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Datasheet for the decision
of 6 March 2013

Case Number: T 1172/09 - 3.5.06

Application Number: 06251395.7

Publication Number: 1742164

IPC: G06F 21/24

Language of the proceedings: EN

Title of invention:
Data processing system, data processing method, and data
processing program product suited for transmitting and
receiving data among a plurality of image processing
apparatuses

Applicant:
Konica Minolta Business Technologies, Inc.

Headword:
Registered data processing on delivery/KONICA MINOLTA

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

Keyword:
"Inventive step - yes (after amendment)"

EPA Form 3030

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Case Number: T 1172/09 - 3.5.06

D E C I S I O N
of the Technical Board of Appeal 3.5.06
of 6 March 2013

Appellant: Konica Minolta Business Technologies, Inc.
(Applicant)   6-1, Marunouchi 1-chome, Chiyoda-ku
                        Tokyo 100-0005   (JP)

Representative: Gille Hrabal
                        Postfach 18 04 09
                        D-40571 Düsseldorf   (DE)

Decision under appeal: **Decision of the Examining Division of the**
                                European Patent Office posted 22 December 2008
                                refusing European patent application
                                No. 06251395.7 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: W. Sekretaruk
Members: Martin Müller
                   G. Zucka

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Summary of Facts and Submissions

I.   The appeal lies against the decision of the examining
      division to refuse the European patent application no.
      06251395.7 for lack of an inventive step, Article 56
      EPC 1973, in view of

      D1: EP 0 929 023 A1.

II.   A notice of appeal was filed on 19 February 2009, the
      appeal fee being paid on the same day. A statement of
      grounds of appeal was filed on 16 April 2009. It was
      requested that the decision be set aside and that a
      patent be granted based on claims according to a main
      or one of two auxiliary requests, labelled respectively
      "second" and "third" auxiliary request and filed with
      the grounds of appeal.

III. With summons to oral proceedings the board informed the
      appellant about its preliminary opinion according to
      which all requests lacked clarity, Article 84 EPC 1973,
      and the main request lacked an inventive step but the
      auxiliary requests showed the required inventive step,
      Article 56 EPC 1973. The board also expressed its ten-
      dency not to admit the main and the "second" auxiliary
      request pursuant to Article 12 (4) RPBA.

IV.   In response to the summons, the appellant filed an
      amended set of claims 1-7 as a new main request.

V.   Oral proceedings were held as scheduled on 6 March 2013.
      During the oral proceedings the appellant discarded
      pending claim 7 and requested that a patent be granted
      based on the following documents:

claims, numbers

1   of the main request as filed with letter of 28
           January 2013, in combination with
2-6   as filed with telefax of 25 September 2008
description, pages
1, 2, 2a, 3, 3a, 4, 5
           as filed with telefax on 25 September 2008
6-22   as originally filed
drawings, sheets
1-9   as originally filed

VI.   Claim 1 according to the main request reads as follows:

"Data processing system (1), comprising a network, a
plurality of image processing apparatuses (100, 100A,
100B, 100C) including home terminals each connected to
the network (2), and each including an image scanning
function, a copying function, and a facsimile
transmission and reception function, wherein each image
processing apparatus comprises:

a registration portion (S306) to register a processing
method including any one of "data storage", "print",
"mail reception", and "FAX reception", or a combination
of a plurality of them for processing data for each
registered user;

a user list creation portion (S210) to create a user
list from the registered user information of other
image processing apparatus and own image processing
apparatus;

a destination designation [sic] (S412) to display the
user list in such a manner that the registered user of

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other image processing apparatus can be designated as
destination;

a data designation portion (S404) to designate data to
be delivered to the destination designated by the
destination portion (S412);

a data transmission portion (S428) to transmit the data
designated by the data designation portion to the home
terminal of the registered user as a destination
designated by the destination designation portion (S412)

and

a data processing portion (S426) to process data by the
processing method registered in the registration
portion for the user if data whose destination is the
user registered in the registration portion (S306) has
been delivered."

All claims 1-6 relate to data processing systems.

VII.   At the end of the oral proceedings the chairman
announced the decision of the board.

Reasons for the Decision

1.   The board is satisfied that the present application
documents do not go beyond the application as origi-
nally filed, Article 123 (2) EPC: Claim 1 is based on
original claims 1-3 in combination with the original
description, in particular on page 6, lines 9-13; page
12, lines 23-24; and page 12, line 30 - p. 13, line 7.

Present claims 2-6 correspond to originally filed
claims 4-8, respectively. No objections under Article
84 EPC 1973 were raised during examination and the
board has no occasion to raise any of its own.

The invention and the prior art

2.   The application relates to the transmission of data be-
        tween users of a data processing system, in particular
        across a network of image processing apparatus such as
        multi function peripherals (MFP). Each of these image
        processing apparatus includes a "home terminal" and
        functions for image scanning and copying as well as for
        facsimile transmission and reception (p. 1, lines 10-14;
        p. 6, lines 9-17; and figs. 1-2). Different users of
        such a system may want data delivered to them in diffe-
        rent forms: They may want it printed, delivered as a
        facsimile or as an email, or they may want it stored at
        the home terminal for eventual output (see p. 10, lines
        29-31; p. 11, lines 4-5). The application refers to
        these alternatives jointly as "processing methods".
        Normally, senders must know the receivers' preferences
        and the relevant addressing information such as fax
        number, email address or server number (p. 1, line 14 -
        p. 2, line 11). This can be inconvenient. The invention
        solves this problem by enabling users to register a
        processing method they want performed on received data,
        and by enabling senders to select users as destinations
        without knowing their preferences. The claimed system
        will automatically process data according to the recei-
        ver's registered processing method before delivering it.

3.   D1 discloses a mechanism for secure printing in a net-
        work according to which a user at a local computer (see

fig. 1, no. 100; par. 20) can send a document to a "se-
cure" printer (fig. 1, no. 140) so that only a speci-
fied intended recipient can print it (see abstract).
This avoids the risk of a document being removed or
read by unauthorized persons before the intended reci-
pient can retrieve it (see par. 8).

3.1   A directory server (fig. 1, no. 120) maintains a data-
        base of user profiles containing, *inter alia*, each
        user's public encryption key (par. 22). The directory
        server may also reflect that a user wants to receive
        documents only from one specified printer and it may
        include "printer information" which determines how do-
        cuments are to be formatted, *e.g.* into PostScript or
        PCL (see par. 57). In the board's view the skilled per-
        son would understand the required document formatting
        to depend on the pertinent printers: For example, Post-
        Script would be defined only if the printer or printers
        at which a user wanted to receive documents were all
        PostScript compatible.

3.2   In order to submit a secure print job, the operator at
        a local computer (fig. 1, no. 100) enters, via a gra-
        phical user interface, the document to be printed and
        the intended recipient (par. 38). The secure printer
        process formats the document, encrypts it with the re-
        cipient's private key retrieved from the directory ser-
        ver (pars. 39-41) and stores the processed document in
        a central document store (par. 42; fig. 1, no. 130).

3.3   In order to print documents, a user identifies himself
        at a secure printer with a smart card revealing the
        user's identity and private decryption key (pars. 46-
        47). The document store retrieves documents held for

that user and transmits them to the secure printer,
where the document is decrypted and eventually printed
(pars. 48 and 52).

The decision under appeal

4.   The board interprets the decision under appeal to argue
       as follows:

       a)   D1 discloses the registration of "a processing me-
            thod for processing data for each registered user"
            because it discloses computers operating under Win-
            dows NT which are known to comprise printing prefe-
            rences such as page orientation or printing quality
            (see decision, reasons 2, lines 10-14, referring to
            D1, pars. 20 and 22).

       b)   D1 discloses a "user list creation portion from the
            registered user information of other image pro-
            cessing apparatus" by way of a directory server
            storing "user profiles" (decision, reasons 2, lines
            15-18).

       c)   D1 discloses a "data processing portion to process
            data by the processing method registered" because
            the document server of D1 "searches the hard disk
            for any documents having the same identity" (rea-
            sons 2, lines 31-34, onto the following page).

       d)   And D1 discloses that the user profiles in the
            directory server of D1 may contain, per user, in-
            formation about the desired format of the trans-
            mitted document (see decision, section entitled
            "Further Remarks", point 2).

4.1   As regards a) the board notes firstly that D1 does not
        explicitly refer to Windows NT user profiles or their
        use in the disclosed system, and secondly that the com-
        puter running Windows NT according to D1 is the local
        computer, *i.e.* the sending machine (cf. par. 38). Fur-
        thermore, the board agrees with the appellant (see
        grounds of appeal, p. 3, last par.) that commonly known
        user profiles normally do not define delivery preferen-
        ces of the *receiver* of a data transmission. Thus, even
        if the skilled person were to read D1 as implying that
        the user profile at the local computer was relevant for
        the document formatting, this would refer to the sen-
        der's preferences and not, as claimed, to a processing
        method registered by (and for) the receiver.

4.2   As regards b) the board agrees with the decision under
        appeal that the directory server of D1 maintains a list
        of user preferences. However, D1 does not disclose that
        the user profiles on that server are created from the
        user profiles used under Windows NT (see previous point
        a).

4.3   As regards c) the board cannot follow the decision un-
        der appeal arguing that the searching of documents sent
        to the same recipient amounts to processing documents
        according to a "processing method" previously registe-
        red per user. The search itself is the same for every
        possible recipient and, as such, not registered at all.

4.4   As regards d) the board agrees with the decision that
        the user-defined document formatting qualifies as a
        "processing method for processing data" which is pre-
        viously registered for each user. However, document
        formatting is none of the processing methods now spe-

cifically claimed. Moreover, according to D1, the for-
matting of the document takes place at the sender's
computer, before encryption and before delivery to
either the directory server or the secure printer (see
pars. 38-39, 44 and 57).

5.   In view of the above, the board concludes that the in-
        vention according to claim 1 differs from D1 at least
        by

        i)   the registration portion to register a processing
              method including any one of "data storage",
              "print", "mail reception" and "FAX reception", or
              a combination of them,
        ii)   the data processing portion to process data by the
              processing method registered ... for the user if
              data whose destination is the user ... has been
              delivered, and
        iii) the fact that a user list is displayed so that
              users can be "designated as destination" from a
              displayed user list.

5.1   As to difference iii) the board considers it obvious
        for a person with the necessary skill in user interface
        design to simplify the user's work by offering a selec-
        tion for choice rather than requiring direct user input
        via a keyboard.

5.2   An effect of difference ii) over D1 is to enable users
        to decide at any point in time whether to receive a do-
        cument at a PostScript compatible printer or a PCL com-
        patible printer, in particular after the document had
        already been sent. To make this possible, the skilled
        person would, in the board's judgment, consider the

possibility of postponing the document formatting to just before printing. The skilled person would realize this to imply, consistent with the main purpose of D1 to enable "secure printing", that documents would have to be encrypted but not formatted at the local computer and formatted at the receiving printer after decryption. The board does not see any particular technical difficulty in modifying D1 accordingly. Therefore, the board concludes that difference ii) alone does not establish an inventive step over D1.

5.3   Difference i) represents the fact that D1 is exclusively concerned with printers and printing whereas the invention relates to a plurality of networked multi function peripherals (MFP) and different ways of data delivery at such an MFP. The board deems it obvious to replace the network printers of D1 by more powerful MFPs during a routine hardware upgrade. Depending on the choice of MFP, this would make additional ways of data delivery, *e.g.* by fax or by email, automatically available.

5.4   Starting from D1, therefore, the board considers difference i) to solve the problem of adapting the method of D1 to a network of MFPs. Since D1 does not imply anything about different ways of document delivery, let alone about user preferences in this respect, D1 does not render obvious that users register the "processing methods" according to difference i) by which they want a document processed after "delivery" as specified by difference ii).

5.5   Thus the board concludes that claim 1 shows an inventive step in the sense of Article 56 EPC 1973 over D1.

Order

For these reasons it is decided that:

1.   The decision under appeal is set aside.

2.   The case is remitted to the first instance with the
        order to grant a patent based on the following
        documents:

        claims, numbers
        1   of the main request as filed with letter of 28
                January 2013, in combination with
        2-6   as filed with telefax of 25 September 2008
        description, pages
        1, 2, 2a, 3, 3a, 4, 5
                as filed with telefax on 25 September 2008
        6-22   as originally filed
        drawings, sheets
        1-9   as originally filed

The Registrar: The Chairman:

B. Atienza Vivancos   W. Sekretaruk

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