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EXAMINER
RADA, ALEX P

ART UNIT	PAPER NUMBER
3715	

NOTIFICATION DATE	DELIVERY MODE
05/29/2020	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@setterroche.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☑ Responsive to communication(s) filed on 20 March 2020.
    ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2a)☑ This action is **FINAL.**   2b) ☐ This action is non-final.
3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☑ Claim(s) 1-34 is/are pending in the application.
    5a) Of the above claim(s) _____ is/are withdrawn from consideration.
6) ☐ Claim(s) _____ is/are allowed.
7) ☑ Claim(s) 1-34 is/are rejected.
8) ☐ Claim(s) _____ is/are objected to.
9) ☐ Claim(s) _____ are subject to restriction and/or election requirement
* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov.**

Application Papers

10)☐ The specification is objected to by the Examiner.
11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    Certified copies:
        a)☐ All   b)☐ Some**   c)☐ None of the:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

3) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

2) ☑ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
    Paper No(s)/Mail Date _____.

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application is being examined under the pre-AIA first to invent provisions.

Response to Amendment

In response to the amendment filed 20 March 2020 wherein applicant amends claims 1-5, 7-

14, 16-18, 20-22, 25-31, 33-34 and claims 1-34 are pending in this application.

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions
> and requirements of this title.

2.   Claims 1-34 are rejected under 35 U.S.C. 101 because the claimed invention is directed to an

abstract idea without significantly more. The claim(s) recite(s) "connect to a host computer system

hosing the interactive electronic game session" "process requests to generate credits in exchange of

monetary value received via any of the at least three cash and credit interaction areas;" "generate,

upon validation of receipt of the monetary value, a credit;" "present, (on any of the at least three

display), a list of multiple interactive electronic games that can be selected to play during the

interactive electronic gaming session;" "monitor player interactions to detect a selection of an

interactive electronic game from the list of multiple interactive games presented (on any of the at

least three display) be played during the interactive electronic gaming session;" "retrieve, (from the

memory), the interactive electronic game; wherein the interactive electronic game has a variable

payback that is in part dependent on the skill level and objectives set before the interactive electronic

game begins; wherein the multiple players can select, (via any of the at least three display or an

interact area), skill levels and objectives representing achievable goals within the interactive game to

obtain varying payouts;" "automatically configure, in response to receiving the skill and objectives

selected by any of the multiple players, the interactive electronic game by adjusting one or more

gaming parameters within the interactive game to create a customized electronic game to be played

during the interactive electronic gaming session;" and "adjust the payout amount for the interactive

electronic game according to at least one of: a minimum payout requirement over a period of time, a

pooled liquidity model, and a reward model of a casino or other rewards system."

The limitations of "process requests to generate credits in exchange of monetary value

received via any of the at least three cash and credit interaction areas;" and "generate, upon

validation of receipt of the monetary value, a credit;" steps is a process that, under its broadest

reasonable interpretation, covers performance of fundamental economic principles or practices

(including hedging, insurance, mitigating) of placing a wager. The limitations of "present, (on any of

the at least three display), a list of multiple interactive electronic games that can be selected to play

during the interactive electronic gaming session;" "monitor player interactions to detect a selection

of an interactive electronic game from the list of multiple interactive games presented (on any of the

at least three display) be played during the interactive electronic gaming session;" "retrieve, (from the

memory), the interactive electronic game; wherein the interactive electronic game has a variable

payback that is in part dependent on the skill level and objectives set before the interactive electronic

game begins; wherein the multiple players can select, (via any of the at least three display or an

interact area), skill levels and objectives representing achievable goals within the interactive game to

obtain varying payouts;" "automatically configure, in response to receiving the skill and objectives

selected by any of the multiple players, the interactive electronic game by adjusting one or more

gaming parameters within the interactive game to create a customized electronic game to be played

during the interactive electronic gaming session;" and "adjust the payout amount for the interactive

electronic game according to at least one of: a minimum payout requirement over a period of time, a

pooled liquidity model, and a reward model of a casino or other rewards system" steps is a process

that, under its broadest reasonable interpretation, covers managing personal behavior of following rules or instruction to implement play of the game. That is, other than reciting "the one or more processor," nothing in the claims precludes the step from practically being implement on generic computer components. If the claim limitations, under its broadest reasonable interpretation, covers performance of the limitations of fundamental economic principles (including hedging, insurance, mitigating) of placing a wager and managing personal behavior following rules or instruction to implement play of the game but for the recitation of generic computer components, then it falls within the "Certain Methods of Organizing Human Activity" grouping of abstract ideas.

This judicial exception is not integrated into a practical application. The claims only recite an additional element of using a processor to perform the "connect to a host computer system hosing the interactive electronic game session" "process requests to generate credits in exchange of monetary value received via any of the at least three cash and credit interaction areas;" "generate, upon validation of receipt of the monetary value, a credit;" "present, (on any of the at least three display), a list of multiple interactive electronic games that can be selected to play during the interactive electronic gaming session;" "monitor player interactions to detect a selection of an interactive electronic game from the list of multiple interactive games presented (on any of the at least three display) be played during the interactive electronic gaming session;" "retrieve, (from the memory), the interactive electronic game; wherein the interactive electronic game has a variable payback that is in part dependent on the skill level and objectives set before the interactive electronic game begins; wherein the multiple players can select, (via any of the at least three display or an interact area), skill levels and objectives representing achievable goals within the interactive game to obtain varying payouts;" "automatically configure, in response to receiving the skill and objectives selected by any of the multiple players, the interactive electronic game by adjusting one or more gaming parameters within the interactive game to create a customized electronic game to be played

during the interactive electronic gaming session;" and "adjust the payout amount for the interactive electronic game according to at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system" steps. The processor in the "connect to a host computer system hosing the interactive electronic game session" "process requests to generate credits in exchange of monetary value received via any of the at least three cash and credit interaction areas;" "generate, upon validation of receipt of the monetary value, a credit;" "present, (on any of the at least three display), a list of multiple interactive electronic games that can be selected to play during the interactive electronic gaming session;" "monitor player interactions to detect a selection of an interactive electronic game from the list of multiple interactive games presented (on any of the at least three display) be played during the interactive electronic gaming session;" "retrieve, (from the memory), the interactive electronic game; wherein the interactive electronic game has a variable payback that is in part dependent on the skill level and objectives set before the interactive electronic game begins; wherein the multiple players can select, (via any of the at least three display or an interact area), skill levels and objectives representing achievable goals within the interactive game to obtain varying payouts;" "automatically configure, in response to receiving the skill and objectives selected by any of the multiple players, the interactive electronic game by adjusting one or more gaming parameters within the interactive game to create a customized electronic game to be played during the interactive electronic gaming session;" and "adjust the payout amount for the interactive electronic game according to at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system" steps is recited at a high-level of generality such that it amounts no more than mere instructions to apply the exception using a generic computer component. The 2019 PEG (Revised Patent Subject Matter Eligibility Guidance) defines the phrase "integration into a practical application" to require an additional element or a combination of additional elements in

the claim to apply, rely on, or use the judicial exception in a manner that imposes a meaningful limit

on the judicial exception, such that it is more than a drafting effort designed to monopolize the

exception. Limitations that are indicative of integration into a practical application when recited in a

claim with a judicial exception include:

- Improvements to the functioning of a computer, or to any other technology or technical field, as discussed in MPEP 2106.05(a);

- Applying or using a judicial exception to effect a particular treatment or prophylaxis for disease or medical condition – see Vanda Memo

- Applying the judicial exception with, or by use of, a particular machine, as discussed in MPEP 2106.05(b);

- Effecting a transformation or reduction of a particular article to a different state or thing, as discussed in MPEP 2106.05(c); and

- Applying or using the judicial exception in some other meaningful way beyond generally linking the use of the judicial exception to a particular technological environment, such that the claim as a whole is more than a drafting effort designed to monopolize the exception, as discussed in MPEP 2106.05(e) and the *Vanda* Memo issued in June 2018.

Limitations that are not indicative of integration into a practical application when recited in a

claim with a judicial exception include:

- Adding the words "apply it" (or an equivalent) with the judicial exception, or mere instructions to implement an abstract idea on a computer, or merely uses a computer as a tool to perform an abstract idea, as discussed in MPEP 2106.05(f);

- Adding insignificant extra-solution activity to the judicial exception, as discussed in MPEP 2106.05(g); and

- Generally linking the use of the judicial exception to a particular technological environment or field of use, as discussed in MPEP 2106.05(h).

Accordingly, this additional element does not integrate the abstract idea into a practical

application because it does not impose any meaningful limits on practicing the abstract idea.

The claim(s) does/do not include additional elements that are sufficient to amount to significantly more than the judicial exception. The additional elements of a gaming/player terminal, three displays, memory, and computer readable medium are considered to be extra solution activity. Adding these generic computer elements to perform generic functions that are well-understood, routine and conventional, such as gathering data, performing calculations, and outputting a result as evidence by Alice Corp., 134 S. Ct. at 2355–56 (mere instruction to implement an abstract idea (game rules) on a computer "cannot impart patent eligibility), and *Versata Dev. Group, Inc. v. SAP Am.* (Storing and retrieving information in memory) see MPEP (2106.05(d)(II), does not transform the claims into eligible subject matter. Nothing in the claims, understood in light of the specification, requires anything other than off-the-shelf, conventional computer, network, and display technology for gathering, sending, and presenting the desired information. Furthermore, as evidence by the prior art submitted and cited, McMain et al. (US Pub. No. 2007/0024002) in paragraph 32; and Daniel et al. (US Pub. No. 2006/0189381) in paragraph 131; Singer et al. (US Pub. No. 2004/0192431) in paragraph 21; and Kadlic (US 5,816,915) in col. 3, lines 35-59, all discloses that a credit input mechanism (coins and bill acceptors) and ticket reader are conventional and well known in the art. Thus, taken alone, the additional elements do not amount to significantly more than the above-identified judicial exception (the abstract idea). As discussed above with respect to integration of the abstract idea into a practical application, the additional element of using a processor to perform the "connect to a host computer system hosing the interactive electronic game session" "process requests to generate credits in exchange of monetary value received via any of the at least three cash and credit interaction areas;" "generate, upon validation of receipt of the monetary value, a credit;" "present, (on any of the at least three display), a list of multiple interactive electronic games that can be selected to play during the interactive electronic gaming session;" "monitor player interactions to detect a selection of an interactive electronic game from the list of multiple

interactive games presented (on any of the at least three display) be played during the interactive electronic gaming session;" "retrieve, (from the memory), the interactive electronic game; wherein the interactive electronic game has a variable payback that is in part dependent on the skill level and objectives set before the interactive electronic game begins; wherein the multiple players can select, (via any of the at least three display or an interact area), skill levels and objectives representing achievable goals within the interactive game to obtain varying payouts;" "automatically configure, in response to receiving the skill and objectives selected by any of the multiple players, the interactive electronic game by adjusting one or more gaming parameters within the interactive game to create a customized electronic game to be played during the interactive electronic gaming session;" and "adjust the payout amount for the interactive electronic game according to at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system" steps amounts to no more than mere instructions to apply the exception using a generic computer component. Mere instruction to apply an exception using a generic computer component cannot provide an inventive concept.

Claims 2-11, 13-17, 19-21, 23-28 and 30-34 each recite a further step of the abstract game method that when taken as a whole fails to contribute significantly more because each is merely another step that merely defines another rule/instruction, may be carried out by hand or in the mind as part of the overall method without integration into a practical application to any particular machine or device, improvement to any particular machine or device, or contribution of substantially more than an abstract method and generic computer components.

Response to Arguments

3.   Applicant's arguments filed 3 December 2019 have been fully considered but they are not persuasive.

The amendments to the claims overcomes the 112 first paragraph written description

requirement and the examiner hereby withdraws the 112 first paragraph rejection.

Applicant contends that the present claims, as amended, are directed neither toward any of

the judicial exceptions highlighted by the Guidance, nor merely to fundamental economic principles

or managing personal behavior. Rather, the claims are directed to specific systems and operations

enabling specialized algorithms that facilitate interactive electronic gaming sessions with a

technically-based flexible user-defined variable payback scheme based on skill levels and objectives.

The variable payback gaming machines are clearly not a law of nature, a natural phenomenon, nor an

abstract idea which are "the basic tools of scientific and technological work."

The examiner respectfully disagrees. As not above, the limitations of "process requests to

generate credits in exchange of monetary value received via any of the at least three cash and credit

interaction areas;" and "generate, upon validation of receipt of the monetary value, a credit;" steps is

a process that, under its broadest reasonable interpretation, covers performance of fundamental

economic principles or practices (including hedging, insurance, mitigating) of placing a wager. The

limitations of "present, (on any of the at least three display), a list of multiple interactive electronic

games that can be selected to play during the interactive electronic gaming session;" "monitor player

interactions to detect a selection of an interactive electronic game from the list of multiple

interactive games presented (on any of the at least three display) be played during the interactive

electronic gaming session;" "retrieve, (from the memory), the interactive electronic game; wherein

the interactive electronic game has a variable payback that is in part dependent on the skill level and

objectives set before the interactive electronic game begins; wherein the multiple players can select,

(via any of the at least three display or an interact area), skill levels and objectives representing

achievable goals within the interactive game to obtain varying payouts;" "automatically configure, in

response to receiving the skill and objectives selected by any of the multiple players, the interactive

electronic game by adjusting one or more gaming parameters within the interactive game to create a customized electronic game to be played during the interactive electronic gaming session;" and "adjust the payout amount for the interactive electronic game according to at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system" steps is a process that, under its broadest reasonable interpretation, covers managing personal behavior of following rules or instruction to implement play of the game. That is, other than reciting "the one or more processor," nothing in the claims precludes the step from practically being implement on generic computer components.

Applicant contends that the amended claims provide an improvement to the technical field of electronic gaming device, systems and method include at least the following features: monitor player interactions with the display(s) to detect selection of an interactive electronic game, and a corresponding skill level and objectives; automatically configure the interactive electronic game, and determine a variable payout amount, according to the skill level and objectives, and the achievement of the objectives; and adjust the payout amount for the interactive game to, for example, ensure that a minimum payout requirement is met over a period of time, or to conform with a pooled liquidity or reward model.

The examiner respectfully disagrees. The features applicant is reliant upon, monitor player interactions with the display(s) to detect selection of an interactive electronic game, and a corresponding skill level and objectives; automatically configure the interactive electronic game, and determine a variable payout amount, according to the skill level and objectives, and the achievement of the objectives; and adjust the payout amount for the interactive game to, for example, ensure that a minimum payout requirement is met over a period of time, or to conform with a pooled liquidity or reward model is nothing more than just part of the program to execute the rules and instruction in accordance with a program. The improvement applicant is reliant upon is improvement of

different features of game play in accordance with program of instruction and rules to implement

the different features of game. Applicant points to different paragraphs of the disclosure however,

the paragraphs applicant is reliant upon does not provide evidence of an improvement to the

functioning of a computer, or upon conventional technology or technological processes. If it is

asserted that the invention improves upon conventional functioning of a computer, or upon

conventional technology or technological processes, a technical explanation as to how to implement

the invention should be present in the specification. That is, the disclosure must provide sufficient

details such that one of ordinary skill in the art would recognize the claimed invention as providing

an improvement. An indication that the claimed invention provides an improvement can include a

discussion in the specification that identifies a technical problem and explains the details of an

unconventional technical solution expressed in the claim, or identifies technical improvements

realized by the claim over the prior art (MPEP 2106.05(a)). The claims do not purport to improve

the functioning of the computer itself or to improve any other technology or field. Use of an

unspecified generic computer does not transform an abstract idea into a patent-eligible invention.

Thus, the claims does not amount to significantly more than the abstract idea itself.

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS

from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

mailing date of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the mailing date of this final action.

5.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to ALEX P RADA whose telephone number is (571)272-4452. The examiner

can normally be reached on M-F 8-5.

Examiner interviews are available via telephone, in-person, and video conferencing using a

USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to

use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Dmitry Suhol can be reached on (571) 272-4430. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see https://ppair-my.uspto.gov/pair/PrivatePair. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If

you would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A.P.R/
Examiner, Art Unit 3715

/Jay Trent Liddle/
Primary Examiner, Art Unit 3715

REMARKS

The Applicant respectfully requests reconsideration of this application. Prior to entry of this response, the application included claims 1-34. Independent claims 1, 12, 18, 22 and 29, and dependent claims 3, 10, 17 and 31 are amended herein. Claim 35 is newly added. Hence, after entry of this amendment, claims 1-35 remain pending for examination.

The amendments to independent claims 1, 12, 18, 22 and 29 are supported by, for example, paragraphs (¶¶) [0008], [0010], [0034], [0081] and [0083], and Fig. 7, of the published application (US 2018/0225918). The amendments to dependent claim 3 are supported by, for example, ¶¶ [0034], [0053], [0062], [0068] and [0079] of the published application. New claim 35 is supported by, for example, ¶¶ [0068] and [0079] of the published application. No new matter has been added.

REJECTIONS UNDER 35 U.S.C. § 101

Claims 1-34 are rejected under 35 U.S.C. § 101 as being directed to an abstract idea without significantly more. The Office Action alleged that claims 1-34 are directed to processes that fall within the categories of abstract ideas of "Certain Methods of Organizing Human Activity" (fundamental economic principles or practices, and managing personal behavior of following rules or instructions), without significantly more. The rejection is respectfully traversed.

Without conceding that the pending claims, as amended, fail under Step 1 of the 2019 Revised Patent Subject Matter Eligibility Guidance ("Guidance"),[1] Applicant respectfully submits that the amended claims meet the requirements of **Steps 2A and 2B** of the Guidance.

The issue can be stated as whether, when considered as a whole, amended claim 1, for example, focuses on a specific means or method that improves the relevant technology or is directed to a result or effect that itself is the abstract idea and merely invoke generic processes or machinery. *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299 (Fed. Cir. 2016). The *McRO* decision characterized the claims at issue as automating 3D animation tasks using unconventional rules to produce realistic speech in animations. *Id.* The claimed invention addressed in *McRO* improved upon prior art animation methods yielding unrealistic speech

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[1] https://www.govinfo.gov/content/pkg/FR-2019-01-07/pdf/2018-28282.pdf

patterns from the perspective of the viewer, where "an animator would have to subjectively identify the problematic sequence and manually fix it by adding an appropriate keyframe." *Id.* McRO's "invention [] uses rules to automatically set a keyframe at the correct point to depict more realistic speech, achieving results similar to those previously achieved manually by animators." *Id.* The Federal Circuit held that claim 1 of McRO's '567 patent did not merely use rules to apply an abstract idea and thus preempt rule-based approaches to lip synching, but instead was "limited to rules with specific characteristics . . . allow[ing] for the improvement realized by the invention." *Id.*

Similarly, amended claim 1 applies unconventional rules according to the claimed systems and methods. Specifically, with respect to claim 1, for instance, a received baseline skill distribution for interactive electronic games dictates the setting of an initial payout amount for the game that is selected. The player(s) select desired skill levels and objectives for the selected game. Based on those selections, and further based on an updated skill distribution for the interactive electronic gaming session according to live game statistics, a variable payout amount is generated. A winner of the interactive electronic gaming session receives an adjusted payout which accounts for the updated skill distribution along with a minimum payout requirement over a period of time, a pooled liquidity model, and/or a reward model of a casino or other rewards system. The claimed skill distribution update, and the payout adjustment based thereon, occur during the interactive gaming session to ensure the ultimate payout to a game winner reflects the current state of affairs with integrity for the benefit of both players and the hosts of the electronic games, in much the same way as the Applicant's rules and algorithms applied for collusion detection. *See, e.g.*, ¶¶ [0030], [0066], [0069], [0070] and [0083] of the published application; *see also* instant claims 3, 8, 17, 33 and 35. .

As in *McRO*, amended claim 1 does not merely recite an abstract idea, but rather is directed to application of narrowly defined rules in a particularly recited set of intertwined processing steps requiring specific data flows for accomplishing an improvement to an existing technological process. *Id.*; *see also Thales Visionix, Inc. v. U.S.*, No. 2015-5150, 2017 WL 914618, at *5 (Fed. Cir. Mar. 8, 2017). As explained in the instant application, prior art electronic gaming systems and methods were deficient in providing certain technological features to attract and retain new players, while also providing flexible participation with safeguards for the integrity of game play. *See, e.g.*, ¶¶ [0003]-[0006] of the published application. The invention of amended

claim 1 provides technical features that provide technical improvements to the prior contributions to the electronic gaming field, in which those features are largely absent. For instance, at least some conventional gaming platforms were intimidating to players. With increased demand for increased gaming options that are more convenient and more flexible as to options for participation, electronic gaming operators sought to overcome impediments to participation. *Id.*

The claimed invention represents a technical advance in the field that enhances electronic gaming operations and user experiences from the perspectives of both players and game hosts. Participation flexibility and enjoyment of players is increased as compared to known systems and methods by, for example, allowing players to custom select electronic interactive games and their level of participation according to skill levels and game objectives. Operators and hosts benefit from setting and adjusting a variable payout that is based on the player selected skill levels and objectives. Moreover, players are assured that potential payouts for winning the game are reflective of skill distributions currently existing for the game.

The aforementioned problems and the solutions provided by the claimed invention relate to, and are rooted in, the use of technology in the form of networked computing devices and software, as provided in the description of the instant application (e.g., "customized electronic devices built for interactive game play. . . . running specialized software", ¶ [0045] of the published application). These problems tended to inhibit new player participation and retention despite increased demand for such services. Many such systems provide for participation by numerous players, each located at different locations remote from the host computer system. In that case, the claimed invention receives skill distribution data that is updated during the game for the variable payout adjustment based on information from terminals other than the player in the selected electronic interactive game. Although the claimed invention is narrowly tailored to providing a specific improvement to the electronic gaming field, it is applicable in a variety of contexts where that technology is used, as desired by players and game hosts. *E.g.*, ¶¶ [0003], [0005], [0006], [0028], [0029], [0045], [0069], [0070], [0083], [0086] and [0093], and Fig.7, of the published application.

As with *McRO*, where the technical solution provided an enhanced, outward facing result to a viewer of an animation as well as operational efficiencies for animators, so too does the claimed invention provide not only an improvement to the functioning of communication and computing equipment for electronic gaming, but also an enhanced user experience resulting in

various outward facing, tangible effects for players and game hosts.   Express and implied examples of the improvements enabled by the claimed invention in the practical application of electronic gaming systems and methods include:

- Skill level selection by players enables higher payouts for achieving objective at higher skill levels, and further facilitates setting a baseline skill level that may be collected and applied over time in various useful ways. ¶¶ [0070] and [0083].
- Modification to the variable payout may be made with updated interactive electronic game skill level distributions. ¶ [0083].
- Gaming terminals provide players the ability to select and engage in an interactive electronic game selected from a listing of multiple such games and according to desired skill level and objectives, where payout amounts displayed to player(s) may change according to player selections made. ¶¶ [0086] and [0093].

These examples, among others, are enabled by the claimed limitations considered in the context of the pending claims as a whole.   The claimed limitations provide a specific implementation of the alleged abstract ideas into a practical application addressing the problems as described in the specification to thereby improve the technological field of electronic gaming. The claims are necessarily rooted in advanced computer technology in order to solve the problems discussed above in electronic gaming systems.   The nexus between the claimed features (in the context of amended claim 1 as a whole) and the improvement to the technical field is both clear and sufficient under the Guidance to establish the integration of the alleged abstract ideas into a concrete practical application. As such, the invention, as claimed, is not an attempt to monopolize or preempt any and all improvements to electronic gaming technology and so does not upset the balance of policy interests explained by the Supreme Court in *Alice*.

"It is [therefore] the incorporation of the claimed rules, not the use of the computer, that improve[s] the existing technological process by allowing the automation of further tasks." *McRO,* 837 F.3d (internal citations omitted). As amended, claim 1 now requires that the baseline skill distribution be used to set an initial payout and updated skill level data be used for adjusting the payout to a winning player, which, along with the additional limitations of amended claim 1, provides a narrowly-defined, yet substantial, improvement in the technological field of, and practical application to, electronic gaming field. In particular, the recitations of claim 1 accomplish

the non-abstract end result of paying out winnings that are reflective of current game skill distributions along with a minimum payout requirement over a period of time, a pooled liquidity model, and/or a reward model of a casino or other rewards system. *McRO*, 837 F.3d. Amended claim 1, considered in its entirety, is "directed to 'a specific means or method' for improving technology" and not merely to a set of rules "to an abstract end-result" of any of the categories of abstract ideas alleged in the Office Action which could, but for being performed on what are alleged to generic computing devices, be performed entirely mentally. *RecogniCorp, LLC v. Nintendo Co.*, 855 F.3d 1322, 1326 (Fed. Cir. 2017); *Internet Patents Corp. v. Active Network, Inc.*, 790 F.3d 1343, 1346 (Fed. Cir. 2015). To maintain otherwise would be to describe "the claims at [such] . . . a high level of abstraction and untethered from the language of the claims [to] all but ensure[] that the exceptions to § 101 swallow the rule." *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327, 1337 (Fed. Cir. 2016).

The "inquiry often turns on whether the claims focus on "the specific asserted improvement in computer capabilities . . . or, instead, on a process that qualifies as an 'abstract idea' for which computers are invoked merely as a tool." *Enfish*, 822 F.3d at 1335–36. The above-emphasized and discussed elements of amended claim 15 are not simply linking the purported judicial exception to a particular technological environment, but are enabling specific processes and systems to solve problems with traditional solutions in the electronic gaming field. The above-cited passages of the published application describe the extant problems and how the claimed invention uniquely addresses them. As the amended claims more particularly recite <u>how</u> the above-discussed practical application, and improvement, to the technological field of electronic interactive gaming systems is achieved, amended claim 1 provides significantly more than any of the abstract ideas alleged in the Office Action. In the manner now claimed, the present invention addresses various known problems with conventional systems and method in the technological field of electronic interactive gaming systems. The amended claims thus provide a unique, and purely technical, solution to such technical problems. As a result, the features of amended claim 1 and the other claims, when taken as an ordered combination, provide an unconventional process notwithstanding that at least some of those steps may be performed using generic computing devices in a networked environment. Amended claim 1 not only includes features that provide significantly more than the alleged abstract idea, but confines it to a particular useful system and application, without attempting to preempt an entire technological endeavor. The claim amendments in the present response are intended to highlight that and, as such, Applicant

respectfully submits that the amended claim 1 meets the requirements of both Steps 2A and 2B of the subject matter eligibility analysis mandated by the Guidance.

Amended independent claims 12, 18, 22 and 29 now recite features similar to those emphasized and discussed above with reference to amended claim 1. For at least the reasons discussed above for amended claim 1, amended claims 12, 18, 22 and 29 are likewise patent eligible according to the Guidance.

Accordingly, withdrawal of the 35 U.S.C. § 101 rejections of claims 1-34, and allowance of claims 1-35, as amended, are respectfully requested.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of each dependent claim is considered to be unnecessary. Therefore, the Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

RESERVATION OF RIGHTS

For the sake of conciseness and clarity, the Applicant may not have addressed every assertion or rejection made in the Office Action, particularly where the Applicant has presented amendments or arguments that the Applicant believes render such assertions/rejections moot. Therefore, the Applicant's silence regarding any such assertions or rejections does not constitute an admission or acquiescence regarding such assertions/rejections or a waiver of any argument relating to such assertions/rejections. The Applicant reserves the right to challenge at a later time any rejection or any factual or legal assertion made by the Office in relation to the present application. The Applicant does not admit that any of the references cited in the Office Action are prior art. The Applicant reserves the right to swear behind any cited reference at a later date, to the extent permitted by law.

NO DISCLAIMERS OR DISAVOWALS

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this

application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

The Applicant respectfully submits that the amendments and remarks have overcome the rejections and that the pending claims are in condition for allowance. Accordingly, the Applicant requests that the rejections be withdrawn and that a Notice of Allowance be issued.

The Applicant believes no fees are due for this response. Should the Office determine fees are necessary, however, the Office is hereby requested to contact the undersigned to arrange for payment.

REQUEST FOR A TELEPHONE INTERVIEW

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Respectfully submitted,

Date: July 24, 2020

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AMENDMENTS TO THE CLAIMS

1.   (Currently Amended) A gaming terminal for hybrid gaming that includes a skill-based component and a chance component, the gaming terminal comprising:

one or more processors;

at least three displays to depict action from an interactive electronic gaming session configured to support single play or head-to-head play against multiple players; and

at least three cash and credit interaction areas to receive monetary value from any of the multiple players;

a memory having instructions stored thereon that when executed by the one or more processors cause the gaming terminal to:

connect to a host computer system hosting the interactive electronic gaming session;

process requests to generate credits in exchange of monetary value received via any of the at least three cash and credit interaction areas;

generate, upon validation of receipt of the monetary value, a credit;

present, on any of the at least three displays, a list of multiple interactive electronic games that can be selected to play during the interactive electronic gaming session;

receive a baseline skill distribution collected offline or over a period of time from one or more gaming terminals for each of the multiple interactive electronic games, wherein the baseline skill distribution is used to set an initial payout amount for a selected electronic interactive gaming session;

monitor player interactions to detect a selection of: an interactive electronic game from the list of multiple interactive electronic games presented on any of the at least three displays to be played during the interactive electronic gaming session, and a corresponding skill level and objectives;

retrieve, from the memory, the interactive electronic game;

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wherein the interactive electronic game has a variable payback that is in part dependent on the skill level and objectives set before the interactive electronic game begins,

wherein the multiple players can select, via any of the at least three displays or an interaction area, skill levels and objectives representing achievable goals within the interactive electronic game, to obtain varying payouts;

automatically configure, in response to receiving the skill levels and objectives selected by any of the multiple players, the interactive electronic game by adjusting one or more gaming parameters within the interactive electronic game to create a customized electronic game to be played during the interactive electronic gaming session;

monitor, during the interactive electronic gaming session, signals received from a player interaction area for actions taken by one or more of the plurality of players including a bet having a betting value;

deduct, upon detecting the bet, the betting value from the credit;

determine a payout amount that is based upon: the skill levels, the objectives, and completion of the objectives within the interactive electronic game; [[and]]

receive live game play statistics from the one or more gaming terminals to update the baseline skill distribution for the interactive electronic gaming session;

adjust the payout amount for the interactive electronic game according to an updated skill distribution and at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system; and

award the adjusted payout amount at the conclusion of the interactive electronic game to a winning player.

2.   (Previously Presented) The gaming terminal of claim 1, wherein the instructions when executed by the one or more processors cause the gaming terminal to automatically configure the interactive electronic game by also adjusting a number of automated opponents or automated

opponent strength of characters presented within the interactive electronic game during game play.

3.   (Currently Amended) The gaming terminal of claim 1, wherein the instructions when executed by the one or more processors further cause the gaming terminal to:

> flag one or more of the actions taken by the one or more of the plurality of players as indicative of suspected cheating or collusion; and

> award the adjusted payout amount to the winning player upon determining that any flagged actions by the winning player do not constitute cheating or collusion detected automatically analyze the interactive electronic gaming session to detect collusion or cheating.

4.   (Previously Presented) The gaming terminal of claim 1, wherein the instructions when executed by the one or more processors further cause the gaming terminal to store information about the interactive electronic gaming session sufficient to reproduce game play from the interactive electronic gaming session.

5.   (Previously Presented) The gaming terminal of claim 4, wherein the information stored about the interactive electronic gaming sessions includes player interactions, bets, objectives set before the interactive electronic game begins, the completion of the objectives during game play, and the payout amount.

6.   (Previously Presented) The gaming terminal of claim 1, wherein the instructions when executed by the one or more processors further cause the gaming terminal to:

> set, based on the objectives, a variable payback amount; and

> generate a representation of the variable payback amount on each of the at least three displays.

7.   (Previously Presented) The gaming terminal of claim 1, further comprising a communications component receives, from an electronic gaming platform, the list of multiple

interactive electronic games and the objectives include one or more of scoring a desired number of points, reaching a certain level within one of the one or more interactive electronic games, or completing an objective within an amount of time.

8.   (Previously Presented) The gaming terminal of claim 1, wherein the gaming terminal includes or is connected to a collusion avoidance module to review the interactive electronic gaming session and upon detecting a violation initiate an action that includes initiating review of data collected from a video surveillance system.

9.   (Previously Presented) The gaming terminal of claim 1, wherein the interactive electronic game is part of a tournament and the gaming terminal further includes a leader board listing current ranking of top performing players and a ticket in and ticket out component to generate a ticket identifying the interactive electronic gaming session.

10.   (Currently Amended) The gaming terminal of claim 1, wherein <u>at least one</u> display <u>of the at least three displays</u> supports picture in picture to present game play from other players, a second interactive electronic gaming session that the gaming terminal has joined, advertisements, or sporting events.

11.   (Previously Presented) The gaming terminal of claim 1, further comprising external video outputs to send video of the interactive electronic gaming session to an external display allowing others to view game play.

12.   (Currently Amended) A player terminal comprising:

      means for connecting to a host computer system hosting an interactive electronic gaming
           session;

      means for presenting: a list of multiple interactive electronic games including at least one
           video or arcade game;

      <u>means for receiving a baseline skill distribution collected offline or over a period time from
           one or more player terminals for each of the multiple interactive electronic games,</u>

wherein the baseline skill distribution is used to set an initial payout amount for a selected electronic interactive gaming session;

means for monitoring player interactions to detect a selection of: an interactive electronic game for primary game play, and a corresponding skill level and objectives representative of goals for playing the interactive electronic game;

means for depicting action from the interactive electronic gaming session directed to the interactive electronic game,

wherein the interactive electronic game has a variable payback that is in part dependent on the skill level and objectives set before the interactive electronic game begins;

means for automatically configuring, in response to the skill level and objectives being set, the interactive electronic game by adjusting one or more gaming parameters consistent with the objectives;

means for processing a request to generate a credit in exchange for monetary value;

means for generating, upon validation of receipt of the monetary value, a credit;

means for monitoring, during the interactive electronic gaming session, signals received from a player interaction area for actions taken by one or more players including a bet having a betting value;

means for deducting, upon detecting the bet, the betting value from the credit associated with the player terminal;

means for determining a payout amount that is based, at least in part, upon: the skill level, the objectives, and completion of the objectives within the interactive electronic game; [[and]]

means for receiving live game play statistics from the one or more gaming terminals to update the baseline skill distribution for the interactive gaming sessions;

means for adjusting the payout amount for the interactive electronic game according to an updated skill distribution and at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system; and

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<u>means for awarding the adjusted payout amount at the conclusion of the interactive electronic game to a winning player.</u>

13.   (Previously Presented) The player terminal of claim 12, further comprising a means for linking multiple player terminals for head to head play within the interactive electronic game.

14.   (Previously Presented) The player terminal of claim 13, further comprising:

means for setting a variable payback amount based on the objectives set before the interactive electronic game begins; and

means for generating a representation of the payout amount.

15.   (Original) The player terminal of claim 14, further comprising means for receiving and submitting food orders, beverage orders, ticket orders, or reservations for hotels or restaurants.

16.   (Previously Presented) The player terminal of claim 12, further comprising a means for storing information regarding the interactive electronic game played during the interactive electronic game.

17.   (Currently Amended) The player terminal of claim 12, further comprising ~~a means for~~:

<u>means for flagging one or more of the actions taken by the one or more players as indicative of suspected cheating or collusion; and</u>

<u>means for awarding the adjusted payout amount to the winning player upon determining that any flagged actions by the winning player do not constitute cheating or collusion detected</u> ~~analyzing the interactive electronic gaming session to detect cheating or collusion~~.

18.   (Currently Amended) A non-transitory computer readable medium having instructions stored thereon, that when executed by one or more processors cause a machine to:

connect to a host computer system hosting an interactive electronic gaming session;

present, on a display of the machine, a list of one or more electronic games including at least one video or arcade game;

receive a baseline skill distribution collected offline or over a period of time from one or more machines for each of the multiple interactive electronic games, wherein the baseline skill distribution is used to set an initial payout amount for a selected electronic interactive gaming session;

monitor player interactions to detect a selection, from the list of one or more electronic games presented on the display, of an interactive electronic game to be played on the machine, and a corresponding skill level and objectives;

retrieve, from a memory store and in response to the selection, the interactive electronic game,

wherein the interactive electronic game has a variable payback that is in part dependent on the skill level and objectives within the interactive electronic game, and

wherein the objectives represent goals within the interactive electronic game that a player completes to achieve different payouts;

automatically configure, based on the objective, the interactive electronic game by adjusting one or more gaming parameters within the interactive electronic game to create a customized electronic game;

depict action from the customized electronic game on the display of the machine[[,]];

process a request to generate a credit in exchange of value received from [[a]] the player;

generate, upon validation of receipt of the value, a credit;

monitor signals received from a player interaction area to identify actions taken by the player including a bet having a betting value;

deduct, upon detecting the bet, the betting value from the credit associated with the player; [[and]]

receive live game play statistics from the one or more machines to update the baseline skill distribution for the interactive electronic gaming session;

determine, in response to detecting completion of the customized electronic game, a payout amount that is based upon, at least in part: the skill level, the objectives, and completion of the objectives within the customized electronic game,

wherein the payout amount for the customized electronic game is adjusted according to an updated skill distribution and at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system; and

award the adjusted payout amount to a winning player.

19.   (Original) The non-transitory computer readable medium of claim 18, wherein the instructions when executed by the one or more processors further cause the machine to:

set, based on completion of the objectives, a variable payback amount; and

generate a representation of the variable payback amount on the display.

20.   (Previously Presented) The non-transitory computer readable medium of claim 18, wherein the instructions when executed by the one or more processors further cause the machine to allow the player to play slots, place bets on sporting events, or place bets on fantasy sporting events simultaneously with the customized electronic game.

21.   (Previously Presented) The non-transitory computer readable medium of claim 18, wherein the instructions when executed by the one or more processors further cause the machine to send, via external video outputs, video of the interactive electronic game to an external display to allow viewing of game play.

22.   (Currently Amended) A player terminal comprising:

one or more processors;

a display to depict action from an interactive electronic gaming session directed to a video or arcade game, and

a memory having instructions stored thereon that when executed by the one or more processors cause the player terminal to:

connect to a host computer system hosting the interactive electronic gaming session;

present, on the display, a list of multiple electronic games;

receive a baseline skill distribution collected offline or over a period of time from one or more player terminals for each of the multiple electronic games, wherein the baseline skill distribution is used to set an initial payout amount for a selected electronic interactive gaming session;

monitor player interactions to detect a selection of: an electronic game from the list, and a corresponding skill level and objectives representative of achievable goals within the interactive gaming session,

wherein the electronic game has a variable payback that is in part dependent on: the skill level and objectives set before start of the electronic game;

automatically configure, based on the skill level and objectives, the interactive electronic game by adjusting one or more gaming parameters within the interactive electronic game to create a customized electronic game to be played during the interactive electronic gaming session;

process a request to generate a credit in exchange for monetary value;

generate, upon validation of receipt of the monetary value, a credit;

monitor, during the interactive electronic gaming session, signals received from a player interaction area for actions taken by one or more of the plurality of players including a bet having a betting value;

deduct, upon detecting the bet, the betting value from the credit associated with the player terminal;

determine a payout amount in response to detecting completion of the interactive electronic game; [[and]]

<u>receive live game play statistics from the one or more player terminals to update the baseline skill distribution for the interactive electronic gaming session;</u>

pay out the determined payout amount based, at least in part, upon: the skill level, the objectives and completion of the objectives,

wherein the payout amount for the customized electronic game is adjusted according to <u>an updated skill distribution and</u> at least one of: a minimum payout requirement over a period of time, a pooled liquidity model, and a reward model of a casino or other rewards system<u>; and</u>

<u>award the adjusted payout amount to a winning player.</u>

23.   (Original) The player terminal of claim 22, wherein instructions when executed by the one or more processors further cause the player terminal to adjust one or more gaming parameters that include ammo amounts, number of lives, level, firing rate, number of automated opponents, automated opponent strength level, or amount of time to complete the objectives.

24.   (Original) The player terminal of claim 22, wherein the instructions when executed by the one or more processors further cause the player terminal to:

set, based on completion of the objectives, a variable payback amount; and

generate a representation of the variable payback amount on the display.

25.   (Previously Presented) The player terminal of claim 24, wherein the variable payback amount is calculated, at least in part, on historical payout amounts of the electronic game or the player terminal.

26.   (Previously Presented) The player terminal of claim 22, further comprising a virtual reality interface or hologram generation system to control interactions with the electronic game.

27.   (Previously Presented) The player terminal of claim 22, wherein the interactive electronic gaming session is part of a tournament, the pay out is held until completion of the tournament, and the pay out is also based on completion and verification of ranking within the tournament.

28.   (Previously Presented) The player terminal of claim 22, further comprising external video outputs and wherein the instructions when executed by the one or more processors further cause the player terminal to stream, via the external video outputs, video of the electronic game to an external display.

29.   (Currently Amended) A method comprising:

connecting to a host computer system hosting an interactive electronic gaming session;

presenting a list of multiple electronic games including at least one video or arcade game;

<u>receiving a baseline skill distribution collected offline or over a period of time for each of the multiple interactive electronic games, wherein the baseline skill distribution is used to set an initial payout amount for a selected electronic interactive gaming session;</u>

identifying: an interactive electronic game from the list for primary game play during the interactive electronic gaming session, and a corresponding skill level and objectives representative of goals within the interactive electronic game that a player completes for winning a bet;

depicting action from the interactive electronic gaming session directed to the interactive electronic game,

wherein the interactive electronic game has a variable payback that is in part dependent on the skill level and objectives set before the interactive electronic game begins;

automatically configuring, based on the skill level and objectives, the interactive electronic game by adjusting one or more gaming parameters within the interactive electronic game to create a customized electronic game to be played during the interactive gaming electronic session;

processing a request to generate a credit in exchange for monetary value;

generating, upon validation of receipt of the monetary value, a credit;

monitoring, during the interactive electronic gaming session, <u>signals received from</u> a
    player interaction area for <u>actions taken by one or more players including</u> the bet
    having a betting value;

deducting, upon detecting the bet, the betting value from the credit associated with the
    player;

determining, in response to detecting completion of the interactive electronic gaming
    session, a payout amount that is based upon, at least in part: the skill level, the
    objectives, and the completion of the objectives within the interactive electronic
    game; [[and]]

<u>receiving live game play statistics to update the baseline skill distribution for the interactive
    gaming session;</u>

adjusting the payout amount for the interactive electronic game according to <u>an updated
    skill distribution and</u> at least one of: a minimum payout requirement over a period
    of time, a pooled liquidity model, and a reward model of a casino or other rewards
    system<u>; and</u>

<u>award the adjusted payout amount to a winning player</u>.

30.   (Previously Presented) The method of claim 29, further comprising

setting, based in part on historical payout amounts of the interactive electronic game, a
    variable payback amount; and

generating a representation of the variable payback amount on a display.

31.   (Currently Amended) The method of claim 29, further comprising allow<u>ing</u> the player to
play slots, place bets on sporting events, or place bets on fantasy sporting events simultaneously
with the interactive electronic gaming session.

32.   (Original) The method of claim 29, further comprising adjusting one or more gaming parameters that include ammo amounts, number of lives, level, firing rate, number of automated opponents, automated opponent strength level, or amount of time to complete the objectives.

33.   (Previously Presented) The method of claim 29, further comprising recording the interactive electronic gaming session and analyzing the recording of the interactive electronic gaming session or the interactive electronic gaming session to identify collusion or cheating before crediting the payout amount to the player.

34.   (Previously Presented) The non-transitory computer readable medium of claim 19, wherein the reward model includes one or more of: a number of visits, an average bet amount, a total money bet amount, a holiday, a birthday day or month, and a gift.

35.   (New) The gaming terminal of claim 1, wherein the instructions when executed by the one or more processors further cause the gaming terminal to:

      flag one or more of the actions taken by the one or more of the plurality of players according to at least one customized collusion avoidance policy dynamically set based on a current interactive electronic gaming session.