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**Datasheet for the decision
of 5 September 2025**

Case Number: T 0437/25 - 3.5.07

Application Number: 19721496.8

Publication Number: 3824399

IPC: G06F16/28

Language of the proceedings: EN

Title of invention:

System and method for real time data aggregation in a virtual cube in a multidimensional database environment

Applicant:

Oracle International Corporation

Headword:

Real-time data aggregation/ORACLE

Relevant legal provisions:

EPC Art. 111(1), 123(2)

EPC R. 103(4)(c)

Keyword:

Amendments - added subject-matter (no)



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Case Number: T 0437/25 - 3.5.07

D E C I S I O N
of Technical Board of Appeal 3.5.07
of 5 September 2025

Appellant: Oracle International Corporation
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Representative: D Young & Co LLP
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 11 October 2024
refusing European patent application
No. 19721496.8 pursuant to Article 97(2) EPC**

Composition of the Board:

Chair P. San-Bento Furtado
Members: R. de Man
E. Mille

Summary of Facts and Submissions

- I. The applicant appealed against the decision of the examining division refusing European patent application No. 19721496.8, which was published as international publication WO 2020/018162.
- II. The examining division decided that the main request and the first auxiliary request did not comply with Articles 84 and 123(2) EPC and that the second auxiliary request did not comply with Article 123(2) EPC.
- III. With its statement of grounds of appeal, the appellant filed, as its sole main request, a set of application documents corresponding to the second auxiliary request considered in the contested decision. It requested that the decision under appeal be set aside and that a patent be granted on the basis of the main request.
- IV. In a communication accompanying the summons to oral proceedings, issued on 2 July 2025, the board indicated that it intended to set aside the decision under appeal and to remit the case to the examining division for further prosecution.
- V. In a letter dated and received on 1 August 2025, the appellant withdrew its request for oral proceedings.
- VI. The board cancelled the oral proceedings.
- VII. Claim 1 of the main request reads as follows:

"A system for real time data aggregation in a virtual cube in a multidimensional database, comprising:

a computer that includes one or more microprocessors;

a multidimensional database server executing on the computer;

a plurality of partitioned multidimensional cubes of the multidimensional database server, wherein each of the plurality of partitioned multidimensional cubes is associated with a data attribute;

a transparent partition of the multidimensional database server, wherein the transparent partition resides on top of the plurality of partitioned multidimensional cubes;

a data source associated with the plurality of partitioned multidimensional cubes;

at least one source of real-time data accessible by the data source and comprising a big data source, wherein the big data source comprises a plurality of source data aggregators;

wherein the plurality of partitioned multidimensional cubes are configured to query the data source, the query comprising an identification of the at least one source of real-time data;

wherein the data source is configured to provide the plurality of partitioned multidimensional cubes with on-demand access to at least one of the plurality of source data aggregators of the at least one source of real-time data;

wherein the plurality of partitioned multidimensional cubes are configured to use data from the at least one source of real-time data and targeted in the query for one or more dynamic computations without storing the data after use; and

wherein the transparent partition is configured to access data resulting from the one or more dynamic computations."

Reasons for the Decision

1. The application relates to data warehousing.
2. *The contested decision*
 - 2.1 In its decision in respect of the then second auxiliary request (now the sole request main request), the examining division objected that the feature of claim 1 "wherein the plurality of partitioned multi-dimensional cubes are configured to use data from the at least one source of real-time data and targeted in the query for one or more dynamic computations without storing the data after use" (underlining by the board) was not directly and unambiguously derivable from the application as filed.
 - 2.2 The subject-matter of claim 1 is based on the embodiment shown in Figure 8 and described in paragraphs [00080] to [00089] of the published application. The examining division essentially argued that it was not unambiguously derivable from these passages that the partitioned multidimensional cubes 810, 811, 812 and 813, which according to paragraph [00083] dynamically fetched data, operated in accordance with paragraphs [00057] to [00061].
 - 2.3 In the board's view, the skilled person reading paragraphs [00083] and [00084] understands that the expressions "dynamically fetching data" and "access the data in real time (as described above)" refer to the section "Real Time Data Aggregation in a Virtual Cube", which corresponds to paragraphs [00047] to [00079]. This section describes a number of variations, corresponding to Figures 2 to 6.

The skilled person further understands from the application that "dynamically fetching data" as mentioned in paragraph [00083] can be carried out in accordance with each of the variations that involve fetching data on demand and in particular in accordance with the variation shown in Figure 4 and described in paragraphs [00057] to [00061].

This is confirmed by paragraph [00088], which states that, in an embodiment, real-time data aggregation provides for "zero footprint", which is otherwise only mentioned in paragraph [00060] as part of the variation described in paragraphs [00057] to [00061] and in paragraph [00062]. Although paragraph [00062] refers to a variation in which fetched data is cached, and paragraph [00085] mentions "once the data is cached/calculated", in view of the application as a whole the skilled person does not read "cached/calculated" as a deliberate limitation to variations in which the data is cached but rather as an indication that such variations are also compatible with the embodiment of Figure 8.

2.4 Hence, in view of the disclosed combination of paragraphs [00080] to [00089] with paragraphs [00057] to [00061], the board agrees with the appellant that the added-matter objection raised in the contested decision is unjustified.

3. *Remittal*

3.1 In view of the above, the decision under appeal cannot be upheld.

3.2 However, compliance of the application with the requirements of novelty and inventive step, and possibly with further requirements of the EPC, is still to be assessed. The board therefore considers it to be appropriate to make use of its discretion under Article 111(1) EPC and to remit the case to the examining division for further prosecution.

3.3 Since the appellant withdrew its request for oral proceedings within one month of notification of the board's communication, and since no oral proceedings have taken place, the appeal fee is to be reimbursed at 25% (Rule 103(4)(c) EPC).

Order

For these reasons it is decided that:

1. The decision under appeal is set aside.
2. The case is remitted to the examining division for further prosecution.
3. The appeal fee is reimbursed at 25%.

The Registrar:

The Chair:



S. Lichtenvort

P. San-Bento Furtado

Decision electronically authenticated