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Datasheet for the decision of 10 November 2014

Case Number: T 1205/09 - 3.5.07

Application Number: 04764068.5

Publication Number: 1661030

IPC: G06F17/22

Language of the proceedings: EN

Title of invention:
Generating end-user presentations from structured data

Applicant:
Accenture Global Services Limited

Headword:
Generating presentations/ACCENTURE GLOBAL SERVICES

Relevant legal provisions:
EPC Art. 56

Keyword:
Inventive step - all requests (no)

Decisions cited:

Catchword:

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Case Number: T 1205/09 - 3.5.07

D E C I S I O N
of Technical Board of Appeal 3.5.07
of 10 November 2014

Appellant: (Applicant)	Accenture Global Services Limited 3 Grand Canal Plaza Grand Canal Street Upper Dublin 4 (IE)
Representative:	Müller-Boré & Partner Patentanwälte PartG mbB Friedenheimer Brücke 21 80639 München (DE)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted on 11 December 2008 refusing European patent application No. 04764068.5 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman	R. Moufang
Members:	R. de Man
	M. Rognoni

Summary of Facts and Submissions

I. The applicant (appellant), which at the time was Accenture Global Services GmbH, lodged an appeal against the decision of the Examining Division refusing European patent application No. 04764068.5.

II. With effect from 4 March 2011 the application was transferred to Accenture Global Services Limited, which thereby obtained the status of appellant.

III. The decision under appeal cited *inter alia* the following documents:

D1: "Windward Reports Launched", press release, 2 January 2003, retrieved from the Internet at http://www.windwardreports.com/pr_wr_01.htm; and

D2: US 2001/018697 A1, 30 August 2001.

The Examining Division came to the conclusion that the subject-matter of claim 1 of the main request did not involve an inventive step in view of document D2 and that the first to fifth auxiliary requests did not meet the requirements of Article 123(2) EPC.

IV. With the statement of grounds of appeal, the appellant filed a main request and first to fifth auxiliary requests. These requests corresponded to those considered in the appealed decision, except for an amendment to the main request.

The appellant further submitted an affidavit prepared by Jay M. Robeson in support of the application's compliance with Article 123(2) EPC and of inventive step with respect to document D2.

V. In a communication accompanying a summons to oral proceedings, the Board raised objections under Articles 84 and 123(2) EPC. It expressed the preliminary opinion that the subject-matter of claim 1 of each request was obvious in the light of the prior art acknowledged in the background section of the application. In order to confirm this acknowledged prior art the Board introduced the following document into the proceedings:

D7: Best D. and Craymer S., "Windows 95 Word 97: Merging", 24 March 1998, retrieved from the Internet at http://www.me.ua.edu/ges100/files/dww27.pdf.

VI. With a letter dated 7 October 2014, the appellant filed an amended main request and amended first to fifth auxiliary requests.

VII. Oral proceedings took place on 10 November 2014. In the course of the proceedings, the appellant filed an auxiliary request A. At the end of the oral proceedings, the chairman pronounced the Board's decision.

VIII. The appellant requested that the decision under appeal be set aside and that a patent be granted on the basis of the claims of the main request filed with the letter dated 7 October 2014 or, in the alternative, on the basis of the claims of auxiliary request A filed during the oral proceedings or of one of the first to fifth auxiliary requests filed with the letter dated 7 October 2014.

IX. Claim 1 of the main request reads as follows:

"A method for generating a presentation file within an application from a specified structured data source, the method comprising:

parsing the specified structured data source to determine the field data structure of the specified structured data source;

providing an end user of a computer with a listing of a plurality of tags for selection determined by the parsing step, wherein each tag is associated with one of the data fields in the specified structured data source;

choosing a template file in the application, where the template file comprises:

at least one of the plurality of tags in the listing; and

processing instructions for indicating how the structured data source is processed to build the presentation file, wherein at least one of the processing instructions sets the context of the presentation by determining what data to extract from the data source; and

processing the template file with the specified structured data source based on the at least one of the plurality of tags and the processing instructions by inserting the desired data fields in the tagged locations of the template, for building the presentation file for reporting information from the specified structured data source; the processing step comprising:

grouping a first template page and a second template page from the template file;

creating a group of pages in the presentation file based on the processing instructions and data fields specified in the first and second template pages;

determining a break-on condition for one of the plurality of data fields specified in the processing

instructions, where the break-on condition is satisfied when data associated with the specified data field changes; and

repeating the step of creating a group of pages based on the first and second template pages when the break-on condition is met in the first template page, wherein a plurality of groups of pages are generated in the presentation file, one group for each change in data in the specified data field of the first template page."

X. Claim 1 of auxiliary request A reads as follows:

"A method for generating a presentation file within an application from a specified structured data source, the method comprising:

parsing the specified structured data source to determine the field data structure of the specified structured data source;

providing an end user of a computer with a listing of a plurality of tags for selection determined by the parsing step, wherein each tag is associated with one of the data fields in the specified structured data source;

choosing a template file in the application, where the template file comprises:

at least one of the plurality of tags in the listing; and

processing instructions for indicating how the structured data source is processed to build the presentation file, wherein at least one of the processing instructions sets the context of the presentation by determining what data to extract from the data source;

grouping a first template page and a second template page from the template file, wherein

processing instructions in each template page specify the number of template pages in the group; and

processing the template file with the specified structured data source based on the at least one of the plurality of tags and the processing instructions by inserting the desired data fields in the tagged locations of the template, for building the presentation file for reporting information from the specified structured data source; the processing step comprising:

causing, by each template page in the group, a slide to be inserted in the presentation file, wherein the slides are inserted for each processed record in the specified structured data source;

determining a break-on condition for one of the plurality of data fields specified in the processing instructions, where the break-on condition is satisfied when data associated with the specified data field changes; and

repeating the step of causing slides to be inserted in the presentation file when the break-on condition is met in the first template page, wherein a plurality of groups of slides are inserted in the presentation file, one group for each change in data in the specified data field of the first template page."

XI. Claim 1 of the first auxiliary request differs from claim 1 of the main request in that "A method for ... , the method comprising:" is replaced by:

"A method for generating a presentation file within an application, the method comprising:

providing a graphical user interface (GUI) for an end user of a computer to specify a structured data source comprising a plurality of data records structured into a plurality of data fields;"

and in that "providing an end user of a computer" is replaced by:

"providing the end user, via the GUI,"

XII. Claim 1 of the second auxiliary request reads as follows:

"A method for generating a presentation file comprising a presentation slide show document, within a presentation slide generation program, the method comprising:

providing a graphical user interface (GUI) for an end user of a computer to specify a structured data source comprising a plurality of data records structured into a plurality of data fields;

parsing the specified structured data source to determine the field data structure of the specified structured data source;

providing the end user, via the GUI, with a listing of a plurality of tags for selection determined by the parsing step, wherein each tag is associated with one of the data fields in the specified structured data source;

choosing a template file in the presentation slide generation program, where the template file comprises:

at least one of the plurality of tags in the listing; and

processing instructions for indicating how the structured data source is processed to build the presentation file, wherein at least one of the processing instructions sets the context of the presentation by determining what data to extract from the data source; and

processing the template file with the specified structured data source based on the at least one of the plurality of tags and the processing instructions by inserting the desired data fields in the tagged locations of the template, for building the presentation file for reporting information from the specified structured data source; the processing step comprising:

calculating the number of slides that will be generated on execution of the processing instructions based on the processing instructions in the template;

determining the estimated time for completion of generation of the slide show document, based on the complexity of the template and the data source;

comparing an estimated amount of required processing in the processing step with a predetermined threshold; and

providing the end user with an option to cancel the processing step if this threshold is exceeded."

XIII. Claim 1 of the third auxiliary request reads as follows:

"A method for generating a presentation file within an application from a specified structured data source, the method comprising:

providing a graphical user interface (GUI) for an end user of a computer to specify a structured data source comprising a plurality of data records structured into a plurality of data fields;

parsing the specified structured data source to determine the field data structure of the specified structured data source;

providing the end user, via the GUI, with a listing of a plurality of tags for selection determined by the parsing step, wherein each tag is associated

with one of the data fields in the specified structured data source;

setting up a template file in the application, where the template file comprises:

at least one of the plurality of tags in the listing for selection by the user; and

processing instructions for indicating how the structured data source is processed to build the presentation file, wherein at least one of the processing instructions sets the context of the presentation by determining what data to extract from the data source; and

processing the template file with the specified structured data source based on the at least one of the plurality of tags and the processing instructions by inserting the desired data fields in the tagged locations of the template, for building the presentation file for reporting information from the specified structured data source; the setting up step comprising:

inserting the at least one of the plurality of tags at a specific location of the template, and the processing instructions at another specific location of the template, the other specific location being a notes region or a comments region of the template file."

XIV. Claim 1 of the fourth auxiliary request differs from claim 1 of the third auxiliary request in the addition of the following text at the end of the claim:

", wherein the structured data source comprises a hierarchical structured data source and at least one of the processing instructions relates to a high-level context of the hierarchical structured data source and the at least one tag relates to a lower-level data field within the hierarchical structured data source."

XV. Claim 1 of the fifth auxiliary request reads as follows:

"A method for generating a presentation file within an application from a specified structured data source, the method comprising:

providing a graphical user interface (GUI) for an end user of a computer to specify a structured data source comprising a plurality of data records structured into a plurality of data fields;

parsing the specified structured data source to determine the field data structure of the specified structured data source;

providing the end user, via the GUI, with a listing of a plurality of tags for selection determined by the parsing step, wherein each tag is associated with one of the data fields in the specified structured data source;

choosing a template file in the application, where the template file comprises:

at least one of the plurality of tags in the listing; and

processing instructions for indicating how the structured data source is processed to build the presentation file, wherein at least one of the processing instructions sets the context of the presentation by determining what data to extract from the data source; and

4. [sic] processing the template file with the specified structured data source based on the at least one of the plurality of tags and the processing instructions by inserting the desired data fields in the tagged locations of the template, for building the presentation file for reporting information from the specified structured data source; wherein the query is

embedded in the template file as a smart tag for allowing an end user to re-query the data source from the presentation file to update the presentation file."

Reasons for the Decision

1. The appeal complies with the provisions referred to in Rule 101 EPC and is therefore admissible.

2. *The invention*

2.1 The invention relates to the generation of a presentation document from a data source on the basis of a template file. The data source comprises a plurality of data records structured into a plurality of data fields. Examples of template files are depicted in Figures 23A, 23B and 23C of the application. A template file comprises tags 236 as placeholders in a presentation template as shown in pane 232 and processing instructions as depicted in pane 234. The tags identify data fields of the data source. Processing instructions control "how the data sources are queried and how the regions of the template are positioned within the presentation" (see page 9, lines 12 to 15, of the application).

2.2 In order to generate a presentation file, a user first selects a data source, for example an XML file, and a template file (page 11, first and second full paragraphs, and Figure 17). The user then starts the generation process (page 11, last paragraph, to page 12, second full paragraph).

2.3 The embodiments discussed on page 12, fourth full paragraph, and on page 13, third full paragraph,

disclose "Plan File" and "Plan File Structure" tabs which each show a "tree-view structure" of the data source and from which the user may drag and drop elements to the template in order to customise said template. This customisation relates to a preparatory step of creating a new or revising an already existing template file as discussed on page 9, line 19, to page 10, line 11. The elements to be dragged and dropped include tags corresponding to the fields of the data source (page 10, lines 1 to 4). If the data source is an XML file, a list of the data fields of the data source is obtained by accessing a definition file defining the data structure of the XML file (page 10, lines 20 to 26).

3. *Main request - inventive step*

3.1 In its background section on page 1, fourth paragraph, to page 7, first paragraph, the application discusses the "mail merge helper feature" of Microsoft Word. The Board has cited document D7 as evidence for this acknowledged prior art and the appellant has not resiled from it.

3.2 This acknowledged prior art discloses a method for assisting a user to create "form letter documents", which the Board understands to be template files from which personalised documents can be generated. See the description of the present application on page 1, fourth paragraph, and page 2, last paragraph.

The Board considers such personalised documents to be "presentation files" within the meaning of the present invention, see for example the description on page 1, third paragraph. At the oral proceedings, the appellant

confirmed that the term "presentation files" was to be given a broad meaning.

3.3 The mail merge helper feature first lets the user specify a data source in the form of, for example, a spreadsheet data file (page 2, first full paragraph). It follows from Figure 4 and page 2, last paragraph, that this data source is accessed (or "parsed") to determine the field data structure of the data source and that a corresponding listing of selectable tags is provided to the user for selection.

3.4 As disclosed in Figure 1 and on page 2, last paragraph, the user may either create a new template file ("main document") or edit, and thereby choose, an existing template file. Such a template file comprises a plurality of tags corresponding to data fields of the data source (paragraph bridging pages 2 and 3) and processing instructions (page 3, first full paragraph, "merge instructions"). The template file and the specified data source are processed on the basis of the tags and processing instructions for building the presentation file (page 4, third full paragraph). In the resulting presentation file, data field values have been inserted in corresponding tag locations, see Figures 3 and 8.

3.5 In the template letter example shown in Figures 3 and 8, each processed record from the data source results in a separate generated letter. The acknowledged prior art also discloses an alternative "Catalog" merge function which is used to gather information from several records together to produce a single document. See page 6, second paragraph, and Figure 14, which shows a "Word template" and a "Merged Catalog Document", the latter being the result of merging the

data records shown as "Query Results" in Figure 12 with the former. As explained on page 6, second paragraph, "[r]ather than grouping the data in a logical format, the mail merge creates repetition with each row including the redundant employee name and job title".

3.6 The subject-matter of claim 1 differs from the acknowledged prior art in that at least one of the processing instructions "sets the context of the presentation by determining what data to extract from the data source".

In addition, the method of claim 1 comprises features based on original dependent claim 5. These features specify that the step of processing the template and specified data source comprises:

- grouping a first template page and a second template page from the template file;
- creating a group of pages in the presentation file based on the processing instructions and data fields specified in the first and second template pages;
- determining a break-on condition for one of the plurality of data fields specified in the processing instructions, where the break-on condition is satisfied when data associated with the specified data field changes; and
- repeating the step of creating a group of pages based on the first and second template pages when the break-on condition is met in the first template page, wherein a plurality of groups of pages are generated in the presentation file, one group for each change in data in the specified data field of the first template page.

3.7 The meaning of these features is more easily understood with the aid of an example given in the present application. Figures 21 and 22 represent a data source. The two figures have to be considered in combination: each record shown in Figure 22 is linked to a record in Figure 21 by the value of the "name" field. Figures 23A, 23B and 23C show three template slides (or "pages") from a template file. Figures 24 to 28 are some of the slides that result from processing the template file together with the data source. Table 2 on page 19 gives an overview of all generated slides.

3.8 Figure 21 shows a table of data records with a data field "level" that takes values in "National", "State" and "City". As can be seen from Table 2, the produced slides correspond only to data records for which the field "level" has the value "National". This is because the template shown in Figures 23A, 23B and 23C contains a ("Group Filter") processing instruction that "sets the context of the presentation" by determining that only data records having the field "level" set to "National" are extracted (see page 16, third paragraph).

3.9 As explained on page 4, second and third full paragraphs, the mail merge helper feature allows the user to set up a query to instruct which records should be included in the merge and how they should be sorted. However, the user must set up this query each time the mail merge is processed.

The Board considers that, in order to obviate the need for the user to repeatedly set up a query, it is obvious to store the query for later re-use. Given that such a query relates to a specific template and that the templates of the mail merge helper feature already

store various processing instructions, it would be a straightforward possibility to embed the query in the template as a processing instruction in accordance with the distinguishing feature specifying that at least one of the processing instructions "sets the context of the presentation by determining what data to extract from the data source".

3.10 The distinguishing features based on original claim 5 are illustrated by Figures 23B and 23C and the description on page 18, first full paragraph. These two template slides form a "group" of two template pages for which the data field "name" is specified as the "break-on condition" ("New Slide Per: {name}"). When processing these template slides, records obtained by combining the tables shown in Figures 21 and 22 are considered one by one. If in the next record the value of the "name" field changes, generation of a new "group of pages" is started. If the value of the "name" field does not change, information from the record is added to the table defined by the template slide shown in Figure 23C. The "groups of pages" resulting from processing the grouped template slides of Figures 23B and 23C are shown in Table 2 on page 19 of the description. Examples of two groups are shown in Figures 25 to 28.

3.11 The features based on original claim 5 hence make it possible to group data records having a common value for a particular field and display them together in two pages (or more if more than two template pages are grouped). In this context it is noted that the term "page" as used in the present application is to be understood as referring also to a slide, chapter, section or some other type of dividing unit (see page 10, second paragraph).

3.12 As explained on page 5, last paragraph, to page 6, second paragraph, the "Catalog" merge functionality of the acknowledged prior art lacks this ability to group data records in a logical format. This prior art is able to produce a list of records as shown in Figure 14, in which field values common to multiple records appear repeatedly, but not a report with a format as shown in Figure 11, in which such common field values appear only once.

3.13 The Board considers that the difference between Figure 11 and Figure 14 is a matter of presentation of information as such, so that the idea of producing reports in a format as shown in Figure 11 does not contribute to an inventive step. Faced with the problem of adapting the "Catalog" merge functionality of the acknowledged prior art as depicted in Figure 14 so as to enable the generation of reports such as shown in Figure 11, the skilled person would realise that templates would have to be supported consisting of at least two grouped section (or "page") templates. Processing this group of section templates should lead to groups of generated sections, each group corresponding to a set of records having a common value for a particular data field. In the case of Figure 11, the first section would include tags for the "Name", "StartDate" and "Job Title" fields. The second section would include tags for the "ContactDesc", "Address", "City", "State", "ZIP" and "Phone" fields. The template would further specify the "Name" field as the "break-on condition". Hence the skilled person would arrive in an obvious manner at the distinguishing features based on original claim 5.

3.14 The Board observes that the feature discussed in points 3.8 to 3.9 above and the features discussed in points 3.10 to 3.13 do not interact to provide a combinative effect going beyond the sum of the individual effects, so that treating them separately in the assessment of inventive step is justified. Although the appellant argued at the oral proceedings that the distinguishing features addressed the problem of providing increased flexibility and control when generating presentations, such increased flexibility and control is not achieved by a technical interaction between these features but rather by each of the two individual effects separately.

3.15 The Board further notes that the appellant's arguments set forth in the letter of 7 October 2014 cannot be followed, as they start out from an incorrect formulation of the technical problem, namely "providing a method for automatically generating a presentation file from a specified data source". The features of claim 1 addressing this problem are known from the acknowledged prior art. The objective technical problem must instead be based on the technical effect resulting from the distinguishing features (see Guidelines for Examination, G-VII, 5.2). In respect of these features the appellant has submitted that their functionality is still not present in the 2013 version of Microsoft Word's mail merge helper feature, but this argument fails to address the Board's reasons for considering them obvious.

3.16 Similarly, the content of the affidavit submitted by the appellant together with the statement of grounds of appeal has no bearing on the Board's assessment of inventive step, and the appellant indeed did not refer to it in the context of inventive step in its written

response to the Board's communication or at the oral proceedings.

3.17 It is concluded that the subject-matter of claim 1 lacks an inventive step (Articles 52(1) and 56 EPC).

4. *Auxiliary request A - inventive step*

4.1 Claim 1 of auxiliary request A differs from claim 1 of the main request in that the feature "grouping a first template page and a second template page from the template file" is no longer presented as a substep of "processing the template file" and now includes "wherein processing instructions in each template page specify the number of template pages in the group".

In addition, the feature "creating a group of pages in the presentation file based on the processing instructions and data fields specified in the first and second template pages" now reads "causing, by each template page in the group, a slide to be inserted in the presentation file, wherein the slides are inserted for each processed record in the specified structured data source".

Finally, the feature "repeating the step of creating a group of pages (...)" now reads "repeating the step of causing slides to be inserted in the presentation file when the break-on condition is met in the first template page, wherein a plurality of groups of slides are inserted in the presentation file, one group for each change in data in the specified data field of the first template page".

4.2 The first amendment expresses more clearly that "grouping" of template pages is performed during the

design of the template. In the example of Figures 23A, 23B and 23C, the template slides shown in Figures 23B and 23C were "grouped" by inserting a processing instruction specifying a group of two slides ("Slides in Group: 2"). This clarification does not affect the Board's interpretation of the claim. That template pages are "grouped" by specifying the number of template pages to be grouped is considered an obvious possibility.

4.3 The other two amendments also attempt to further clarify the independent claim and additionally specify that the generation presentation consists of "slides". That the template pages result in the generation of "slides" such as shown in Figures 25 to 28 and not of sections such as shown in Figure 11 (see point 3.13 above) is a matter of presentation of information and does not contribute to an inventive step.

4.4 Regarding the attempted clarification, the Board notes that the feature "wherein the slides are inserted for each processed record in the specified structured data source" taken by itself could be understood as meaning that a separate slide is generated for each record. It is however clear from the feature "wherein a plurality of groups of slides are inserted in the presentation file, one group for each change in data in the specified data field of the first template page" that one group of slides is generated for each set of data records having a common value for the field specified as "break-on condition". The Board's interpretation of the corresponding features of claim 1 of the main request as explained in points 3.10 and 3.11 is hence still valid, and the same applies to its reasoning given in points 3.12 and 3.13.

4.5 Since claim 1 of auxiliary request A does not add anything inventive to claim 1 of the main request, its subject-matter lacks an inventive step (Articles 52(1) and 56 EPC).

5. *First auxiliary request - inventive step*

5.1 Claim 1 of the first auxiliary request adds to claim 1 of the main request that the end user is provided with a graphical user interface for specifying the structured data source and for the selection of tags from the plurality of tags.

5.2 These features are already known from the acknowledged prior art, see page 2, first and second full paragraphs, and Figures 1 to 3 of the present application. The subject-matter of claim 1 of the first auxiliary request therefore lacks an inventive step (Articles 52(1) and 56 EPC).

6. *Second auxiliary request - inventive step*

6.1 Claim 1 of the second auxiliary request is based on claim 1 of the first auxiliary request. The term "application" has been replaced by "presentation slide generation program". The features based on original claim 5 have been replaced by features based on original page 12, second and third full paragraphs.

6.2 The prior-art Microsoft Word application comprising the "mail merge helper feature" is considered to be a "presentation generation program" within the meaning of the present invention, cf. point 3.2 above. In any event, it is obvious to incorporate a similar document generation feature in a prior-art application dedicated

to producing presentation files such as Microsoft PowerPoint.

6.3 The features based on original page 12, second and third full paragraphs, do not add anything inventive. Providing a user with an estimate of processing time and the option to cancel processing if the processing takes too long are obviously desirable features of a user interface. It is furthermore evident that processing time correlates with the number of slides to be generated and the complexity of the input data.

6.4 The subject-matter of claim 1 of the second auxiliary request hence lacks an inventive step (Articles 52(1) and 56 EPC).

7. *Third auxiliary request - inventive step*

7.1 Claim 1 of the third auxiliary request is again based on claim 1 of the first auxiliary request. The feature "choosing a template file" has been amended to "setting up a template file". The features based on original claim 5 have been replaced by features based on original page 10, first paragraph, and original claims 7 and 8.

7.2 Since in the acknowledged prior art the user may either create a new template file or edit an existing template file (see point 3.4 above), the change from "choosing a template file" to "setting up a template file" does not further distinguish the claimed subject-matter from the prior art.

7.3 The features based on original page 10, first paragraph, specify that the setting-up step involves inserting tags at specific locations of the template

and inserting processing instructions at another specific location of the template file, the latter being a notes region or a comments region of the template file.

Inserting tags at specific locations of the template file is part of the acknowledged prior art, see page 2, last paragraph.

The acknowledged prior art does not disclose inserting processing instructions into a separate region of the template file. Indeed, the "merge instructions" discussed on page 3, first full paragraph, to page 4, first full paragraph, and Figure 5 are necessarily inserted into the regular content part of the template file, as their position within this content is of relevance. However, once the obvious decision is made to embed in the template file the query referred to on page 4, second and third full paragraphs (see point 3.9 above), that query applying to the template file as a whole and not to a specific portion of its content, it is obvious to insert this query processing instruction into a separate section of the template file. Certain well-known document formats such as the Microsoft PowerPoint document format contain such separate regions in the form of a comments region or notes region.

7.4 The subject-matter of claim 1 of the third auxiliary request therefore lacks an inventive step (Articles 52(1) and 56 EPC).

8. *Fourth auxiliary request - inventive step*

8.1 Claim 1 of the fourth auxiliary request differs from claim 1 of the third auxiliary request in the addition of the feature:

> wherein the structured data source comprises a hierarchical structured data source and at least one of the processing instructions relates to a high-level context of the hierarchical structured data source and the at least one tag relates to a lower-level data field within the hierarchical structured data source.

8.2 As confirmed by document D1, page 1, first paragraph, at the priority date of the present application it was obvious to employ an XML file as data source. It is well known in the art that XML files typically store hierarchically structured data. When employing an XML file containing hierarchically structured data as data source, it is obvious that processing instructions and tags relate to higher-level or lower-level contexts or data fields of the data source, as the case may be.

8.3 The subject-matter of claim 1 of the fourth auxiliary request hence does not involve an inventive step (Articles 52(1) and 56 EPC).

9. *Fifth auxiliary request - inventive step*

9.1 Claim 1 of the fifth auxiliary request is based on claim 1 of the first auxiliary request. The features based on original claim 5 have been replaced by the feature:

wherein the query is embedded in the template file as a smart tag for allowing an end user to re-query the data source from the presentation file to update the presentation file.

9.2 At the oral proceedings, the appellant explained that the term "smart tag" was not to be given any special meaning. The feature added to the claim was merely intended to express that the embedded query was used to allow the end user to re-query the data source in order to update the presentation file.

9.3 As explained in point 3.9, it is obvious to embed a query in the template file in order to obviate the need for the user to repeatedly set up the query. Since using the query a second time to generate the presentation file effectively updates the presentation file, the feature added to claim 1 does not add anything inventive.

9.4 Therefore the subject-matter of claim 1 of the fifth auxiliary request does not involve an inventive step (Articles 52(1) and 56 EPC).

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chairman:

I. Aperribay R. Moufang

Decision electronically authenticated