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**Datasheet for the decision
of 24 April 2012**

Case Number: T 0145/10 - 3.5.03

Application Number: 08154439.7

Publication Number: 2109301

IPC: H04M 3/42

Language of the proceedings: EN

Title of invention:

Provision of temporary telephone numbers

Applicant:

Freespee AB

Headword:

Temporary telephone numbers/FREESPEE

Relevant legal provisions:

EPC Art. 54

Keyword:

"Novelty - no"

Decisions cited:

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Catchword:

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Case Number: T 0145/10 - 3.5.03

D E C I S I O N
of the Technical Board of Appeal 3.5.03
of 24 April 2012

Appellant: Freespee AB
(Applicant) SE-753 81 Uppsala (SE)

Representative: Nordin, Magnus
Awapatent AB
P.O. Box 45086
SE-104 30 Stockholm (SE)

Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 30 November 2009
refusing European patent application
No. 08154439.7 pursuant to Article 97(2) EPC.

Composition of the Board:

Chair: M.-B. Tardo-Dino
Members: T. Snell
B. Noll

Summary of Facts and Submissions

This appeal is against the decision of the examining division refusing European patent application No. 08154439.7, with publication number EP-A-2109301. The ground for the decision was that the subject-matter of claim 1 did not involve an inventive step (Article 56 EPC). The impugned decision mentioned the following two documents:

D2: US-A-2006/233351

D3: US-A-2003/0147519

- I. In the notice of appeal the appellant requested that the decision be set aside and a patent granted. The notice of appeal included a statement of grounds of appeal together with a new set of claims, said to be the claims as originally filed. The arguments in the statement of grounds essentially only considered the issue of inventive step in relation to the disclosure of document D3.

Oral proceedings were conditionally requested.

- II. In a communication accompanying a summons to oral proceedings, the board gave a preliminary opinion that, *inter alia*, the subject-matter of claim 1 was not new with respect to the disclosure of document D2.
- III. The appellant informed the board that it did not intend to attend the oral proceedings and indicated that it maintained its position set forth in the statement of grounds, without submitting any new arguments or requests.

IV. Oral proceedings were held on 24 April 2012 in the absence of the appellant. From the statement of grounds, the board understood that the appellant requested that the decision under appeal be set aside and a patent granted on the basis of claims 1-15 of the request filed with the statement of grounds.

After due deliberation, the board announced its decision.

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

"A method (20) of providing a temporary telephone number, said method comprising the steps of:
receiving (21) a request for a temporary telephone number;
associating (22) a permanent number with a temporary telephone number created in response to said request and transmitting the temporary telephone number to the requester;
directing (23) a call addressed to the temporary telephone number to the permanent number with which it is associated;
revoking (24) the temporary telephone number once it has been used, thereby making it a single-use number."

Reasons for the decision

1. *Article 113(1) EPC*

The relevant facts and documents underlying the reasons for potentially dismissing the appeal were communicated to the appellant with the summons to oral proceedings. The board's decision relies essentially on these facts and submissions and therefore complies with Article 113(1) EPC.

2. *Novelty*

2.1 The present application concerns a method of providing temporary telephone numbers, eg in order to safeguard privacy and integrity of an individual wishing to give his/her number to a third party (cf. paragraph [0007] of the description of the published application). Document D2 is considered by the board to be the most relevant prior art document.

2.2 Using the wording of claim 1, document D2 discloses a method of providing a temporary telephone number ("provisional number"), said method comprising the steps of:
receiving a request for a temporary telephone number (page 2, left-hand col., lines 16-18);
associating a permanent number with a temporary telephone number created in response to said request and transmitting the temporary telephone number to the requester (page 2, left-hand col., lines 18-21);
directing a call addressed to the temporary telephone number to the permanent number with which it is associated (paragraph [0032]);

revoking the temporary telephone number once it has been used, thereby making it a single-use number (see below).

2.3 According to document D2, user data are stored in a "subscriber number management table" (Fig. 4) and a "one-time-number management table" (Fig. 5). The former includes an item "redial" for indicating whether the user approves that the provisional number can be redialled (cf. paragraph [0047]). In conjunction with this item, if redialling is approved, a time limit for the duration of the provisional number may be set (cf. paragraph [0056] and Fig. 9). If redialling is "disapproved" by the user, it follows that there is no time limit set and no redialling (cf. Fig. 4), and in the board's view this implies that the provisional number is in this case be used only once. This is furthermore consistent with the expression "one-time-number management table" (board's emphasis). Therefore, in the board's view, document D2 implicitly discloses the feature "revoking the temporary telephone number once it has been used, thereby making it a single-use number".

2.4 Hence, as already set out in the board's communication, all the features of claim 1 are disclosed in document D2. The subject-matter of claim 1 is therefore not new (Articles 52(1) and 54 EPC).

2.5 The appellant provided no arguments concerning the issue of novelty with respect to document D2. Hence the board has no reason to diverge from the opinion set out in its communication. As the subject-matter of claim 1

is not new, there is also no need to consider the issue of inventive step with respect to document D3.

3. *Conclusion*

For the above reasons, the appellant's only request is not allowable. It follows that the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chairperson:

G. Rauh

M.-B. Tardo-Dino