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**Datasheet for the decision  
of 13 November 2018**

**Case Number:** T 0284/15 - 3.5.03

**Application Number:** 08425815.1

**Publication Number:** 2202939

**IPC:** H04L29/06

**Language of the proceedings:** EN

**Title of invention:**  
Enhanced content sharing framework

**Applicant:**  
Accenture Global Services Limited

**Headword:**  
Content sharing system/ACCENTURE

**Relevant legal provisions:**  
EPC Art. 123(2), 113(1)

**Keyword:**  
Amendments - added subject-matter (yes)  
New objection at oral proceedings - right to be heard respected  
(yes)

**Decisions cited:**

**Catchword:**



**Beschwerdekammern**  
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Case Number: T 0284/15 - 3.5.03

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.03**  
**of 13 November 2018**

**Appellant:** Accenture Global Services Limited  
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**Representative:** Müller-Boré & Partner  
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**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 6 October 2014  
refusing European patent application No.  
08425815.1 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** F. van der Voort  
**Members:** T. Snell  
O. Loizou

## **Summary of Facts and Submissions**

- I. This appeal is against the decision of the examining division refusing European patent application No. 08425815.1 with publication number EP 2 202 939 A1. The decision, as requested by the applicant with letter dated 12 September 2014, was issued in the form of a so-called "decision according to the state of the file" and made reference to the communication dated 10.06.2014. The said communication contained an objection that the subject-matter of claim 1 did not involve an inventive step.
- II. Together with the statement of grounds of appeal, the appellant filed claims of a new request and requested that the decision be set aside and a patent be granted on the basis of this request.
- III. In a communication accompanying a summons to oral proceedings, the board gave a preliminary opinion raising matters concerned with clarity, sufficiency of disclosure, and added subject-matter (Articles 84, 83 and 123(2) EPC). The board further noted that, with respect to inventive step, it was presently not convinced by the "administrative method plus notorious technical means" approach adopted by the examining division, but that a proper examination with respect to inventive step could only be undertaken on the basis of claims complying with Articles 83, 84 and 123(2) EPC.
- IV. In response to the board's communication, the appellant filed new claims on which the further proceedings were to be based.
- V. Oral proceedings were held on 13 November 2018.

During the oral proceedings, the board raised a new objection with respect to Article 123(2) EPC.

The appellant requested that the decision be set aside and a patent be granted on the basis of claims 1 to 7 filed during the oral proceedings at 11:37 (annex 2).

After due deliberation, the board's decision was announced at the end of the oral proceedings.

VI. Claim 1 of the appellant's request reads as follows:

"A computer-implemented method for sharing media between multiple home networks, each of the networks including content rendering and storing devices, each of the networks being managed by a single home network manager device, wherein each home network is a local area network, the method comprising:

transmitting discovery requests from first and second home network manager devices (206) that respectively manage a first home network (202a) and a second home network (202b), wherein the discovery requests are transmitted by accessing devices within the respective home network to determine content rendering devices and content storing devices within the respective home network;

receiving, at the first and second home network manager devices (206) from multiple content rendering devices and content storing devices on the respective home network (202) and based on the discovery requests, data identifying content of and identifying, and listing capabilities of, the content rendering devices and content storing devices on the respective home network (202);

updating respective presence tables (114,222) of each home network manager device (206) using the data;

receiving (302,444), at a home network community server (412) and from the first (206a) and second (206b) home network manager devices:

- the respective presence table (114,222), which indexes content globally stored on the respective home network (206) by identifying the existence of the content and listing capabilities of the devices storing the content, and

- policy information identifying users who are authorized to access the respective home network (202);

receiving (304, 448), at the home network community server (412), a message from a user of the second home network (202b) requesting that particular content be provided from the first home network (202a);

determining (306, 450, 562), at the home network community server (412), based on the presence table (114,222) of the first home network (206a), that the particular content is stored on the first home network (202a);

determining (308), at the home network community server (412), based on the policy information of the first home network (202a), that the user is authorized to access the particular content on the first home network (202a);

identifying, using a device functionality module (210b) of the second home network (202b), a particular content

rendering device (104) capable of rendering the particular content;

determining (310), at the home network community server (412), based on the policy information of the second home network (202b), that the user is authorized to access the particular content rendering device (104) of the second home network (202b);

depending on a digital format of the particular content needed by the particular content rendering device (104), transcoding (456, 568), by the first home network manager device (206a), the particular content to match a listed capability of the particular content rendering device (104); and

providing (312) the particular content from a content storing device (104) of the first home network (202a) to the particular content rendering device (104) of the second home network (202b) based on determining that the particular content is stored on the first home network (202a), that the user is authorized to access the particular content, and that the user is authorized to access the particular content rendering device (104) of the second home network (202b), wherein the providing (312) comprises sending the particular content from the first home network manager device (206a) to the home network community server (412) before rendering the particular content on the particular content rendering device (104);

wherein the content rendering devices and content storing devices in the first home network (202a) comprise:

a digital movie player; and an iPod;

wherein the content rendering devices and content storing devices in the second home network (202b) comprise a DVD player and an iPod."

## **Reasons for the Decision**

### 1. *Article 113(1) EPC*

At the oral proceedings, following a discussion of the matter with the appellant, the board raised a further objection under Article 123(2) EPC in respect of claim 1. The objection, which was of fairly limited scope, was fully discussed with the appellant, who then three times requested a break and sufficient time to present an amended request in an effort to overcome the objection. The board granted the request on each occasion (see the requests filed as annexes 2, 3 and 4 referred to in the minutes of the oral proceedings). All newly submitted requests were discussed in respect of compliance with Article 123(2) EPC. The board used its discretion to admit the request in accordance with annex 2 to the proceedings (Article 13(1) RPBA). All other requests were withdrawn. The appellant's right to be heard has therefore been respected.

### 2. *General technical considerations*

The present application concerns a system for sharing media between multiple [in-]home networks. Each home network includes a "home network manager device" which, by means of discovery requests, learns of the capabilities and content of content storage devices and content rendering devices in its own home network. This content and capabilities data is stored in a presence



table in the home network. The system further comprises a "home network community server" which essentially acts as an intermediary node between the multiple home networks enabling media data to be shared. To this end, the presence table of each network is uploaded to the home network community server. When a user of a second home network wishes to view media content stored on a first network, a message is sent to the home network community server requesting the content. The media is then transmitted from a storage device of the first home network to a content rendering device of the second home network.

3. *Claim 1 - Article 123(2) EPC*

3.1 Claim 1 includes, inter alia, the following two method steps:

A: "receiving (304, 448), at the home network community server (412), a message from a user of the second home network (202b) requesting that particular content be provided from the first home network (202a)".

B: "identifying, using a device functionality module (210b) of the second home network (202b), a particular content rendering device (104) capable of rendering the particular content".

3.2 The board pointed out that in claim 1 as originally filed, step A included the further limitation that the message requests that content be provided "to a particular content rendering device ... of the second home network", and that consequently this feature had been broadened, apparently constituting an intermediate generalisation.

3.3 The appellant argued that in view of feature B which had been added to claim 1 during prosecution, by which the second network itself later identified a particular content rendering device, it was clear that there was no need for this additional limitation in feature A.

3.4 In this light, the board examined whether the sequence of steps A and B, and their relation to the other claimed steps of claim 1 in which these steps are embedded, was directly and unambiguously derivable from the application as filed.

3.5 The board notes firstly that feature B is inserted in the claim between the two method steps of determining that the user is authorised (see point VI above, tenth and twelfth clauses, "determining (308) ... the user is authorized ..." and "determining (310) ... the user is authorized ..."), whereas in claim 1 as originally filed, these determining steps directly followed each other (sixth and seventh clauses).

3.6 As regards feature B, the appellant drew attention to two relevant passages of the description said to be basis for this feature (referring to the application as published): firstly, paragraph [0059], and secondly, paragraphs [0092] and [0093] (the latter passage being based on Fig. 5).

3.7 Paragraph [0059] reads as follows:

"The device functionality module 210a can provide functionality information (e.g., capabilities to play and/or store certain types of media) for all devices within a home network. For example, if a movie is selected by the user for play within the home network A 202a, the device functionality module 210a can be used

to identify devices that are functionally capable of playing (or rendering) the movie, and which devices may be able to store the movie."

3.8 This passage however merely reflects the functionality of the "device functionality module", but does not disclose where and how, in a method for sharing media, this identification step would be carried out.

3.9 Paragraphs [0092] and [0093] read as follows (board's underlining):

"Upon receipt of the list of movies, Jane may select a particular movie to watch. In response, the home network controller 518 may prepare for Jane's movie watching by determining if a rendering device capable of playing Jane's selected movie is available. As a result, the home network controller 518 may formulate and send a renderer availability request B 554 for home network B to the home network community server 512. In response, the home network community server 512 may provide an available renderers list 556." and

"Upon the receipt of the available renderers list 556, the user may use an interface to select a renderer and send a play request 558 to play the selected media content (e.g., one of Bob's movies stored on home network 502) on a selected renderer in the home network 506. Upon receipt of the request 558, the home network community server 512 may prepare to receive and play (560) the media content, such as by initiating a device in Jane's home network B 506 that is capable of displaying the movie."

3.10 This disclosure is on the one hand more detailed than feature B and requires several more steps, meaning that

feature B is an unallowable intermediate generalisation of this disclosure, and on the other hand (see also Fig. 5) feature B is not disclosed here as being inserted between two steps for determining that the user is authorised (cf. steps 308 and 310 of claim 1). In fact, Fig. 5 includes neither of the steps 308 and 310.

3.11 It follows that there is no direct and unambiguous disclosure of a method comprising the sequence of steps A and B embedded with the other steps of the claimed method. The board therefore concludes that claim 1 does not comply with Article 123(2) EPC.

#### 4. *Conclusion*

As there is no allowable request, the appeal must be dismissed.

### **Order**

#### **For these reasons it is decided that:**

The appeal is dismissed.

The Registrar:

The Chairman:



G. Rauh

F. van der Voort

Decision electronically authenticated