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Datasheet for the decision of 27 March 2026

Case Number: T 0127/25 - 3.5.04

Application Number: 21190450.3

Publication Number: 4135334

IPC: H04N21/258, H04N21/475, G06F21/31

Language of the proceedings: EN

Title of invention:
METHOD AND SYSTEM FOR A CROSS MEDIA USER AUTHENTICATION

Applicant:
Deutsche Telekom AG

Headword:

Relevant legal provisions:
EPC Art. 84, 56

Keyword:
Claims - clarity (yes)
Inventive step - (no)
Determination of the closest prior art

Decisions cited:

Catchword:

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Boards of Appeal

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Case Number: T 0127/25 - 3.5.04

D E C I S I O N
of Technical Board of Appeal 3.5.04
of 27 March 2026

Appellant: (Applicant)	Deutsche Telekom AG Friedrich-Ebert-Allee 140 53113 Bonn (DE)
Representative:	RDL Patentanwälte PartG mbB Senefelderstrasse 26 70176 Stuttgart (DE)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted/electronically transmitted on 24 October 2024 refusing European patent application No. 21190450.3 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair	W. Ungler
Members:	M. Paci
	B. Le Guen

Summary of Facts and Submissions

I. The appeal is against the examining division's decision refusing European patent application No. 21 190 450.3, published as European patent application No. 4 135 334 A1.

II. In the decision under appeal, the examining division cited the following documents.

D1: US 2021/0211421 A1
D2: US 2012/0330769 A1
D3: US 2020/0169552 A1
D4: US 2015/0095933 A1
D5: US 2004/0047599 A1

III. The decision under appeal was based on the following grounds.

- Claim 1 of **the sole request then on file** did not meet the requirement of clarity of Article 84 EPC.
- The subject-matter of **claim 1** of **the sole request then on file** did not involve an inventive step (Article 56 EPC) in view of prior-art document D1 and the skilled person's common general knowledge, with prior-art documents D3 and D4 cited as evidence of this common general knowledge.

IV. The applicant (appellant) filed notice of appeal. In its statement of grounds of appeal, the appellant requested that the appealed decision be set aside and that a patent be granted on the basis of the claims of the sole request underlying the decision under appeal.

V. The appellant was summoned to oral proceedings. In a communication under Article 15(1) RPBA, the board gave the following preliminary opinion.

- Claims 1 and 15 of the sole request met the requirement of clarity of Article 84 EPC.
- The board doubted that the reasons given by the examining division sufficed to demonstrate that the skilled person would have arrived at the subject-matter of claim 1 in an obvious manner when starting from document D1.
- The subject-matter of claims 1 and 15 and of all the dependent claims of the sole request lacked an inventive step when starting from document D3 alone or in combination with common general knowledge (Article 56 EPC).
- The subject-matter of claims 1 and 15 and of all the dependent claims of the sole request lacked an inventive step when starting from document D4 in combination with either common general knowledge or document D3 (Article 56 EPC).

VI. In its reply dated 27 February 2026, the appellant rebutted the objections raised by the board.

VII. The board held oral proceedings on 27 March 2026.

The appellant's final requests were those stated under point IV. above.

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

VIII. Claim 1 of the appellant's sole request reads as follows (the labels F1 to F6 have been added by the board).

[F1] "A method for authenticating a user (3), wherein
[F2] - a communication device (10) is operated by the user (3) causing a television service (11) to transmit an authentication request (110) to an authentication system (13), the television service (11) providing a plurality of video streams to select from some of which may be subject to a payment for purchase or rent;
[F3] - the authentication system (13), upon receipt of the authentication request (110), generates a verification token (2) and transmits a verification request (130) comprising the generated verification token (2) and a timestamp (1300) to a television (12) of the user (3) connected to the television service (11);
[F4] - the television (12), upon receipt of the verification request (130), displays the verification token (2) on a screen (120) of the television (12);
[F5] - the communication device (10) receives a token (4) input by the user (3) causing the received token (4) to be transmitted to the authentication system (13);
[F6] - the authentication system (13), upon receipt of the transmitted token (4), successfully authenticates the user (3) when the received token (4) matches the transmitted verification token (2) and transmits an authentication confirmation to the television service (11)."

Reasons for the Decision

1. The appeal is admissible.

Sole request - clarity (Article 84 EPC)

2. The examining division held that claim 1 did not meet the requirement of clarity of Article 84 EPC for the following reasons.

> "*It is unclear what technically a 'television service' is in claim 1.*
> *The technical limitation implied by the adjective 'television' cannot be determined by someone trying to determine the scope of protection.*
> *The only limitation the Examining Division understands from the claim's wording is that it is a 'service' involving pay video.*
> *The applicant argued that television services are known and already used by a large plurality of users, hence, are widely available which implies a skilled person to know the technical details of implementation or the technical details of implementation to be at least accessible to a skilled person.*
> *It is understood from the explanation of the applicant, the figures and the description that a 'television service' is* [an] *infrastructure (with no technical detail) to provide pay video on demand that could be partially implemented in any device of D1 fig. 1.*
> *Claim 1 is considered unclear because it does not define how this service is implemented, what are its limits compared to the authentication service from example.*"

3. The appellant's arguments may be summarised as follows.

The invention set out in claim 1 started from an existing television service of the kind widely known in practice (e.g. Netflix). The claim only required that this service could (i) provide a plurality of video streams, some of which may be subject to a payment for purchase or rent, and (ii) send an authentication request to the authentication system and receive an authentication confirmation from the authentication system.

The internal implementation of the television service, authentication system, television and communication device was deliberately not specified because the skilled person knew how to implement such components. What mattered was that their roles and data exchanges were clearly defined in claim 1.

The distinction between the "*television service*" and the "*authentication system*" was clear from their different functions in the method, so there was no ambiguity or unclear boundary between them.

Hence, claim 1 might be broad, but it was clear.

4. The board concurs with the appellant that the examining division's objections are not persuasive for the reasons set out below.

Claim 1 defines the "*television service*" as "*providing a plurality of video streams to select from some of which may be subject to a payment for purchase or rent*".

This functional definition is clear.

The examining division reasoned that claim 1 should also define how the television service is implemented.

The board disagrees with this reason because, as argued by the appellant, the implementation of the television service is not essential to the invention. Indeed, the invention of claim 1 concerns how the "*television service*" interacts with the "*authentication system*", the "*communication device*" and the "*television*". These terms have a broad meaning, but they do not lack clarity. The internal implementation of the television service is not relevant to the authentication problem that the method of claim 1 solves. In other words, the internal implementation of the television service is not a missing essential feature.

As to the second reason given by the examining division, namely that claim 1 is unclear because it does not define the limit between the television service and the authentication system, the board does not find it persuasive either. Indeed, the television service and authentication system of claim 1 are two clearly distinct functional entities which communicate via messages ("*authentication request*" and "*authentication confirmation*").

5. Conclusion on clarity

For the above reasons, the board is satisfied that claim 1 of the sole request meets the requirement of clarity of Article 84 EPC. In the board's view, the same conclusion applies to the system of claim 15.

Sole request - inventive step (Articles 52(1) and 56 EPC) starting from document D1

6. The examining division held that the subject-matter of claim 1 did not involve an inventive step in view of prior-art document D1 in combination with the skilled person's common general knowledge (on how to provide video on demand), with prior-art documents D3 and D4 cited as evidence of this common general knowledge.

7. Closest prior art

7.1 The examining division held document D1 to be the closest prior art for the subject-matter of claim 1 (see first sentence on page 3 of the impugned decision).

7.2 The appellant concurred that document D1 was the closest prior art among prior-art documents D1 to D5 (see the fourth paragraph in section 3 on page 5 of the statement of grounds of appeal).

7.3 For the reasons set out below, the board considers that prior-art document D1 is less relevant to the subject-matter of claim 1 than prior-art documents D3 and D4 and that the closest prior art is not document D1 but either document D3 or document D4.

7.3.1 It is established case law of the boards that the closest prior art for assessing inventive step is normally a prior-art document disclosing subject-matter conceived for the same purpose or aiming at the same objective as the claimed invention and having the most relevant technical features in common, i.e. requiring the minimum of structural modifications. A further criterion for the selection of the most promising

starting point is the similarity of the technical problem (see Case Law of the Boards of Appeal of the European Patent Office, 11th edn. 2025 (Case Law), I.D. 3.1).

7.3.2 The general technical problem addressed by the method of claim 1 may be summarised as how to enable user authentication of a television for access to a television service in a networked system while minimising input requirements on the television because inputting data with the remote control of a television is cumbersome (see second and fourth full paragraphs on page 2 of the description of the application as filed).

Document D1, in contrast to document D3 (see paragraphs [0010] and [0012]) and document D4 (see paragraphs [0067] and [0073]), does not have the same purpose as the subject-matter of claim 1 of avoiding cumbersome use of a remote control for inputting information on a television.

In fact, document D1 does not even mention a television.

The examining division held that the client device 106 of document D1 could be called a television because it had a display.

The board notes that according to paragraph [0030] of D1, the client device 106 can be a personal computer, a mobile computing device or another device with similar capabilities and can have a display.

In the board's view, even if client device 106 were regarded as a "*television*" because films could be watched on its display, this television would have a

keyboard, not a remote control, as the user interface. Hence, it would still not be concerned with the problem of minimising input requirements on the television.

7.3.3 Document D1 is not the prior art having the most relevant technical features in common either, i.e. the prior art requiring the minimum of structural modifications.

The examining division held that the "*television*" and "*communication device*" of claim 1 corresponded to the communication device 106 and the voice assistant device 107, respectively, in document D1.

As pointed out by the appellant in the statement of grounds of appeal but not accepted by the examining division, the method of claim 1 seeks to authenticate the television for the user, whereas the method of document D1 seeks to authenticate the voice assistant device 107 for the user (see paragraph [0072]). However, the voice assistant device 107 of D1 corresponds to the "*communication device*" in claim 1, not to the "*television*".

Hence, there are more differences between the method of claim 1 and the method of document D1 than acknowledged by the examining division.

7.3.4 For the above reasons, the board considers that document D1 is a less suitable starting point than document D3 or document D4, and it is not convinced that the reasons given by the examining division, which did not acknowledge all the distinguishing features, suffice to demonstrate that the skilled person would have arrived at the subject-matter of claim 1 in an obvious manner when starting from document D1.

Sole request - inventive step (Articles 52(1) and 56 EPC) starting from document D4

8. Disclosure of document D4

Document D4 discloses a method for authenticating a Smart TV (110 in Figure 1) with a backend server (120) via the internet, which comprises, *inter alia*, the following steps.

- A user device (114 in Figure 1), such as a smartphone, tablet or laptop computer, detects a television ("*TV*" 110 in Figure 1) by a local discovery procedure over a local network, such as a home Wi-Fi network (130 in Figure 1) (see paragraphs [0022] to [0027] and [0054]).
- The user device is operated by the user to instigate a sequence for authenticating the TV by transmitting a control message (418 in Figure 4A) to the TV over the local network (see paragraph [0063]). This control message causes the TV to transmit a request for authentication ("*request for a unique code*" 420 in Figure 4A and paragraph [0064]) to a backend server (120 in Figure 1) over the internet.
- The backend server transmits a unique code (422 in Figure 4A) to the TV over the internet (see paragraph [0064]).
- The TV displays the code (see 424 in Figure 4A, Figure 5 and paragraph [0064]).
- The user reads the code on the TV and inputs it to the user device (see 426 in Figure 4A, Figure 5 and paragraph [0065]).
- The user device transmits the code to the backend server via the internet (428 in Figure 4A and paragraph [0071]).

- The server verifies whether the codes match. If they do, the server stores the unique identifier of the TV in association with the user account (see paragraph [0071]) and transmits an "*authentication message*" (432 in Figure 4A) to the TV over the internet to log in the user on the TV using the user account(see paragraph [0072]).

9. Distinguishing features

9.1 The board considers that prior-art document D4 discloses the following features of claim 1.

[F1] A method for authenticating a user, wherein
[F2] - a communication device **[user device 114 in Figure 1]** is operated by the user **[see "in response to receipt thereof" in paragraph [0063]]** ~~causing a television service~~ **[there is no disclosure in document D4 that the authentication request passes through a "television service providing a plurality of video streams to select from some of which may be subject to a payment for purchase or rent"]** to transmit an authentication request **[see "request for a unique code" 420 in Figure 4A and paragraph [0064]]** to an authentication system **[backend server 120 in Figure 1, see paragraph [0064] and Figure 4A]**, the television service providing a plurality of video streams to select from some of which may be subject to a payment for purchase or rent **[see the television service providing on-demand television in the last sentence of paragraph [0039], also mentioned in paragraphs [0005] and [0016]]**;
[F3] - the authentication system, upon receipt of the authentication request, generates a verification token **[see code 422 in Figure 4A and paragraph [0064]]** and transmits a verification request **[422 in Figure 4A]**

comprising the generated verification token ~~and a timestamp~~ **[D4 does <u>not</u> disclose a timestamp]** to a television of the user connected to the television service **[see paragraph [0064] and last sentence of paragraph [0039]]**;
[F4] - the television, upon receipt of the verification request, displays the verification token on a screen of the television **[see 424 in Figure 4A, Figure 5 and paragraph [0064]]**;
[F5] - the communication device receives a token input by the user causing the received token to be transmitted to the authentication system **[see 426 in Figure 4A, Figure 5 and paragraph [0065]]**;
[F6] - the authentication system, upon receipt of the transmitted token, successfully authenticates the user when the received token matches the transmitted verification token **[see paragraph [0071]]** ~~and transmits an authentication confirmation to the television service~~.

9.2 In other words, in the board's view, the distinguishing features of claim 1 when starting from document D4 may be summarised as follows.

(A) The authentication request in feature F2 is transmitted via a television service.
(B) A timestamp is transmitted from the authentication system to the television.
(C) An authentication confirmation is sent by the authentication system to the television service.

9.3 The appellant essentially argued as follows regarding the distinguishing features.

(a) Since claim 1 concerned a method, method steps F2, F3 and F6 as a whole, rather than in part, should be regarded as distinguishing features.

(b) The feature "*connected to the television service*" in feature F3 was not disclosed in document D4.

9.4 The board does not find the appellant's arguments persuasive for the following reasons.

Each of method steps F2, F3 and F6 comprises a number of features, some disclosed in document D4, some not.

The board thus sees no reason to consider method steps F2, F3 and F6 as a whole as distinguishing features.

Hence argument (a) must fail.

The feature "*a television (12) of the user (3) connected to the television service (11)*" in feature F3 is broad. It does not imply that the television is already authenticated with or logged in to the television service. In the board's view, it is anticipated by the disclosure in the last sentence of paragraph [0039] of document D4, which states that the television may receive on-demand television programmes via a connection operated by a television service provider.

10. Objective technical problem

10.1 In the board's view, the method of claim 1 essentially solves the same general technical problem (see second and fourth full paragraphs on page 2 of the description of the application as filed) as the method of document D4 (see paragraphs [0067] and [0073]), namely how to

enable user authentication of a television for access to a television service in a networked system while minimising input requirements on the television.

Since distinguishing features (A) to (C) above essentially provide an alternative way of solving the above problem, the board formulates the objective technical problem, without a pointer to the solution, as **how to find an alternative way of enabling user authentication of a television for access to a television service in a networked system while minimising input requirements on the television**.

10.2 The appellant submitted that distinguishing features (A) and (C) solved the partial objective technical problem of how "*to modify the method of document D4 such that the user is comfortably and securely authenticated by the television service*" and that distinguishing feature (B) solved the partial objective technical problem of how "*to modify the method of document D4 such that the security of the authentication is increased*".

10.3 The board regards the appellant's formulation of the partial objective technical problem for distinguishing features (A) and (C) as a formulation which contains a pointer to the solution in that it states that the authentication is to be carried out by the television service (see Case Law, I.D.4.2.1). The board has no issue with the partial objective technical problem proposed by the appellant for distinguishing feature (B).

For the above reasons, the board maintains that the objective technical problem should be formulated as **how to find an alternative way of enabling user**

authentication of a television for access to a television service in a networked system while minimising input requirements on the television.

11. Obviousness

In the board's view, distinguishing features (A) to (C) would have been obvious to the skilled person for the reasons set out below.

Features (A) and (C)

In document D4, like in claim 1, the authentication request for a user at the user's television is initiated from a communication device (user device 114 in D4) and transmitted to an authentication system (server 120 in D4) (see 418 in Figure 4A).

In document D4, a video-on-demand television service requires authentication of the user (see the last sentence of paragraph [0039] as well as paragraphs [0005] and [0016]). In the board's view, it would have been obvious to the skilled person to allow the video-on-demand television service of document D4 to pass on the authentication request to the authentication system when an unauthenticated user accessed the television service, thereby arriving at feature (A) without inventive activity.

The appellant argued that the method of claim 1 concerned a different use case because the authentication was specific to the television service, whereas in document D4 it was a more general authentication.

The board does not find this argument persuasive because claim 1 does not limit the authentication to the television service. The television service merely relays the authentication request from the communication device to the authentication system. There is no feature in claim 1 which makes the authentication specific to the television service.

The appellant also argued that the skilled person would not be looking for alternative solutions because the solution of document D4 was already sufficiently good.

The board cannot agree with this generic argument because the skilled person would always be looking for alternative solutions.

Finally, since the television service must be informed of the result of the authentication, it would have been obvious for the skilled person to allow the authentication system to provide this information. The skilled person would thus have arrived at feature (C) without inventive activity.

Feature (B)

It was common general knowledge before the filing date of the application that, for security reasons, a verification token/code should have a time-limited validity. Hence, feature (B) would have been an obvious measure for the skilled person for this reason alone.

Moreover, feature (B) would also have been obvious from the teaching in document D3 that such a verification token/code in a similar context should have a time-limited validity (see, in paragraph [0032], a generated "*time window*" associated with an authentication code).

The appellant argued that document D3 and the common general knowledge suggested the time-limited validity but not its transmission to the television.

The board does not find this argument persuasive because it would have been obvious to display the validity duration (timestamp in claim 1) on the television together with the verification token.

For the sake of completeness, the board also notes that if the board had accepted the appellant's formulation of the objective technical problem(s) (see point 10.2 above), the conclusion on inventive step would have been the same for the reasons given in this point 11.

12. Conclusion on inventive step when starting from document D4

For the above reasons, the board considers that the method of claim 1 does not involve an inventive step when starting from document D4 in combination with either common general knowledge or document D3.

Conclusion on the sole request

13. Since the subject-matter of claim 1 does not involve an inventive step (Articles 52(1) and 56 EPC), the appellant's sole request is not allowable.

Conclusion on the appeal

14. Since the appellant's sole request is not allowable, the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chair:

I. Aperribay W. Ungler

Decision electronically authenticated