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**Datasheet for the decision
of 16 May 2012**

Case Number: T 1340/08 - 3.5.06

Application Number: 02258089.8

Publication Number: 1320008

IPC: G06F 1/00

Language of the proceedings: EN

Title of invention:
Centralized authentication for authorising access to network
peripheral devices

Applicant:
CANON KABUSHIKI KAISHA

Opponent:
-

Headword:
Authorising access to multifunction printers/CANON

Relevant legal provisions (EPC 1973):
EPC Art. 56

Keyword:
"Inventive step (no)"
"Admissibility - second auxiliary request (no)"
"Request to remit for examination of the second auxiliary
request (no)"

Decisions cited:
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Catchword:
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                       It can be changed at any time and without notice.

Case Number: T 1340/08 **-** 3.5.06

D E C I S I O N
of the Technical Board of Appeal 3.5.06
of 16 May 2012

Appellant: (Applicant)	CANON KABUSHIKI KAISHA 30-2, 3-chome, Shimomaruko Ohta-ku Tokyo (JP)
Representative:	TBK Bavariaring 4-6 D-80336 München (DE)
Decision under appeal:	Decision of the Examining Division of the European Patent Office posted 18 February 2008 refusing European patent application No. 02258089.8 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman:	D. H. Rees
Members:	S. Krischer
	W. Sekretaruk

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Summary of Facts and Submissions

I.   The appeal is directed against the decision of the
        examining division, with written reasons posted on
        18 February 2008, to refuse the application 02258089.
        The reason for the refusal was lack of inventive step,
        in violation of Article 56 EPC 1973. The following
        documents were referred to:

        D2   US 6 202 092 B1, 13 March 2001.
        D1   EP 1 130 497 A, 5 September 2001.

II.   A notice of appeal was received on 16 April 2008. The
        fee was received the same day. A statement of the
        grounds of appeal was received on 27 June 2008. A main
        and an auxiliary request were filed with the grounds.
        Oral proceedings were conditionally requested.

III.   The board issued a summons to attend oral proceedings,
        raising objections with respect to original disclosure
        (Articles 123(2) EPC) and inventiveness (Article 56
        EPC 1973).

IV.   In a letter dated 16 April 2012, the appellant filed
        amended main and auxiliary requests, and two
        description pages.

V.   Oral proceedings were held on 16 May 2012 during which
        the appellant filed a second auxiliary request. It also
        requested to remit the case to the first instance for
        examination of the second auxiliary request. At the end
        of the oral proceedings, the chairman announced the
        board's decision.

VI.   The appellant requests to set the decision aside and to
        grant a patent on the basis of the main request
        (claims 1-21) or the first auxiliary request (claims
        1-18) both filed with the letter dated 16 April 2012,
        or on the basis of the second auxiliary request
        (claims 1-19), filed during oral proceedings on 16 May
        2012.

        The further text is: description pages 1, 2, 5-28 as
        originally filed; page 3 as filed with letter dated
        9 October 2006; pages 3a, 4 as filed with letter dated
        16 April 2012; drawing sheets 1-13 as originally filed.

VII.   Claim 1 of the main request reads:

        "1. A method for controlling access to a networked
        peripheral device (6) by a user, wherein the networked
        peripheral device (6) is accessible by the user based
        on access management information, the networked
        peripheral device (6) providing at least one of a print
        service, a scan service, a facsimile service, and a
        copy service, and providing a plurality of features
        corresponding to the at least one service, the method
        being characterized by comprising:
              receiving, at a computer (1), from a server (8)
        access management information for identifying a service
        and a feature corresponding to the service of the
        networked peripheral device (6) available to a remote
        user or identifying a service and a feature
        corresponding to the service of the networked
        peripheral device (6) not available to the remote user
        in the service and the features corresponding to the
        service provided by the networked peripheral device (6);
              receiving, at the networked peripheral device
        (6), from the computer (1) the access management

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information and a job;

determining, at the networked peripheral device
(6), whether the remote user can use a service and a
feature corresponding to the service of the networked
peripheral device (6) necessary to perform the received
job, based on the received access management
information (S1106); and

performing, at the networked peripheral device
(6), the received job in a case that the remote user
can use the service and the feature corresponding to
the service necessary to perform the received job
(S1109)."

VIII.   Claim 1 of the first auxiliary request differs from
        claim 1 of the main request by the characterising
        portion:

        "the method being characterized by comprising:
                if the user is a remote user remotely accessing
        the device via a computer (1):
                receiving, at a computer (1), from a server (8)
        access management information for identifying a service
        and a feature corresponding to the service of the
        networked peripheral device (6) available to the remote
        user or identifying a service and a feature
        corresponding to the service of the networked
        peripheral device (6) not available to the remote user
        in the service and the features corresponding to the
        service provided by the networked peripheral device (6);
                receiving, at the networked peripheral device
        (6), from the computer (1) the access management
        information and a job;
                determining, at the networked peripheral device
        (6), whether the remote user can use a service and a

feature corresponding to the service of the networked
peripheral device (6) necessary to perform the received
job, based on the received access management
information (S1106); and

        performing, at the networked peripheral device
(6), the received job in a case that the remote user
can use the service and the feature corresponding to
the service necessary to perform the received job
(S1109); and

        if the user is a local user locally accessing
the device at the device (6):

        receiving, at the networked peripheral device
(6), from the server (8) without the computer access
management information for identifying a service and a
feature corresponding to the service of the networked
peripheral device (6) available to the local user or
identifying a service and a feature corresponding to
the service of the networked peripheral device (6) not
available to the local user in the service and the
features corresponding to the service provided by the
networked peripheral device (6) (S306);

        determining, at the networked peripheral device
(6), whether the local user can use a service and a
feature corresponding to the service of the networked
peripheral device (6), based on the received access
management information without the computer (S307); and

        allowing, at the networked peripheral device,
the local user to use the service and the feature
corresponding to the service in a case that the local
user can use the service and the feature corresponding
to the service."

IX.   Claim 1 of the second auxiliary request differs from
       claim 1 of the main request by the following (additions
       in italics):

       "the method being characterized by comprising:
           *receiving, at the server (8), from a computer (1)
       authentication information corresponding to a remote
       user;*
           *authenticating, at the server (8), the remote user
       based on the received authentication information;*
           receiving, at the computer (1), from the server (8)
       access management information ... networked peripheral
       device, *wherein the server (8) transmits the access
       management information for the remote user to the
       computer (1) after the server (8) authenticates the
       remote user;*
           receiving, at the networked peripheral device ..."

Reasons for the Decision

1.   *Original disclosure*

       After discussing the issue during the oral proceedings,
       the board does not maintain the objection raised in the
       summons.

2.   *Inventiveness*

2.1   Claim 1 of the main request

2.1.1 This claim is an amended version of claim 1 of the
       former main request filed with the first letter of
       reply dated 9 October 2006 and withdrawn during oral

proceedings. It additionally contains in the preamble after "access management information" the expression:

>"the networked peripheral device (6) providing at least one of a print service, a scan service, a facsimile service, and a copy service, and providing a plurality of features corresponding to at least one service".

It further replaces all occurrences (4) of the expression "a feature and/or a service" by "a service and a feature corresponding the service", and it adds "remote" to all occurrences of "user" in the characterising portion.

It additionally contains at the end of the first receiving step after "not available to the user" the expression:

>"in the services and the features corresponding to the services provided by the networked peripheral device (6)".

The board considers most of these amendments to be acceptable clarifications. As to the formulation "providing at least one of a print service, a scan service, ..." see section 2.1.6 below.

2.1.2 In its summons and in its minutes of the oral proceedings, the examining division chose D2 as closest prior art to claim 1 of the former main request. The board agrees with that and considers D2 as the closest prior art to the current requests. Furthermore, the board agrees with the minutes of the oral proceedings

(section 4.) that the embodiment of figure 4 in D2 is
closer to the invention than the passages used in the
summons. This is because in this embodiment, it is the
printer with its "security validating portion 53" that
checks with the help of the security data base on the
file device 43 of the server computer 4 if a user with
a certain ID is authorised or not to use certain
features of the print service (like "color print",
"woodfree paper", "print on both sides" or "stapler",
see figures 3(a) and (b) and column 6, lines 33 to
column 7, line 11).

2.1.3   It was argued in the grounds of appeal that "color
print" and "print on both sides" were "functions" and
that no "features corresponding to the functions" were
disclosed in D2 (grounds, page 6, first paragraph).
However, the description of the application discloses
on page 12, line 12 the feature "color" of the service
"print". Therefore, the board considers the expression
"color print" of D2 as representing a service/feature
combination in the sense of the application. The word
"function" in D2 corresponds to "feature" in the
application. Also "print on both sides" is considered
as a service/feature combination since it characterises
the way the print service is functioning.

In the terminology of the application, document D2
provides one "service", namely "print", with a number
of "features".

2.1.4   In order to "use the security data base" (column 6,
line 43), the printer has to receive parts of that
database. This is confirmed by the passage on column 7,
lines 1-8:

"In this way, information indicating a range of
authority, including a maximum number of printable
pages, usable printer functions, and status of use
of the printer by the user are stored in the
security data base provided in the file device 23.
Upon receipt of a print request, print validating
means 22b or 53 analyzes the print request in light
of the user ID and the information in the security
data base to determine either authorization or non-
authorization."

This means that the "print validating means 53" (also
called "security validating portion 53") of the printer
in the embodiment of figure 4 receives a print request
from the computer and information from the security
data base of the server, and decides on the
authorisation for this print request. The information
from the security data base of the server in D2 is
considered to correspond to the so-called "access
management information" of the claim.

The appellant argued during the oral proceedings that
the word "uses" in D2, column 6, line 43 did not mean
"receives", but rather "acquires". The board does not
find this convincing. The skilled person would normally
understand the expression "using a database" to mean
"sending a query to it" and "receiving the data from
the database that corresponds to the query". Moreover,
the skilled person would also understand that in order
to "analyze the print request in light of the user ID
and the information in the security data base", the
printer has to receive the relevant "information in the
security data base" from the server containing said

data base, even if indirectly. In this context there is therefore no difference between "acquiring" and "receiving".

2.1.5   It follows that the only difference between claim 1 of the current main request and D2 is that in the claim the access management information is transferred from the server to the networked peripheral device in a two-step way with a "stopover" at the computer.

2.1.6   The fact that the networked peripheral device of the claim provides "at least one of a print service, a scan service, a facsimile serve and a copy service", but D2 only provides a print service, does not constitute a difference between claim 1 and D2 since one of the embodiments of the formulation "at least one of a print service, ..." is a device with only a print service.

2.1.7   As to a technical effect of the two-step transmission, the description is silent. It merely states on page 25, lines 14-16 and in steps S1104 and S1105 of figure 11 that there is this two-step transmission, without motivating it. The board also could not recognise any technical effect that would go beyond the immediate consequences of that transmission scheme.

2.1.8   The appellant argued during the oral proceedings that the two-step transmission via the computer had the technical effect that the access management information was available at the computer before sending the job to the device and that this would allow some further implementation possibilities, for example customising the user interface to offer only options which were in fact available to the user.

2.1.9   However, none of these implementation possibilities are
        claimed nor disclosed in the description. Instead the
        application clearly implies that the information is
        merely received at the computer and passed on to the
        peripheral without intermediate processing. The board
        cannot see how the mere possibility to produce *another*
        (more specific) invention by implementing such a
        possibility, departing from the claimed invention,
        could be the basis for an inventive step of the *claimed*
        invention. A technical effect must be present - at
        least potentially - in the *claimed* invention, but not
        in a *potential* invention to be implemented in an
        undisclosed way.

2.1.10 The appellant argued further that the two-step
        transmission enabled the computer to pre-check the
        print job before sending it to the device. The network
        load would thus be decreased.

2.1.11 Again this is an implementation possibility that is
        neither disclosed nor claimed, and departs in fact from
        the clear teaching of the application as a whole.

2.1.12 Therefore, the board agrees with the minutes of the
        oral proceedings before the examining division that the
        differences represented a mere design choice.

2.1.13 The appellant argued further that the distribution of
        the two tasks to two entities, namely the
        authentication by the server and the authorisation by
        the device, improved the security. Two distributed
        entities could not be corrupted as easily as one alone.

In D2, column 3, lines 53-55, the authentication was
done only at the printing device.

2.1.14 Again this argument is not convincing. Firstly, one
could also argue that the security is decreased, and
not increased with two distributed entities, since
there are two vulnerable targets instead of one.
Increased security would depend on further, undisclosed,
features. And one has to install protection measures
for two entities.
Secondly, there is no authentication done in claim 1,
only in dependent claim 3. The "access management
information for identifying a service and a feature ...
available to a remote user" contains authorisation
information for a remote user who is not necessarily
authenticated in claim 1 (i.e. checked if he is really
the person he pretends to be).
If, for the sake of argument, an authentication of the
remote user at the server were to be included in
claim 1, then the board would nonetheless consider it
an arbitrary choice whether the computer sends the
remote user's ID to the server which authenticates the
remote user, or whether the computer sends the remote
user's ID to the printer which authenticates the remote
user and sends the ID to the server. Neither the
application nor D2 consider authentication as a problem
or as a point to be discussed.
The appellant argued that, if it were to be added to
claim 1 that the server did an authentication, there
would be the technical effect that the load on the
peripheral device would be decreased. The board
accepted this point, but considered that it would be
clear to the skilled person that this difference would

in practice be insignificant, and could not, therefore, be the basis of an argument for an inventive step.

2.1.15 Thus, claim 1 of the main request is not inventive, in violation of Article 56 EPC 1973.

2.2   Claim 1 of the first auxiliary request

2.2.1   In addition to the features of claim 1 of the main request (i.e. the remote user scenario, e.g. for printing), claim 1 of the first auxiliary request contains the local user scenario (also called walk-up user scenario, e.g. for scan, copy and fax services).

2.2.2   The differences between claim 1 of the first auxiliary request and D2 are firstly the aforementioned difference between claim 1 of the main request and D2 (i.e. the two-step transmission), and secondly the second part of the claim relating to the local user scenario (i.e. from the expression "if the user is a local user locally accessing the device at the device (6):" to the end of the claim).

        These two differences are independent of each other. They do not interact with each other, since they belong to mutually exclusive use scenarios.

2.2.3   Therefore the objective technical problem can be formulated as two partial problems: firstly, how to provide an alternative transmission scheme for the access management information; and secondly, how to extend the method for controlling access to a networked peripheral device in a local user scenario.

2.2.4   For the first partial technical problem the same holds
        as for the main request. As to the second partial
        technical problem, the board considers it obvious to
        the skilled person to use more or less the same access
        control scheme as for the remote user scenario. Since
        in the local user scenario, no computer is involved for
        the user to input his copy/scan/fax request, the simple
        transmission scheme (i.e. from the server to the
        device), implicitly disclosed in D2, would obviously be
        used.

2.2.5   The statement of the appellant during oral proceedings
        that neither D2 nor D1 disclosed the local user
        scenario did not convince the board. It was never
        contested that D2 only concerns the remote user
        scenario, but D1 discloses a multifunction printing
        device, and the need for both scenarios would be clear
        (e.g. see D1, paragraph [41], or paragraph [3] cited in
        the summons, section 6.3).

2.2.6   The appellant argued further that in the local user
        scenario of the invention, the device had the
        possibility to present a customised graphical user
        interface (GUI) to the local user containing only
        allowed services and features (see figure 7 and
        description page 2, paragraph 2).

2.2.7   However, this implementation possibility is not claimed.
        The wording "allowing, at the networked peripheral
        device, the local user to use the service and the
        feature ..." in the last step of claim 1 leaves it open
        whether the inputted user requests for services and
        features are checked for allowability, or whether the
        inputting means (GUI) are arranged in such a way that

the user can only enter requests for allowed services
and features. Furthermore, there are features such as
the number of pages to be copied which are not usually
entered via the keyboard, but are determined by the
pile of paper put into the paper feed. Thus, exceeding
the number of allowed copy pages for a local user
cannot be prevented by a customised GUI. This limit
would have to be checked after the user has entered the
copy service request.

Thus, there is at least one embodiment of the last step
of "allowing" and one feature (for any embodiment of
the "allowing" step) where the checking would be done
as in the remote user scenario of D2, i.e. without a
customised GUI.

2.2.8   Therefore, claim 1 of the first auxiliary request is
        not inventive, in violation of Article 56 EPC 1973.

3.   *Admissibility of the second auxiliary request*

3.1   After the discussion of the main and the first
        auxiliary request during the oral proceedings, the
        appellant filed a second auxiliary request. Claim 1 of
        this new request is based on claims 1 and 3 of the main
        request, and is similar to the refused claim 1, filed
        during oral proceedings before the examining division.
        Note that the main request during appeal is based on
        the former main request withdrawn during oral
        proceedings before the examining division.
        Like the refused claim 1, claim 1 of the newly filed
        second auxiliary request contains the additional
        feature of the server authenticating the user in the
        remote user scenario. This was said to improve the
        security.

3.2   The appellant's representative justified the late
        filing of this request by the change of the
        representative during the appeal and by communication
        problems with the appellant.

3.3   These are however merely practical and personal
        explanations why the request was filed so late. The
        board had to balance these avoidable circumstances
        against the need for procedural economy according to
        Article 13(1) and (3) RPBA. In this respect it has to
        be noted, that the new request was *prima facie* unlikely
        to overcome the inventive step objection, as was clear
        from the discussion of a hypothetical amendment of the
        main request which had already taken place in the oral
        proceedings - see 2.1.13 and 2.1.14 above.

3.4   Therefore, the second auxiliary request was not
        admitted to the proceedings.

4.   *Allowability of the request for remittal*

        The appellant also requested to remit the case to the
        first instance for examination of the second auxiliary
        request. Since this second auxiliary request was not
        admitted, the request for remittal to examine the
        second auxiliary request cannot be allowed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chairman:

B. Atienza Vivancos   D. H. Rees