

**Internal distribution code:**

- (A) [ - ] Publication in OJ
- (B) [ - ] To Chairmen and Members
- (C) [ - ] To Chairmen
- (D) [ X ] No distribution

**Datasheet for the decision  
of 10 March 2026**

**Case Number:** T 0185/26 - 3.5.05

**Application Number:** 22199533.5

**Publication Number:** 4184817

**IPC:** H04K3/00, G08B25/10

**Language of the proceedings:** EN

**Title of invention:**

System and method for triggering an alarm during a sensor jamming attack

**Applicant:**

Alarm.com Incorporated

**Headword:**

Sensor jamming attacks/ALARM

**Relevant legal provisions:**

EPC Art. 76(1), 111(1), 123(2)  
RPBA 2020 Art. 11

**Keywords:**

Added subject-matter - main request (no): no "functional relationship" and no unallowable generalisation  
Remittal to the examining division for further prosecution - (yes)

**Decisions cited:**

T 1051/20



**Beschwerdekammern**  
**Boards of Appeal**  
**Chambres de recours**

Boards of Appeal of the  
European Patent Office  
Richard-Reitzner-Allee 8  
85540 Haar  
GERMANY  
Tel. +49 (0)89 2399-0

Case Number: T 0185/26 - 3.5.05

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.05**  
**of 10 March 2026**

**Appellant:** Alarm.com Incorporated  
(Applicant) 8281 Greensboro Drive, Suite 100  
Tysons, VA 22102 (US)

**Representative:** Fish & Richardson P.C.  
Highlight Business Towers  
Mies-van-der-Rohe-Straße 8  
80807 München (DE)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 25 September  
2025 refusing European patent application  
No. 22199533.5 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chair** K. Bengi-Akyürek  
**Members:** P. Tabery  
F. Bostedt

## Summary of Facts and Submissions

- I. The examining division refused the present application on the grounds of Articles 76(1) and 123(2) EPC (main request and auxiliary requests 1 and 2, all having an identical set of claims; auxiliary requests 3 to 5, all having an identical set of claims) and Article 84 EPC (auxiliary requests 6 to 8, all having an identical set of claims). On the other hand, auxiliary request 9 was held to fulfil the requirements of the EPC.
- II. The appellant requested that the decision under appeal be set aside and that a European patent be granted based on the **main request** or, alternatively, based on one of the pending **seventeen auxiliary requests**. In addition, oral proceedings were requested in case the main request was considered not allowable by the board in the written proceedings.
- III. Claim 1 of the **main request** reads as follows (board's labelling):
- F1 "A connected-property monitoring system (200) that is configured to monitor a property (101), the monitoring system comprising:
- F2 sensor units (220) each including a sensor (221), wherein the sensor units are configured to
- F2.1 detect that the sensor is being jammed,
- F2.2 select an alternative form of communication that can be used to communicate to another device of the monitoring system that the sensor is being jammed, and

- F2.3 based on the detection that the sensor is being jammed, output an indication to the other device that the sensor is being jammed using the alternative form of communication; and
  
- F3 a control unit (210) as the other device, wherein the control unit is configured to
  - F3.1 receive the indications from the sensor units,
  - F3.2 determine, based on the received indications, that the sensors are being jammed,
  - F3.3 perform one or more operations in response to the determination that the sensors are being jammed; and
  - F3.4 only determine that the sensors are being jammed in response to a determination that more than a threshold amount of sensing units installed at the property are outputting indications that the respective sensor is being jammed."

### **Reasons for the Decision**

1. The present application concerns a connected-home monitoring system that includes one or more wireless sensing units. A trespasser may attempt to jam the communication between the wireless sensor and the control unit. According to the invention, in response to the detection of an RF jamming attack, the wireless sensor can use a different "form of communication" that is not being jammed by the RF jamming device to communicate.

2. Main request

2.1 Added subject-matter (Articles 76(1) and 123(2) EPC)

2.1.1 It is common ground that paragraphs [0076] and [0079] of the description as filed support the generalisation as to the wording "*outputting indications*", rather than using the more specific expression "*outputting audio tones*". On the other hand, the detection whether "*more than a threshold amount of sensing units [...] are outputting indications*" is always disclosed in combination with the use of "audio tones" (see claim 10 of the application as filed, and, for example, paragraphs [0037], [0051], [0069], [0084], [0101] of the application as filed).

2.1.2 The board concurs with the appellant that the skilled person will directly and unambiguously understand that the determination of the "threshold amount" is not strictly bound to the outputting of the specific type of indication. As is evident from paragraph [0023], the different "forms of communication" are disclosed as being equivalent alternatives. In particular, lines 12-16 of paragraph [0023] describes that the same aim ("trigger an alarm") may be achieved *irrespective of the used "form of communication"*:

"In some implementations, the different form of communication may be a non-RF, non-wired form of communication such as one or more audio tones. Alternatively, or in addition, the different form of communication may include an RF communication using a different range of frequencies than the first range of radio frequencies, the RF waves generated by the jamming device, or both. Alternatively, or in addition, the different form of communication may

include a wired form of communication such as an Ethernet cable. The communication transmitted by the wireless sensing units using the different form of communication that is not being jammed by the RF jamming device (e.g., one or more audio tones) may include sensor data that can be detected by another component of the connected-home monitoring system, which can then trigger an alarm based on the sensor data."

2.1.3 Moreover, the "*alternative form of communication*" actually used to communicate that a sensor is jammed in **feature F2.2** has no bearing on the determination of the "threshold amount" according to **feature F3.4**. According to the latter feature, it is only the number of jammed sensor units which is relevant to the determination process, not the way how a jammed sensor unit communicates the incident that it is being jammed according to feature F2.2. In that regard, the board understands that it is notoriously known that different types of receivers are needed for the different "forms of communication" (i.e. a microphone for *audio* communication, a radio receiver for *radio* communication, etc.). Hence, the board cannot accept the examining division's reasoning that there was a "*functional relationship*" between the features of *audio tones* as an "*alternative form of communication*" and the very condition for determining sensor jamming. The examining division found that the original application did not disclose any "*alternative form of communication*" when the condition for determining sensor jamming exceeds a certain number of sensor units (see page 6, final paragraph to page 7, first paragraph of the decision under appeal). However, for the aforementioned reasons, this falls short of fully appreciating what is disclosed in the description.

Therefore, the claimed combination of the *threshold detection* and any type of *indication* is in fact directly and unambiguously derivable from the description as filed.

- 2.1.4 In view of the above and contrary to the examining division's finding, claim 1 of the main request complies with Article 123(2) EPC.
- 2.1.5 Since the originally filed description of the associated parent application and the present application as filed are identical, at least with respect to the disclosures cited above, the requirement of Article 76(1), second sentence, EPC is also met.
- 2.2 Therefore, the sole objection raised in the decision under appeal with respect to the main request is unfounded.

### 3. Conclusion

Since the sole objection raised in the decision under appeal with respect to the main request is held to be unfounded, the decision under appeal has to be set aside.

### 4. Remittal (Article 111(1) EPC and Article 11 RPBA)

- 4.1 Although the decision under appeal indicates that claim 1 of auxiliary requests 6 to 9 meets the requirements of novelty and inventive step (Articles 54 and 56 EPC), no corresponding reasoning is included therein.
- 4.2 The board is thus not in a position to review the correctness of the assessment of novelty and inventive

step and to determine whether the examining division's findings also apply to claim 1 of the main request. Analogously, the same applies to the question whether the main request complies with Article 84 EPC.

4.3 Hence, these are "special reasons" for remitting the case to the examining division under Article 11 RPBA and Article 111(1) EPC on the basis of the main request.

5. Request for oral proceedings

5.1 The appellant requested oral proceedings in the event that the main request was "considered not allowable by the board in the written proceedings" (cf. point II above).

5.2 However, the board cannot currently determine whether or not the present main request is allowable under the EPC.

5.3 At any rate, the board's decision to set aside the decision under appeal and to remit the case to the examining division for further prosecution is not adverse in substance to the appellant. A hearing before the board solely to discuss whether or not the case should be remitted to the examining division is consequently not deemed to be necessary or appropriate (see e.g. **T 1051/20**, Reasons 4.2).

## 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.

The Registrar:

The Chair:



B. Brückner

K. Bengi-Akyürek

Decision electronically authenticated