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**Datasheet for the decision
of 2 July 2025**

Case Number: T 0512/24 - 3.5.05

Application Number: 21189478.7

Publication Number: 4132050

IPC: H04W12/08, H04W12/10

Language of the proceedings: EN

Title of invention:

Method for operating or for modifying the operation of a user equipment within or as part of a telecommunications network using a control plane functionality, user equipment, system or telecommunications network, authorization functionality, program and computer program product

Applicant:

Deutsche Telekom AG

Headword:

Modification of a user equipment's operation/DEUTSCHE TELEKOM

Relevant legal provisions:

EPC Art. 83

Keyword:

Sufficiency of disclosure - all claim requests (no)



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Chambres de recours

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Case Number: T 0512/24 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 2 July 2025

Appellant: Deutsche Telekom AG
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Representative: Schwöbel, Thilo K.
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 2 January 2024
refusing European patent application
No. 21189478.7 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair K. Bengi-Akyürek
Members: K. Schenkel
C. Heath

Summary of Facts and Submissions

I. The appeal is against the decision of the examining division to refuse the present European patent application on the ground that all claim requests on file did not comply with Article 83 EPC.

II. Oral proceedings were held before the board on 2 July 2025.

The appellant's final requests were that the appealed decision be set aside and that a patent be granted on the basis of the **first to third auxiliary requests**, all claim requests corresponding to the requests underlying the appealed decision. The main request was withdrawn during the oral proceedings before the board.

At the end of the oral proceedings, the board's decision was announced.

III. Claim 1 of the **first auxiliary request** reads as follows (board's labelling):

(a) "Method for operating or for modifying the operation of a user equipment (20) within or as part of a telecommunications network (100), wherein the operation or the modification of the operation of the user equipment (20) is conducted using a control plane functionality,

(b) wherein the telecommunications network (100) comprises or is associated or assigned to an access network (110) and to a core network (120), wherein the core network (120) provides the user equipment (20) with data connectivity towards a data network (130),

- (c) wherein the user equipment (20) comprises or provides a parameter-related functionality (25) for operating or for modifying the operation of the user equipment (20) upon a request by a requesting entity or a requesting network node (190) external to the user equipment (20), wherein the requesting entity or the requesting network node (190) is part of the access network (110) or of the core network (120),
- (d) wherein the parameter-related functionality (25) is related or corresponds to a control plane functionality, and wherein the parameter-related functionality (25), as a control plane functionality or related therewith, communicates with or is accessible to a control plane network element of the telecommunications network (100), via a control plane channel,
- (e) wherein the telecommunications network (100) comprises or is assigned to or is able to access an authorization functionality (170), the authorization functionality (170) being able to provide authorization information regarding or related to the parameter-related functionality (25) of the user equipment (20), wherein, in order to operate or to modify the operation of the user equipment (20), the method comprises the following steps:
 - (f) -- in a first step, the user equipment (20) receives, from the authorization functionality (170), at least one piece of authorization information (280), and the user equipment (20) receives, from the requesting entity or the requesting network node (190), an authorization request message (290), wherein the piece of authorization information (280) comprises a token information, wherein the token information

- or the token information in modified form is also part of the authorization request message (290),
- (g) -- in a second step, the user equipment (20) determines whether the authorization request (290) is valid, and if this is the case, processes the received authorization request message (290) according to its content,
 - (h) -- in a third step preceding the first step, the requesting entity or the requesting network node (190) transmits an initial authorization request message (270) to the authorization functionality (170), wherein the initial authorization request message (270) comprises a request content, wherein the transmission of the initial authorization request message (270) to the authorization functionality (170) causes the authorization functionality (170) to transmit the at least one piece of authorization information (280) to the user equipment (20) and to transmit further authorization information (281) to the requesting entity or the requesting network node (190)."

IV. Claim 1 of the **second auxiliary request** differs from claim 1 of the first auxiliary request in that the wording of feature (f) now reads as follows (board's labelling and underlining of added text):

- (f') "-- in a first step, the user equipment (20) receives, from the authorization functionality (170), at least one piece of authorization information (280), and the user equipment (20) receives, from the requesting entity or the requesting network node (190), an authorization request message (290), wherein the piece of authorization information (280) comprises a

token information, wherein the token information or the token information in modified form is also part of the authorization request message (290), wherein the authorization information (280) and/or the authorization request message (290) comprise additional condition information, the condition information comprising an indication regarding the validity and/or regarding the applicability of the authorization request message (290) with regard to a specific time period and/or a specific geographical area,".

- V. Claim 1 of the **third auxiliary request** differs from claim 1 of the second auxiliary request in that the wording of feature (e) now reads as follows (board's labelling and underlining of added text):

(e') "wherein the telecommunications network (100) is able to access an authorization functionality (170) of a further telecommunications network, wherein the further telecommunications network is a home network of the user equipment (20) and the authorization functionality (170) is able to provide authorization information regarding or related to the parameter-related functionality (25) of the user equipment (20), wherein, in order to operate or to modify the operation of the user equipment (20), the method comprises the following steps:".

Reasons for the Decision

1. Background of the invention

The present invention relates to the operation or the modification of the operation of a user equipment (UE) by means of a "parameter-related functionality" upon a request from a requesting entity. Further, the parameter-related functionality is related to the "control plane functionality" and to the "authorization information". The requesting entity, by means of the "initial authorization request message" causes the "authorization functionality" to send a piece of authorisation information to the UE and a further authorisation information to the requesting entity. The UE receives the authorisation information from the authorisation functionality and an authorisation request message from the requesting entity, determines whether the authorisation request is valid and then processes the authorisation request message accordingly.

2. First to third auxiliary requests - sufficiency of disclosure (Article 83 EPC)

2.1 The appealed decision correctly pointed out that the disclosure of the invention has to allow the skilled person to put it into practice over the whole scope claimed.

In this respect, the board notes that the UE determines the validity of the "authorization request" without taking into account further information (see **feature (g)**). The present application describes that, in a *sixth* step, the "requesting entity" sends to the

"UE 20" a message including at least in part the "authorization information 280" which has also been sent by the "authorization functionality 170" (see paragraphs [0056] to [0062] of the description as originally filed). In the following *seventh* step, however, it is not further specified how the "UE 20" actually evaluates the "authorization request message" or determines its validity. The skilled person would thus not know what criteria to apply and thus would not be enabled to put this evaluation into practice. This is even aggravated by the fact that, in present claim 1, the messages sent to the "UE" from the "requesting entity" and the "authorization functionality", i.e. the "authorization request message" and the "authorization information", are not specified to include a common piece of information for comparison.

- 2.2 The appellant argued that the present description relating to Figure 3 described that a "token" is used as a proof of authorisation and that the UE compares, in step 207, the "token" received from the "requesting node" with the information received from the "authorization functionality" (see page 3 of the statement of grounds of appeal).

The board disagrees: The description does not describe such a comparison, nor is claim 1 limited to cases in which the "requesting node" includes within the piece of information sent to the UE information ("token") received from the "authorization functionality".

- 2.3 Referring to this flow chart of Figure 3, the appellant argued that this process was like any other known login process in which some access information was provided and a password was required for access (for example to

a website). If both informations were available, the password could subsequently be validated. In the case at hand, the UE received a first information and, in the seventh step 207, the "token" as access information. The token information was included in both, the information sent by the authorisation functionality and the one sent by the requesting entity. With these two pieces of information, the UE could then validate the access information, i.e. the authorisation request. In this way, the requesting entity borrowed the authority from the authentication functionality. The UE knew that it was not permitted to change a parameter if both tokens received were not the same.

The board is not convinced: **Feature (g)** provides no further details as to the validation and thus also includes the case that the authorisation request is validated on its own merits. The application does likewise not provide any teaching how to do the validation in this case. Nor does the application provide any details on how to generate the authorisation information in a way known to the UE which thus could allow the UE to actually verify it. Claim 1 includes the transmission of the two pieces of information to the UE but indicates only for one of them what is to be done therewith, namely the *validation* of the authorisation request. On the other hand, the description, when referring to the *validation* of the authorisation information received from the requesting entity, does not disclose that the information received from the authorisation functionality is used, let alone how it is used.

2.4 The board further agrees with the examining division that the broad wording of claim 1 contributes further

to the objection as to insufficiency of disclosure (see Reasons 2.2). This is because the wording with all the inherent alternatives (due to the chain of "or" sequences) creates a myriad of quite different scenarios for some of which no example is given how to put them into practice. **Feature (b)**, for example, includes the alternative that the "telecommunication network" is only "associated" or "assigned" to the "access network" and the "core network" and thus a *separate* third network. The "requesting entity" in this case may be part of the "access network" or the "core network" but not of the "telecommunication network" which is however the network including the "control plane network element" related to the "parameter-related functionality" of the UE (see **features (c) and (d)**). There is however no teaching as to how the "requesting entity" within the "access network" or the "core network" can access a "control plane functionality" of the *associated* or *assigned* "telecommunications network". There is also no example given of how or where to implement the "authorization functionality" in all of the possible alternatives since it is not necessarily part of any component, but may only be assigned to or accessible by the "telecommunications network" (see **feature (e)** of the first and second auxiliary requests).

- 2.5 In view of the above, all claim requests on file are not allowable under Article 83 EPC.

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

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chair:



B. Brückner

K. Bengi-Akyürek

Decision electronically authenticated