patent No. 5,816,918

PATENT OWNER'S PRELIMINARY RESPONSE UNDER 37 CFR 42.20



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	C.	"means for providing a prize selection menu on said display device, said prize selection menu presenting a plurality of prizes, each of said prizes having a prize credit cost which has been determined in accordance with a desired payout value of an operator of said game apparatus"				
	D.	"means for providing a specific prize goal during said game of skill played on said game apparatus"				
	E.	"means for selecting a prize credit game for receiving said prize credits based on said game score"				
	F. "a game processor for controlling a game on said game game providing a number of prize credits to a player in with said player playing said game, said game processor providing a prize selection menu, said prize selection menu a plurality of prizes, each of said prizes having a prize control which has been determined in accordance with a desired of an operator of said game apparatus"					
V.	THE PETITION DOES NOT DEMONSTRATE THAT IT IS MORE LIKELY THAN NOT THAT THE '918 PATENT IS CBM-ELIGIBLE.					



	A.	The Petition does not demonstrate that the challenged claims are directed to a "method or correspond apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product of service"			
	B.	Petitioner has Failed to Carry its Burden to Demonstrate that the '918 Patent is not Directed to a "Technological Invention"			
		1.	The petition's discussion of the "technological invention" issue is conclusory and not supported by evidence		
		2.	The '918 patent claims as a whole provide novel and non- obvious technical solutions to address technical problems in prior art incentive-based gaming systems	2	
VI.	THE PETITION FAILS TO SHOW IT IS MORE LIKELY THAN NOT THAT THE CHALLENGED CLAIMS DO NOT RECITE PATENTABLE SUBJECT MATTER UNDER 35 U.S.C. § 101				
	A.	Petitioner has the burden of demonstrating each element in the <i>Alice</i> framework for subject matter eligibility.			
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