

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARISTOCRAT TECHNOLOGIES, INC.,
Petitioner,

v.

IGT,
Patent Owner.

Case IPR2016-00252
Patent 7,303,469 B2

Before JOSIAH C. COCKS, MICHAEL W. KIM, and RICHARD E. RICE,
Administrative Patent Judges.

KIM, *Administrative Patent Judge.*

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

A. *Background*

Aristocrat Technologies, Inc. (“Petitioner”) filed a Petition to institute an *inter partes* review of claims 1–5 and 7–35 of U.S. Patent No. 7,303,469 B2 (Ex. 1001, “the ’469 patent”). Paper 1 (“Pet.”). IGT (“Patent Owner”) filed a Preliminary Response (Paper 5; “Prelim. Resp.”).

We have jurisdiction under 35 U.S.C. § 314(a), which provides that an *inter partes* review may not be instituted unless the information presented in the Petition shows “there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” Upon consideration of the Petition and Preliminary Response, we determine that the information presented in the Petition demonstrates a reasonable likelihood that Petitioner would prevail in showing that claims 1–5 and 7–35 are unpatentable.

B. *Related Proceedings*

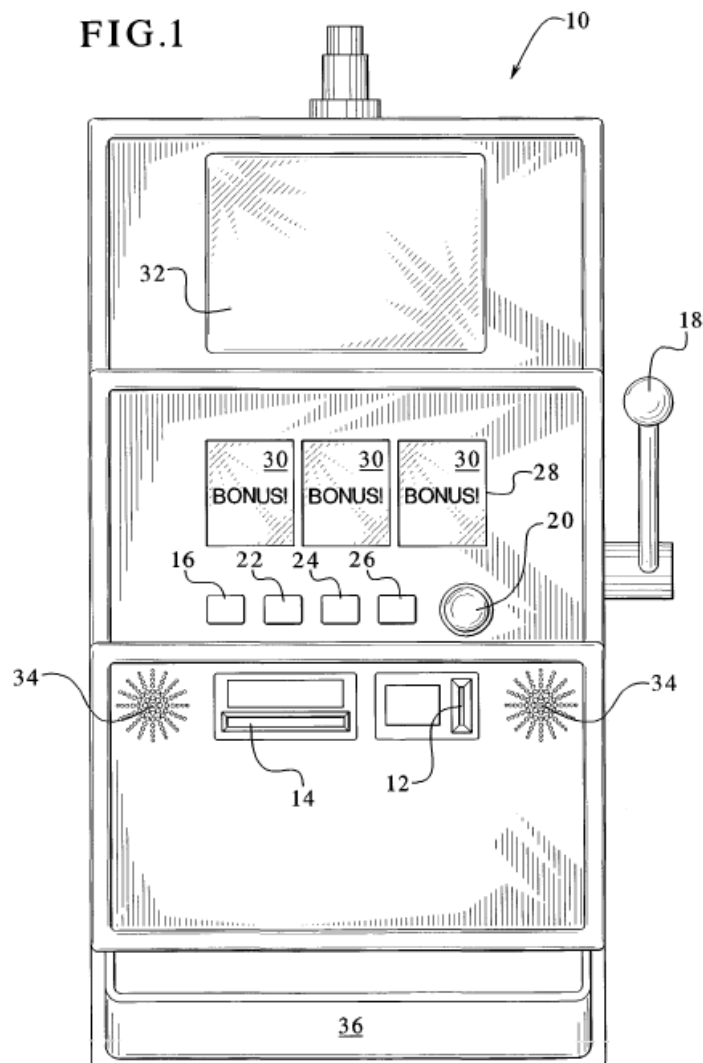
Petitioner and Patent Owner identify the following district court proceedings concerning the ’469 patent: *IGT v. Aristocrat Technologies, Inc.*, 2:15-cv-00473 GMN-GWF, 2015 WL 5554135 (D. Nev. Sept. 18, 2015). Pet. 1; Paper 4, 2; Prelim. Resp. 6.

C. *The ’469 Patent*

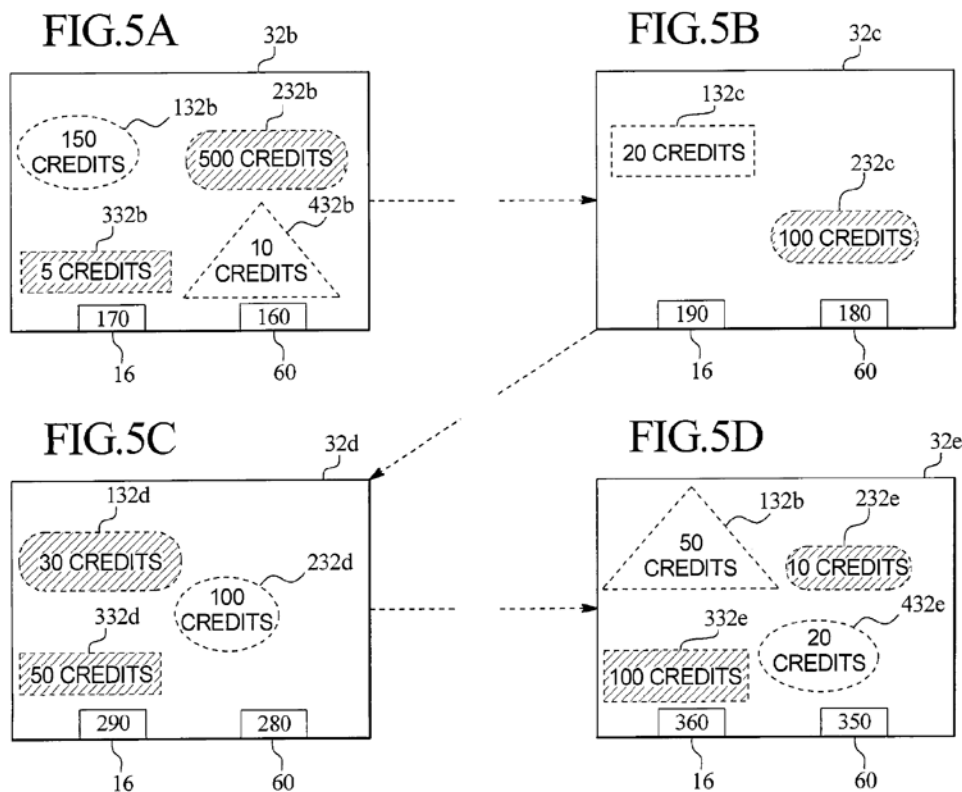
According to the ’469 patent, gaming machines currently exist with bonus rounds in which a player has one or more opportunities to choose bonus awards that are initially masked from a group of symbols arranged in a pattern displayed to a player. Ex. 1001, 1:29–32. The ’469 patent discloses that, to increase player enjoyment and excitement, it is desirable to provide players with new bonus rounds where the players have multiple

opportunities to receive winning payments, for example, from multiple levels of bonus rounds. Ex. 1001, 1:51–58.

The bonus round begins when the player having credits has achieved a qualifying condition. Ex. 1001, 5:6–9. Figure 1, as shown below, is a front plan view of a gaming device that shows a qualifying condition, such as the text “BONUS!” appearing in the same location on three adjacent reels. Ex. 1001, 5:16–18.



Once a condition, such as the qualifying condition above, is reached, the bonus round begins by successively displaying multiple groups to the player. In an exemplary embodiment, each of Figures 5A–5D, as shown below, represent those successive screens where each screen displays a separate selection group containing multiple selections. Ex. 1001, 3:12–13. Each screen also shows credit meter 16 and bonus meter 60, and, in this scenario, the player has started the bonus round with “10 CREDITS.” Ex. 1001, 8:60–63, 9:1–3.



As shown above in Figures 5A–5D, each selection in each group has an award associated with it. For example, Figure 5A has four selections 132b, 232b, 332b, 432b. In turn, each of these selections has the following and

respective awards: “150 CREDITS,” “500 CREDITS,” “5 CREDITS” and “10 CREDITS.” When displayed initially, the award amount associated with each selection is hidden by the selection button. Ex. 1001, 1:29–32.

In the bonus round, the player is allowed to make at least one pick from the selections offered in each group. For example, Figure 5A shows that the player has picked two selections from the four selection options, where the player-picked selections are shown as non-cross-hatched selections 132b, 432b. Ex. 1001, 8:63–67. The award associated with each picked selection (and/or unpicked selection) is then revealed, the amounts revealed for each picked selection are accumulated and shown in bonus meter 60, in this case as the amount of “160 CREDITS,” and then that amount is aggregated with the initial “10 CREDITS” to arrive at the “170 CREDITS” shown in credit meter 16. Ex. 1001, 9:1–10.

The bonus round then proceeds to Figure 5B, which shows a different group having two selections 132c and 232c. This figure shows that selection 132c, with an award of “20 CREDITS,” was picked. This award is then accumulated with awards of picked selections from the previous group and shown in bonus meter 60 of Figure 5B as the amount of “180 CREDITS.” Next are groups shown in Figures 5C and 5D, where the player picks selections from each group and where, eventually, the accumulated award in the amount of “350 CREDITS” is shown in bonus meter 60 of Figure 5D. Ex. 1001, 9:11–24.

D. Illustrative Claim

Independent claim 1 is reproduced below:

1. A gaming device comprising:
a wagering game operable upon a wager by a player;

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