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Datasheet for the decision of 6 June 2013

Case Number: T 0235/11 - 3.5.02

Application Number: 98907371.3

Publication Number: 958560

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Language of the proceedings: EN

Title of invention:
System for routing electronic mails

Applicant:
Greeneden US Holdings II, LLC
Alcatel Lucent

Headword:
-

Relevant legal provisions:
EPC Art. 56

Relevant legal provisions (EPC 1973):
-

Keyword:
"Inventive step - (no)"

Decisions cited:
-

Catchword:
-

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Case Number: T 0235/11 - 3.5.02

D E C I S I O N
of the Technical Board of Appeal 3.5.02
of 6 June 2013

Appellant: (Applicant 1)
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Appellant: (Applicant 2)
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Decision under appeal:
Decision of the Examining Division of the European Patent Office posted 2 June 2010 refusing European patent application No. 98907371.3 pursuant to Article 97(2) EPC.

Composition of the Board:

Chairman: M. Ruggiu
Members: M. Léouffre
W. Ungler

Summary of Facts and Submissions

I. This is an appeal against the decision of the Examining Division, posted on 2 June 2010, on the refusal of the application No. 98907371.3.

II. The Examining Division held that the main request and the first and second auxiliary requests, all filed on 30 October 2009, did not involve an inventive step in the sense of Article 56 EPC, having regard to document D4 = US 5 377 354 A.

III. With the statement setting out the grounds of appeal, the appellants requested in writing that the decision under appeal be set aside and that a patent be granted on the basis of the main request or of one of the two auxiliary requests filed anew with the letter dated 12 October 2010.

IV. In a communication attached to the summons to oral proceedings, the board expressed the preliminary opinion that none of the requests involved an inventive step (Article 56 EPC) having regard to D4 or D2 = US 5 555 426 A

V. By electronically filed letter dated 3 June 2013, the appellants informed the board that they would not attend the oral proceedings scheduled for 6 June 2013. The oral proceedings were held in their absence.

VI. Claim 1 of the main request reads as follows:
"A system for routing an electronic mail to one of a plurality of support persons in a processing center (100), each of said support persons having a specific

skill set from a variety of possible skill sets, the system comprising:
an e-mail server (102) adapted to receive said e-mail from a sender;
an information extractor (204) for extracting information from said e-mail;
a database (114) accessible for storing skill sets of said support persons; and
a router (116) adapted to access said data base and to select one of a plurality of support persons to route an e-mail to by matching stored information about said specific skill sets with portions of extracted information from said e-mail, and directs the e-mail server to route the e-mail to the e-mail address of the selected support person."

Claim 11 of the main request reads as follows:
"A method for routing electronic mail in a processing center (100) having a plurality of support persons, comprising steps of:

a) receiving an e-mail at an e-mail server (102);

b) extracting information from the e-mails, characterised by

c) providing a database (114) of skill sets of support persons;

d) matching extracted information with skill sets of support persons; and

e) selecting a specific support person to receive a specific e-mail based on results of the matching step d) and directing the e-mail server to route the email to the email address of the selected support person."

VII. Claim 1 of the first auxiliary request adds the following feature to claim 1 of the main request:

"wherein said database (114) further stores information on senders of e-mails, and routing performed by said router (116) further uses said stored information on senders of e-mails."

Claim 10 of the first auxiliary request comprises all the features of claim 11 of the main request, whereby feature e) is modified as follows

"selecting a specific support person to receive a specific e-mail based on results of the matching step d) and directing by a router (116) the e-mail server to route email to the email address of the selected support person;" and adds the following feature:

"the method further comprising storing in said database (114) information on senders of e-mails, wherein routing performed by said router (116) further uses said stored information on senders of e-mails."

VIII. Claim 1 of the second auxiliary request adds the following feature to claim 1 of the main request:
"a statistics server (112) recording activities of said processing center (100), wherein said routing performed by said router (116) further uses said recorded activity in said statistics server (112) in selecting support persons to receive e-mails."

The method according to claim 10 of the second auxiliary request comprises features a) to e) of claim 10 of the first auxiliary request and adds the following feature f):

"recording activities of said processing center (100) in a statistics server (112), wherein said routing performed by said router (116) further uses

said recorded activity in said statistics server (112) in selecting support persons to receive e-mails."

IX. The appellant essentially argued that:
The present invention had as an object, the routing of e-mails sent to a general address such as a company e-mail address in a system including a plurality of support persons, and the removing of the need for an e-mail to be redirected from one support person to another. Therefore, the system for routing e-mails of the invention was at the e-mail server and needed a database for storing skill sets of support persons as well as a router adapted to access the database, to select one of a plurality of support persons to route an e-mail to by matching stored information about said specific skill sets with portion of extracted information from said e-mail, and to direct the e-mail server to route the e-mail to the e-mail address of the selected person.

D4 related to a method of prioritising e-mails in a user's inbox. The workstation of D4 received an e-mail that had already been routed, to forward it to other e-mail addresses. There was no indication in D4 that there was any information stored in a database in any part of D4 that might be related or associated with any such further e-mail address whereby that data was matched with data extracted from the e-mail in order to route the e-mail. Nothing was said in D4 about why an e-mail might be forwarded to a further address other than it was according to a rule. The teaching of D4 did not begin until the e-mail had already been routed by the e-mail server. The reference to forwarding in D4 did not make the user workstation of D4 a router. D4

did not relate to the problem solved by the present invention because D4 did not relate to the routing of e-mails at an e-mail server.

Reasons for the Decision

1. The appeal is admissible.

2. D4 relates to improvements in electronic mail control systems and proposes a mode of operation for automatic forwarding of e-mails to other users (cf. column 4, lines 16, 17 and 50 to 60), thereby removing the need for e-mails to be redirected by a user.

2.1 D4 relates to interconnected user work stations which constitute a processing center (cf. column 1, lines 15 to 19). Thus D4 discloses:
a system for addressing an electronic mail to one of a plurality of users in a processing center (cf. "forwarding it to further addresses" in D4, column 6, lines 14 to 17), comprising
an e-mail client adapted to receive said e-mail from a sender (D4. "I/O port 10", column 3, lines 33 to 37 and 44 to 49);
an information extractor for extracting information from said e-mail (implemented by "rules test unit 13" based on conditions stored in 35A; cf. paragraph bridging columns 5 and 6 and column 6, lines 50 to 62);
a database ("rules store 12") accessible for storing rules;
a "rules test unit 13" adapted to access said database and to select one (or more) of a plurality of users (cf. column 7, lines 5 to 7) to forward an e-mail by

matching stored information about said rules with portions of extracted information from said e-mail (cf. column 3, lines 42 to 49).
The "rules test unit 13" (together with the "message switch 14") directs the e-mail client to forward the e-mail to the e-mail address of the selected user (cf. column 8, lines 5 to 33).

In D4, the forwarding of e-mails is based on rules stored in the rules store 12. These rules may comprise "keyphrases which are robe matched against the contents of the message" (cf. column 6, lines 50 to 52). This necessarily implies that data are extracted from the incoming e-mail. The keyphrase matching step may be followed by an action to forward the e-mail (cf. column 7, lines 5 to 7). This implies a relation between a keyphrase and a receiver, which may be the work station of a person. The action may be a forward action stored in a "forward-to" field 47 in the rule storage 35. The rule storage 35, which may be seen as a database comprises two parts, a "tests" or "conditions" part 35A and an "actions" part 35B (cf. paragraph bridging columns 5 and 6). The "forward-to" field 47 is part of the actions part. Hence it is considered that D4 proposes a system wherein an incoming e-mail may be forwarded to an addressee following the matching of a keyphrase (a rule stored in the "tests" area 35A) to the content of the incoming e-mail.

2.2 Claim 1 of the main request defines the rules and therefore the keyphrases as skill sets and the users as support persons, each of said support persons having a specific skill set from a variety of possible skill sets.

In companies comprising employees acting as support persons having different skills, an administrative agent receiving the e-mails at the general e-mail address e.g. support@abc-company.com (cf. description of the present application as published at page 5, line 3) is in charge of analysing the content of the e-mails and identifying the subject of the e-mails before dispatching them to a support person having the corresponding skill (cf. description of the application at page 2, line 23 to page 3, line 6). The same company willing to automate the actions effectuated by this agent would immediately recognise that the keyphrases of D4 could be used to define skill sets of support persons, and would use the system of D4 to parse the incoming e-mails and to address, in an automatic way, the e-mails to a support person having skills related to the subject of the e-mail.
Hence, no inventive step can be seen in defining the "keyphrases" of D4 as administrative rules representing skill sets of users acting as support persons. With the system of D4, on matching these keyphrases, an e-mail would be forwarded to a support person having the suitable skills.

2.3 It is agreed with the applicant that the e-mail client at the user workstation of D4 may be able to forward e-mails but not to route e-mails as an e-mail server would do. However the term "router" in the present application does not appear to define a router of an e-mail network router, but a kind of decision body retrieving an address from the stat-server 112 and the database 114 (cf. description of the application at page 9, lines 10 and 11), this decision body being inside the e-mail server. Actually, the decision body

or router according to the invention "directs the e-mail server to route the e-mail to the e-mail address of the selected support person" (last feature of claim 1 of the main request). This decision body and the task executed by this decision body correspond respectively to the rules test unit 13 of D4 and the task executed by the rules test unit. D4, which refers to "routing" (see column 3, lines 5 to 7 and claim 1), is not limited to prioritising e-mails in a user's inbox but comprises a system which receives e-mails, applies rules to the e-mails in a rules test unit and decides on the forwarding of the e-mails (cf. column 3, lines 33 to 49) after having reconstructed the e-mails if necessary (cf. column 4, lines 50 to 68). Therefore the claimed functionalities of the router of the present invention are implemented at the e-mail client of D4.

The subject-matter of claim 1 of the main request could at most be seen as differing from D4 in that the routing of the e-mails in the sense of the present application is done at the e-mail server rather than at the e-mail client like in D4. An e-mail client according to D4 is however necessarily connected to an e-mail server which implicitly comprises a routing functionality. The e-mail client of D4, upon deciding to forward an e-mail to another user, in fact must direct its server to route the e-mail to the selected user" which may be a support person (cf. item 2.2 above). The e-mail client of D4 together with the necessarily available e-mail server constitutes therefore a system for routing an electronic mail to one of a plurality of support persons. Compared to a system wherein the e-mail parser and the routing

decision maker are lodged at the e-mail server, a system according to D4 could possibly be less efficient because the connection between the client running the parser (rules test unit) and the e-mail server might be subject to traffic overload. However a person skilled in the art aware of D4 would immediately recognise this possibility and the advantage of having the parser and decision maker functionalities of D4 at the e-mail server. The system according to claim 1 of the main request is therefore considered as obvious in the sense of Article 56 EPC.

3. Claim 1 of the main request does not involve an inventive step having regard to D2 either.

D2 discloses a system for routing an electronic mail to one of a plurality of users in a processing center (data processing system 8), the system comprising:
an e-mail server ("disseminator") adapted to receive said e-mail from a sender;
an information extractor (cf. column 7, lines 56 to 64) for extracting information from said e-mail;
a database accessible for storing conditions of interests (cf. D2, column 4, lines 21 to 25); and
a router (cf. column 2, lines 15 to 20) adapted to access said data base and to select one (or more than one) of a plurality of users to route an e-mail to by matching stored information about said conditions of interests with portions of extracted information from said e-mail.
The router directs the e-mail server to route the e-mail to the e-mail address of the selected users (cf. column 7, lines 56 to 64 and column 8, lines 12 to 15).

Claim 1 of the main request defines the users as support persons having specific skill sets. Like the keyphrases of D4, the conditions of interest mentioned in D2 could represent skills sets of users. These non-technical features do not render the subject-matter of claim 1 inventive.

4. Claim 1 of the first auxiliary request adds the following features:
"wherein said database (114) further stores information on senders of e-mails, and routing performed by said router further uses said stored information on senders of e-mails."
These further features are disclosed in D4 (cf. fields 26 in message store 11 and 37 in the rules store 12 and column 7, lines 38 to 40).

4.1 Claim 1 of the second auxiliary request, adds:
"a statistics server (112) recording activities of said processing center (100), wherein said routing performed by said router (116) further uses said recorded activity in said statistics server (112) in selecting support persons to receive e-mails".
These features are not disclosed in D4. It is however considered a normal administrative practice to record the activity of a processing center and to take account of this activity before assigning new tasks to a selected person in order e.g. to balance the workload which could result from new incoming messages.

4.2 Claims 1 of the first and second auxiliary requests do not therefore involve an inventive step either.

5. The corresponding independent method claims do not comprise any further feature which would involve any inventive step.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar The Chairman

C. Moser M. Ruggiu