CLASS 463, AMUSEMENT DEVICES: GAMES

SECTION I - CLASS DEFINITION

This class includes:

A. Subject matter, relating to the type of amusement, recreation, or play activity commonly known as a game, wherein one or more players or participants engage in a competition or contest involving skill, ability, strategy, or chance--against either another player or players or against a device which is intended to function as a competitive player or players--in order to achieve an objective defined by a rule or rules specified for a particular competition or contest; whereby the ultimate outcome of said objective in such a competition or contest can be determined or indicated according to said specified rule or rules; the exception being that a game which includes or utilizes a tangible projectile--other than a propelled racing game or a chance device, classified herein--is classified elsewhere;

B. A chance device, whether or not a projectile is included therein, and even if it is not a game or subcombination element of a game defined in (A), above, by reason of its similarity to chance devices normally combined with or defining such a game; and a method for using such a chance device for which there is no provision elsewhere;

C. Subject matter relating to the type of amusement, recreation, or play activity commonly known as a puzzle, wherein a participant"s mind is tested or otherwise challenged in an exercise of cleverness, ingenuity, or other mental skill or ability in an attempt to accomplish a solution to a complex or perplexing problem;

D. Subject matter relating to the type of amusement, recreation, or play activity commonly known as fortune telling, wherein an attempt is made to predict the future of one or more persons or events;

E. Subject matter relating to a type of device used by a person (often involved in law enforcement) to electrically shock or strike a human being so as to control said being, (e.g., a police club, night stick, black jack, brass knuckles, martial-art-type striking device, electric prod, etc.), or a method of using such a device; and

F. Subject matter which is either ancillary to, appurtenant thereto, or a subcombination of the subject matter described in any one of (A) through (E) above, for which there is no provision elsewhere.

(1) Note. Although a game that uses a tangible projectile is excluded from this class--except for a propelled racing game or a chance device, as set forth in (A), above--a game which simulates a tangible projectile game, without actually using or intending to use a tangible projectile (e.g., a video game with projectile image, light-ray gun, etc.), is classified herein.

(2) Note. Included in this class is a game, chance device, or puzzle, etc., in which a player or participant competes against a means which simulates at least some of the mental processes of another player or participant as, for example, a computer or other gaming machine. However, a general purpose computer in which software is provided so that it is useable to both play a game and to perform a function outside of this class (e.g., word processing, etc.) is classified elsewhere. See the SEARCH CLASS notes in References to Other Classes, below.

(3) Note. Although not generally used during play of a game included in this class, a method or device used by a player to practice or train for such a game is provided for in this class. Since such a practice or training device is designed to enable a player to improve or perfect his or her physical skill or ability (e.g., motor skills, coordination, etc.) in playing the game for which it is designed, it is included in this class on the basis that it is ancillary or appurtenant to a game for which this class provides.

(4) Note. This class does not provide for game scoring or indicating, per se (e.g., register, accumulator, totalizer, etc.), unless it combined with subject matter provided for in this class. In such a case, classification is proper in the subclass providing for the subject matter in this class. See the SEARCH CLASS notes in References to Other Classes, below.

SECTION II - LINES WITH OTHER CLASSES AND WITHIN THIS CLASS

This class is the residual class for the subject matter of

games, under which Class 473, Games Using Tangible Projectile, is specific; and which, together with Class 473, are specific under Class 472, Amusement Devices, the residual class for amusement devices.

Class 273, Amusement Devices: Games, is currently being reclassified through a series of stages. Upon completion of this reclassification, Class 273 will be abolished and replaced by either Class 463 or Class 473, Games Using Tangible Projectile. Until such reclassification is completed, portions of Class 273 which are relevant to this class (463) are to be considered an integral part of this class. That is, the portions of the Class 273 schedule of subclasses relating to a game which <u>does not</u> use a tangible projectile are to be considered as following in hierarchy after the last occurring subclass in the Class 463 schedule. Also, since Class 273 has <u>not</u> been completely screened for all patents properly classified in present subclasses of Class 463, appropriate subclass(es) in Class 273 should be considered for search purposes until such time that Class 273 is finally abolished.

The line between this class and Class 473 is that this class does not accept a game which includes or utilizes a tangible projectile, a subcombination thereof (e.g., bat, ball, etc.), or an accessory therefore (e.g., practice device, etc.), with the <u>exception</u> that a propelled racing game or a chance device is originally classified in this class <u>despite</u> a recitation of a projection or projectile, due to similarity of structure between games in which propelled objects are raced, and the similar function of various chance devices.

SECTION III - REFERENCES TO OTHER CLASSES

SEE OR SEARCH CLASS:

116,   Signals and Indicators, subclasses 222 through 225 for a mechanical signal or indicator, per se, which is intended to form part of or to be used with a game device.

124,   Mechanical Guns and Projectors, for a centrifugally or mechanically operated device, per se, for projecting or launching a tangible game projectile into the air.

194,   Check-Actuated Control Mechanisms, for a game or chance device including a recited detail of a coin-controlled mechanism.

200,   Electricity: Circuit Makers and Breakers, for an electrical switch, per se especially subclasses 61.1+ for a switch responsive to the action of a game or amusement piece, Digest 2 for a body attached switch, Digest 3 for a coin operated switch, and Digest 23 for a game switch.

206,   Special Receptacle or Package, subclasses 315.1+ for a receptacle or package used for a sport implement, exercise device, or game.

221,   Article Dispensing, appropriate subclass for an article dispenser, per se, such as might be used for or included as a subcombination of a chance device (e.g., lottery ticket dispenser, etc.).

235,   Registers, for a register, per se, intended for use in a game, particularly subclass 1 for a miscellaneous game counter; subclass 61 for an odds computer; subclass 78 for a game calculator having concentric totalizing disks mounted upon a single axis; subclass 88 for a game calculator having tabular indicia placed upon disks which rotate about their centers; subclass 90 for a cribbage board; subclass 91 for a device for operating a register involving a billiard or pool game device; and subclasses 439+ for a coded record sensor structure (e.g., bar code reader, etc.).

273,   Amusement Devices: Games, by reason of relevant portions of Class 273 being an integral part of Class 463. This class (463) is one of two classes which are intended to <u>eventually</u> replace Class 273, which is currently undergoing reclassification through a series of stages. See the (5) Note above for a further elaboration of the relationship between Classes 273 and 463, and the SEARCH CLASS notes below for the relationship between Classes 273 and 473.

283,   Printed Matter, subclasses 72+ for printed matter having revealable concealed information, particularly subclass 94 for printed matter (e.g., a lottery ticket, etc.) with superposed layers; and cross-reference art collection 903 for a lottery ticket art collection.

340,   Communications: Electrical, subclasses 4.1 through 4.14 for communication or control for the handicapped; subclasses 5.1 through 5.92 for intelligence comparison such as used for authorization, access, identification, credit, etc.; subclass 323 for a game-reporting (e.g., scoreboard, indicator, etc.) electric signaling system, per se; and other appropriate subclasses for audible, visual, or tactile communication.

345,   Computer Graphics Processing and Selective Visual Display Systems, appropriate subclass for a selectively controlled visual display system which may either form part of a game or

not be limited to a game. However if the term "game" or equivalent is recited in a claim, or if the only disclosure is a game provided for in Class 463, then classification is in Class 463, Amusement Devices: Games, or its incorporated class (273, Amusement Devices: Games).

368,   Horology: Time Measuring Systems or Devices, subclass 3 for a time measuring means controlled by a game.

369,   Dynamic Information Storage or Retrieval, subclass 30.02 for operator-actuated remote control of selective addressing of a storage medium in a novelty device (e.g., talking doll, etc.), subclasses 63-68 for a sound reproduction means for a toy or novelty device, and other appropriate subclasses for memory structure and housings therefore.

377,   Electrical Pulse Counters, Pulse Dividers, or Shift Registers: Circuits and Systems, subclass 4 for a counter or register, per se, which is adapted to be controlled to accumulate a total involved in betting on various possibilities involved in an event or to determine the odds involved in the payoff of the various possibilities, and subclass 5 for a counter or register, per se, which is intended to be used with, in, or for a game or sport.

380,   Cryptography, subclass 251 for an electronic game utilizing cryptography.

404,   Road Structure, Process, or Apparatus, particularly subclasses 17+ and 71 for pavement or road structure which may be usable for a game surface.

428,   Stock Material or Miscellaneous Articles, for stock material in the form of a single or plural layer web or sheet which may be used in the fabrication of products provided for in this class (463).

434,   Education and Demonstration, particularly subclasses 16+ for teaching or demonstration of shooting, subclasses 29+ for a vehicle simulator for instruction or demonstration purposes, subclasses 128+ for teaching or demonstration of a game of the board or table type, subclasses 247+ for a means specifically adapted to teach or instruct a person in some aspect of a game or sport which involves physical activity, and subclasses 322+ for question or problem eliciting response. Class 463 and its incorporated class (273, Amusement Devices: Games), contain devices which are to be used for practice by, or for perfecting the physical skill of, a person who already knows how to play the game, sport, or the like. Class 434 contains devices which are to be used for instructing an unknowledgeable person in some aspect of the game, sport, or the like. A device which is used for both instruction and for practice or perfection of game skills is originally placed into Class 434, and cross-referenced into the Class 463 group of game classes (i.e., Classes 463, 473, or 273).

446,   Amusement Devices: Toys, for a device known as a toy whose principal purpose is for the amusement or recreation of a child. If the device is used for the amusement or recreation of a child and is also a game component (i.e., used in a competition or contest), then it is placed into the Class 463 group of game classes (i.e., 463, 473, or 273).

472,   Amusement Devices, subclasses 1+ for a roundabout, subclasses 85+ for a racetrack, and subclasses 92+ for (a) the structure or composition of a playing surface, per se; (b) the structure or composition of a peripheral boundary marking or enclosure, per se, of such a playing surface; or (c) the combination of only a playing surface and a peripheral boundary marking or enclosure--where the above [i.e.,(a)-(c)] are limited to use for an athletic or exhibition event such as, for example, playing a game or sport thereon or therein. Also, see the search notes appended thereto.

473,   Games Using Tangible Projectile, for a game in which a ball, missile, or other such tangible game projectile (other than a simulation or representation thereof) is used during play of a game or sport. The relationship between Class 463 and Class 473 is that Class 463 is the residual class for a game, while Class 473 provides only for a specific type of game in which a ball, missile, or other such tangible projectile is used during play thereof. (However, note those exceptions specified in the Class 463 definition and its appended notes.) Accordingly, if a game which uses a ball, missile, or other such tangible game projectile (other than a simulation or representation thereof) during play of the game is recited, then classification is in Class 473; otherwise, classification is in Class 463. Furthermore, a game apparatus or means which uses a simulation or representation of a game or sport projectile (e.g., a light-ray simulation of a projectile or a video-game representation of a projectile, etc.) is classified in Class 463, since such simulation or representation of a projectile is not an actual or physical object

which can be touched and handled (i.e., tangible) as required by Class 473.

602,   Surgery: Splint, Brace, or Bandage, subclasses 41+ for a bandaging device, even though specially adapted for use in supporting the body or body member of a person so as to function in a proper manner in playing a game.

700,   Data Processing: Generic Control Systems or Specific Applications, subclasses 91 through 93 for data processing or computation, per se, for the purpose of analyzing, monitoring, or scoring a contest or game, which is not classifiable elsewhere.

705,   Data Processing: Financial, Business Practice, Management, or Cost/Price Determination, subclass 1.1, especially subclass 14.1 for data processing used for financial or business practice where a promotional inducement is recited (e.g., awarding a coupon or price adjustment based upon a purchase, etc.), and subclass 16 for a point-of-sale terminal, (e.g., cash register, etc.).

902,   Electronic Funds Transfer, subclass 23 for an art collection of means for electronic transfer of funds for an entertainment, amusement, or gambling application.

D21,   Games, Toys, and Sports Goods, subclasses 300+ for a game design.

SUBCLASSES

1   INCLUDING MEANS FOR PROCESSING ELECTRONIC DATA (e.g., computer/ video game, etc.):
This subclass is indented under the class definition. Subject matter including: (a) means for systematically manipulating information in electronically coded form in accordance with a program or other set of rules; (b) means including or utilizing electronic logic or calculation; (c) electronically self-acting or self-regulating means for producing a desired response to a predetermined condition; or (d) a subcombination thereof or accessory therefor that is unprovided for elsewhere.

(1)   Note. Scoring, per se, is included herein only if combined with other game structure. The combination of electronic scoring means with nonelectronic game structure is originally placed in this or indented subclasses according to the game played when there is no provision for the electronic details of the scoring means. See the SEARCH CLASS notes below for scoring, per se, absent further game structure.

(2)   Note. A game that utilizes data processing via electromagnetically operated relays or the like for binary logical operations is considered to be electronic data processing for this and indented subclasses.

(3)   Note. Processing of data in electronic form is to be distinguished from mere electrical control (e.g., on/off actuation, etc.), or an electrical source, supply, or energization.

SEE OR SEARCH CLASS:

116,   Signals and Indicators, subclasses 222 through 225 for a mechanical signal or indicator, per se, which is intended to form part of or to be used with a game device.

200,   Electricity: Circuit Makers and Breakers, for an electrical switch, per se, especially subclasses 61.1+ for a switch responsive to the action of a game or amusement piece, Digest 2 for a body attached switch, Digest 3 for a coin operated switch, and Digest 23 for a game switch.

235,   Registers, for a register, per se, intended for use in a game, particularly subclass 1 for a miscellaneous game counter; subclass 61 for an odds computer; subclass 78 for a game calculator having concentric totalizing disks mounted upon a single axis; subclass 88 for a game calculator having tabular indicia placed upon disks which rotate about their centers; subclass 90 for a cribbage board; subclass 91 for a device for operating a register involving a billiard or pool game device; and subclasses 439+ for a coded record sensor structure (e.g., bar code reader, etc.).

250,   Radiant Energy, subclass 203.5 for cathode ray tube (target) scanning; subclasses 206+ for a photocell controlled circuit; subclass 227.13 for a light pen; and subclasses 222+ for an

optical or prephotocell system controlled by an article, person, or animal.

345,   Computer Graphics Processing and Selective Visual Display Systems, appropriate subclass for a selectively controlled visual display system which may either form part of a game or not be limited to a game. However if the term "game" or equivalent is recited in a claim, or if the only disclosure is a game provided for in Class 463, then classification is in Class 463, Amusement Devices: Games, or its incorporated class (273, Amusement Devices: Games).

348,   Television, appropriate subclass for television structure.

377,   Electrical Pulse Counters, Pulse Dividers, or Shift Registers: Circuits and Systems, subclass 4 for a counter or register, per se, which is adapted to be controlled to accumulate a total involved in betting on various possibilities involved in an event or to determine the odds involved in the payoff of the various possibilities, and subclass 5 for a counter or register, per se, which is intended to be used with, in, or for a game or sport.

380,   Cryptography, subclass 251 for an electronic game utilizing cryptography.

434,   Education and Demonstration, for subject matter that utilizes electronic data processing for instructional or demonstration purposes, particularly subclasses 16+ for teaching or demonstration of shooting, subclasses 29+ for a vehicle simulator for instruction or demonstration purposes, subclasses 128+ for teaching or demonstration of a game of the board or table type, subclasses 247+ for a means specifically adapted to teach or instruct a person in some aspect of a game or sport which involves physical activity; and subclasses 322+ for question or problem eliciting response. Class 463 and its incorporated class (Class 273, Amusement Devices: Games), contain devices which are to be used for practice by, or for perfecting the physical skill of, a person who already knows how to play the game, sport, or the like. Class 434 contains devices which are to be used for instructing an unknowledgeable person in some aspect of the game, sport, or the like. A device which is used for both instruction and for practice or perfection of game skills is originally placed into Class 434 and cross-referenced into the Class 463 group of game classes (i.e., Classes 463, 473, or 273).

700,   Data Processing: Generic Control Systems or Specific Applications, subclasses 91 through 93 for data processing or computation, per se, for the purpose of analyzing, monitoring, or scoring a contest or game, which is not classifiable elsewhere.

705,   Data Processing: Financial, Business Practice, Management, or Cost/Price Determination, subclasses 1.1, especially subclass 14.1 for data processing used for financial or business practice where a promotional inducement is recited (e.g., awarding a coupon or price adjustment based upon a purchase, etc.), and subclass 16 for a point-of-sale terminal, (e.g., cash register, etc.).

2   **In a game including a simulated projectile (e.g., bullet, missile, ball, puck, etc.):**
This subclass is indented under subclass 1. An application of electronic data processing that includes representing or imitating the shooting, hitting, throwing, hurling, or redirecting of an intangible object (i.e., simulated projectile) toward an intended direction or place.

(1)   Note. Class 463 does not provide for a game--other than a propelled racing game or a chance device--that involves the actual projection of a tangible object. Therefore, any "projectile" under this definition can only be a phantom or simulation of a tangible projectile. Waves such as a mechanical wave (e.g., sonic, ultrasonic, etc.) or a nondestructive electromagnetic wave (e.g., a light, infrared, radio, etc.) are not considered to be a tangible projectile under this definition and are specifically provided for in this class. See the Class definition (463), the

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