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

Datasheet for the decision of 13 June 2012

Case Number: T 2171/08 - 3.5.01

Application Number: 03019778.4

Publication Number: 1510936

IPC: G06F17/30

Language of the proceedings: EN

Title of invention:
Redundancy-free provision of multi-purpose data

Applicant:
UBS AG

Headword:
Redundancy-free multi-purpose data/UBS

Relevant legal provisions:
EPC 1973 Art. 83

Keyword:
"Sufficient Disclosure (no)"

Europäisches Patentamt | European Patent Office | Office européen des brevets

Beschwerdekammern | Boards of Appeal | Chambres de recours

Case Number: T2171/08 - 3.5.01

D E C I S I O N
of the Technical Board of Appeal 3.5.01
of 13 June 2012

Appellant: (Applicant)
UBS AG
Bahnhofstrasse 45
8001 Zürich (CH)

Representative:
Röthinger, Rainer
Wuesthoff & Wuesthoff
Patent- und Rechtsanwälte
Schweigerstrasse 2
81541 München (DE)

Decision under appeal: **Decision of the Examining Division of the European Patent Office posted 7 May 2008 refusing European patent application No. 03019778.4 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman: S. Wibergh
Members: P. Scriven
P. Schmitz

Summary of Facts and Submissions

I. This is an appeal against the Examining Division's decision to refuse European patent application 03019778.4, on the grounds of lack of inventive step.

II. In the statement setting out its grounds of appeal, the appellant identified two "core features ... namely (1) the use of a set of mutually independent data base key fields ... and (2) the approach of providing at least some of these control attributes centrally from static data ...."

III. The Board sent a communication on 26 May 2011, setting out its provisional opinion. Inter alia, there seemed to be a lack of disclosure in respect of the term "static data".

IV. The Appellant, with its letter of reply dated 5 December 2011, filed new main and auxiliary requests and argued that the term *static data* must be given a different interpretation from the one indicated by the Board. In support of its interpretation, it filed, inter alia, a copy of document

E4: "Grunddatenverwaltung und Betriebsdatenerfassung als Basis der Produktionsplanung und -Steuerung", P. Loos, 1999.

V. The Board arranged for oral proceedings to be held, and, in an annex to the summons, explained why it found the appellant's arguments regarding *static data* unconvincing.

VI. In response to the summons, the appellant withdrew its request for oral proceedings, and requested a decision

"based on the state of the file". The Board consequently cancelled the oral proceedings.

VII. The appellant's requests are that the Examining Division's decision be set aside, and that a patent be granted on the basis of the main request, or else of the auxiliary request, both filed with the letter dated 5 December 2011.

VIII. The two versions of claim 1 read as follows.

Main Request

"1. A network component (30) for transforming accounting-related first data sets containing information pertaining to one or more accounting transactions into multi-dimensional second data sets which are used to update a report data base (34) that is used by two or more different processing mechanisms (58) for providing report data sets, comprising:
- a master data base (32) for storing master data including:
* a multi-dimensional data template having a plurality of predefined template data fields, the pre-defined data fields relating to elementary information that is determined by the data input requirements of the different processing mechanisms;
* static data associated with the first data sets, the static data comprising information that is not or not explicitly included in the first data sets but required for generating data entries for one or more of the data fields specified by the data template;
- at least one interface (44) for receiving via a network connection (43) the first data sets from a

plurality of individual sub-systems (10, 12, 14, 16), wherein the first data sets, when received by the at least one interface (44), do not or not explicitly include data pertaining to data entries for one or more of the data fields specified by the data template;

- processing resources (52) having access to the master data base (32), for generating from a first data set one or more associated second data sets by deriving elementary information included in the first data set and in static data associated with the first data set, and by writing the derived elementary information in corresponding data fields specified by the data template, wherein each second data set comprises a first set of control attributes that include the contents of data fields as specified in the data template and that relate to database key fields, wherein the control attributes of the first set are derived from both the static data and the elementary information included in the first data set; and

- a report data base (34) including third data sets that are updated on the basis of the elementary information contained in the one or more second data sets generated by the processing resources (52) by accumulation of elementary information included in the second data sets onto newly created or already existing third data sets and that are each associated with a second set of control attributes, and wherein the accumulation process is controlled by the control attributes in such a manner that elementary information contained in a second data set is used to update the third data set that is identified by the same combination of control attributes as the second data set, and wherein the report data base (34) is

jointly used by the different processing mechanisms (58) to generate report data sets."

Auxiliary request

"1. A network component (30) for transforming accounting-related first data sets containing information pertaining to one or more accounting transactions into second data sets which are used to update a report data base (34) that is used by two or more different processing mechanisms (58) for providing report data sets, comprising:
- a master data base (32) for storing master data including:
* a multi-dimensional data template having a plurality of predefined template data fields, the pre-defined data fields relating to elementary information that is determined by the data input requirements of the different processing mechanisms;
* static data associated with the first data sets, the static data comprising information that is not or not explicitly included in the first data sets but required for generating data entries for one or more of the data fields specified by the data template;
- at least one interface (44) for receiving via a network connection (43) the first data sets from a plurality of individual sub-systems (10, 12, 14, 16), wherein the first data sets, when received by the at least one interface (44), do not or not explicitly include data pertaining to data entries for one or more of the data fields specified by the data template;
- processing resources (52) having access to the master data base (32), for generating from a first data set one or more associated second data sets by

deriving elementary information included in the first data set and in static data associated with the first data set, and by writing the derived elementary information in corresponding data fields specified by the data template, wherein each second data set comprises a first set of control attributes that include the contents of data fields as specified in the data template and that relate to database key fields, wherein the control attributes of the first set are include different predefined codes and are derived from both the static data and the elementary information included in the first data set by a transformation routine including a control logic configured to assign the control attributes to the second data set; and

- a report data base (34) including third data sets that are updated on the basis of the elementary information contained in the one or more second data sets generated by the processing resources (52) by accumulation of elementary information included in the second data sets onto newly created or already existing third data sets and that are each associated with a second set of control attributes, and wherein the accumulation process is controlled by the control attributes in such a manner that elementary information contained in a second data set is used to update the third data set that is identified by the same combination of control attributes as the second data set, and wherein the report data base (34) is jointly used by the different processing mechanisms (58) to generate report data sets."

Reasons for the Decision

1. As explained in paragraph 14 of the published application,"[static data,] in contrast to the variable accounting-related data sets which are continuously generated for individual transactions […] are fixed or change only slowly." The idea is that terminal devices need not send information which is already part of the static data, and, as a result, there is less traffic over the network. Claim 1 according to both requests expresses it thus:

> "the static data comprising information that is not or not explicitly included in the first data sets but required for generating data entries for one or more of the data fields specified by the data template."

2. The "first data sets" are those sent by the terminal devices to the network component claim 1 seeks to define. Even leaving aside questions as to when data is or is not "explicitly included", this formulation is problematic. The static data is stored centrally, prior to the transmission of data from the terminal devices. Since the static data must only include data which will not be transmitted, it must be known in advance what data the terminal devices will transmit. Thus, claim 1 requires the skilled person, when implementing the invention, to know what data will be transmitted and to avoid putting that into the static data. The application, however, does not explain how the skilled person comes by that knowledge, and the Board does not find that it forms part of his common general knowledge.

3. The Board understands from the appellant's arguments, that, rather than avoiding storing data that will subsequently be transmitted, it is the terminal devices that avoid sending data which are already stored. The two versions of claim 1 do not bear such an interpretation, but even if they did, the question would then arise of how the terminal devices know what to send and what not. That is not a question the application addresses. One answer might be that the network device tells them, but if so, the reduction in network traffic which the terminals must send to the network device has to be offset against an increase in traffic which the network device must send to the terminal devices. The Board does not consider that the skilled person is provided with sufficient information for the implementation of the static data in such a way that there is necessarily a reduction in network traffic.

4. The appellant has argued in favour of disclosure, giving the example of a cash withdrawal from an ATM. The amount withdrawn would not be known in advance. Nor would static data such as the account number. Both would have to be transmitted. The network component, however, would be able to derive further static data, such as the customer identifier, once it had received the account number, and such additional static data would not need to be transmitted. With the explanations set out in paragraphs [0071] and [0072] of the published application, the appellant argues that the skilled person would have no difficultly in implementing this.

5. The Board finds the appellant's arguments unconvincing simply because it does not reflect the fact that, as claim 1 is written, the skilled person must know what

data the network component will receive, so as to avoid storing it as static data.

6. The appellant has also pointed to E4 as providing a different interpretation of "static data" and argued that it is this interpretation which the skilled person would have understood from the application as filed. E4 distinguishes between "Stammdaten" and "Bewegungsdaten". "Stammdaten" change slowly, and remain valid for an unknown length of time (E4, section 2.1). "Bewegungsdaten" are valid for a length of time which is pre-determined (E4, section 2.2). If "Stammdaten" can be identified with static data, then this interpretation of static data is related to the interpretation set out under point 1, above, although it is not quite the same. The difference does not lead to any different conclusions, because the skilled person is still required to know, in advance, what data the network component will receive.

7. Accordingly, the Board is of the opinion that the main and auxiliary requests cannot be allowed because the invention to which they relate fails to comply with Article 83 EPC 1973.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chairman:

T. Buschek S. Wibergh

Decision electronically authenticated