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Datasheet for the decision
of 28 May 2015

Case Number: T 0748/11 - 3.5.05

Application Number: 04775554.1

Publication Number: 1678895

IPC: H04L12/58, H04N7/04

Language of the proceedings: EN

Title of invention:
CONTAINER FORMAT FOR MULTIMEDIA PRESENTATIONS

Applicant:
Telefonaktiebolaget LM Ericsson (publ)

Headword:
Self-contained multimedia presentation file/ERICSSON

Relevant legal provisions:
EPC Art. 54, 56

Keyword:
Novelty - main request (no)
Inventive step - first and second auxiliary requests (no)

Decisions cited:

Catchword:

Case Number: **T 0748/11 - 3.5.05**

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 28 May 2015

Appellant: (Applicant)	Telefonaktiebolaget LM Ericsson (publ) 164 83 Stockholm (SE)
Representative:	Ericsson Patent Development Torshamnsgatan 21-23 164 80 Stockholm (SE)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted on 26 November 2010 refusing European patent application No. 04775554.1 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair	A. Ritzka
Members:	P. Cretaine
	D. Prietzel-Funk

Summary of Facts and Submissions

I.   The appeal is against the decision of the examining
division, posted 26 November 2010, to refuse European
patent application No. 04 775 554.1 on the grounds of
lack of inventive step (Article 56 EPC), having regard
to the disclosure of

        D1: US 2003/0061369 **or**

        D2: US 6 430 177.

II.   Notice of appeal was received on 25 January 2011 and
the appeal fee was paid on the same day. The statement
setting out the grounds of appeal was received on
25 March 2011. The appellant requested that the
decision of the examining division under appeal be set
aside and that a patent be granted on the basis of a
main request or either the first or second auxiliary
request filed with the statement setting out the
grounds of appeal. The claims of the main request were
identical to the claims of the request on which the
decision was based. Oral proceedings were requested
should at least one of the requests not be allowed.

III.   A summons to oral proceedings scheduled for
28 May 2015 was issued on 18 March 2015. In a
communication dated 20 March 2015, the board gave its
preliminary opinion on the appeal pursuant to
Article 15(1) RPBA. Objections were raised under
Article 54 EPC, with respect to the main request, and
Article 56 EPC, with respect to the first and second
auxiliary requests, having regard to the disclosure of
D1.

IV.   By letter of 21 April 2015 the appellant announced that
        it would not be attending the oral proceedings.

V.   Oral proceedings were held as scheduled on
        28 May 2015 in the absence of the appellant. After due
        deliberation on the basis of the pending requests and
        the written submissions, the decision of the board was
        announced at the end of the oral proceedings.

VI.   Claim 1 of the **main request** reads as follows:

        "A method for transmitting a multimedia presentation
        comprising a plurality of media objects, said method
        comprising:
        organizing (S 10) the plurality of media objects in a
        multimedia container;
        organizing (S20), in said multimedia container,
        identifiers referring to each of said plurality of
        media objects;
        providing (S30), in said multimedia container, an
        identifiable starting file coordinating the plurality
        of media objects based on the said identifiers, to
        enable identification of the start of said multimedia
        presentation and the dependencies between said
        plurality of media objects of said multimedia
        presentation;
        transmitting (S33) said multimedia container and the
        incorporated multimedia presentation."

        The main request comprises further independent claims
        for a corresponding arrangement (claim 10) and a
        corresponding multimedia container (claim 19).

        Claim 1 of the **first auxiliary request** adds between the
        third and fourth steps of claim 1 of the main request
        the step of "providing (S31) download control

information comprising buffer delay based on a
predetermined download speed to enable a receiver to
render the identifiable starting file and media objects
of said multimedia container during transmission".

The first auxiliary request comprises further
independent claims for a corresponding arrangement
(claim 10) and a corresponding multimedia container
(claim 17).

Claim 1 of the **second auxiliary request** reads as
follows:

"A method for transmitting a self-contained multimedia
presentation as one unit, said multimedia presentation
comprising a plurality of media objects,
said method comprising:
organizing (S10) the plurality of media objects in a
multimedia container, said media objects comprising one
or a combination of dynamic media objects in tracks and
static media files, wherein said step of organizing the
media objects comprises organizing the media objects as
interleaved continuous fragments of data in the
multimedia container;
organizing (S20), in said multimedia container,
identifiers referring to each of said plurality of
media objects;
providing (S30), in said multimedia container, an
identifiable scene description file as a starting file
for coordinating the plurality of media objects based
on the said identifiers, to enable identification of
the start of said multimedia presentation and the
dependencies between said plurality of media objects of
said multimedia presentation;
transmitting (S33) said multimedia container and the
incorporated multimedia presentation,

wherein said step of organizing (S20), in said
multimedia container, identifiers referring to each of
said plurality of media objects comprises:
organizing and locating said identifiers referring to
said dynamic media objects in a first section of said
multimedia container; and
organizing and locating said identifiers referring to
said static media objects in a second section of said
multimedia container different from said first section,
wherein said step of organizing (S10) said plurality of
media objects in said multimedia container comprises
organizing and locating said interleaved media objects
in a third section of said multimedia container
different from said first and second sections and
wherein said step of providing (S30) said scene
description file comprises treating said scene
description file as a static file and including said
scene description file in said second section of said
multimedia container."

The second auxiliary request comprises further
independent claims for a corresponding arrangement
(claim 6) and a corresponding multimedia container
(claim 11).

Reasons for the Decision

1.   The appeal is admissible.

2.   Non-attendance at oral proceedings

        Although the appellant's representative announced its
        intention not to attend, the appellant did not withdraw
        its request for oral proceedings. Pursuant to

Article 15(3) RPBA, the board is not obliged to delay
any step in the appeal proceedings, including its
decision, by reason only of the absence at the oral
proceedings of any party duly summoned who may then be
treated as relying only on its written case.

In the present case, the appellant did not submit any
comments in response to the objections raised in the
board's communication under Article 15(1) RPBA. The
board did not see any reason to depart from those
objections and took a decision at the end of the oral
proceedings (Article 15(6) RPBA).

3.   Novelty - inventive step

3.1   Prior art

D1 discloses a method for composing a multimedia file
as a container of media samples, to be sent from a
server to a client. The file format includes
information about indexing the file and how to
synchronise the media tracks (see paragraph [0005]).
Figure 5a shows an example of such a container,
comprising file level meta-data (i.e. presentation-
level meta-data), placed before each media segment. A
segment is composed of media data and its associated
meta-data (see paragraph [0031]). Figure 5b shows an
example of a multimedia container for an MPEG4
presentation. The box "mp4d" represents meta-data valid
for the whole MPEG4 presentation, whereas each of the
boxes "smp4" is related to a MPEG4 media fragment and
contains meta-data "moov" related to the fragment and
media data "mdat-2" to be rendered
(see paragraph [0033]). As soon as one segment has been
downloaded by the recipient, it can be immediately
rendered at the receiver since all necessary meta-data

(general and particular) have been received. Thus, progressive download and real-time streaming are possible (see paragraph [0031], last sentence). The presentation timing may however also differ from streaming, wherein media data are interleaved in the container in playback or decoding order. Instead, the media segments can be played independently of each other (see paragraph [0015]). Paragraphs [0059] and [0061] further disclose that container boxes, labelled as "edit atom" and "edit list atom", define the mapping between the media time-line and the presentation time-line, i.e. the start of the presentation and the order of the rendering.

3.2   Main request

The claims of the main request are identical to the claims on which the impugned decision was based.

In the board's judgement, the combination of steps of method claim 1 is already known from D1.

In that respect, the step of organising media objects in a multimedia container is known from D1, paragraph [0005], second sentence. The following step of organising in the multimedia container identifiers referring to each of the media objects is disclosed implicitly in D1 by the feature of having the media objects being played independently of each other (see paragraphs [0015] and [0059]. Moreover, Figure 5a shows that each media object is allocated a sequence number ("segment 1", "segment 2", etc...) which amounts to an identifier. The next step of providing an identifiable starting file is disclosed in paragraph [0059] of D1: the "edit atom" file maps the presentation time-line to the media time-line, i.e. it identifies the start of

the multimedia presentation and co-ordinates the media
objects to enable them to be presented in the
prescribed order. The last step of transmitting the
multimedia container is disclosed in paragraph [0025].

The appellant argued in substance that
paragraphs [0005] and [0006] of D1, which were the
passages cited in the decision under appeal, disclosed
that the media objects were interleaved in the
container in playback order, thereby giving an
indication that there was no need for an identifiable
file co-ordinating the media objects. However, these
paragraphs [0005] and [0006] relate to the background
of the invention acknowledged by D1. The board bases
its argumentation on other passages of D1 which
describe unambiguously a file having the same
functionalities as the identifiable starting file
defined in claim 1.

Thus, the main request is not allowable under
Article 54 EPC.

3.3   First auxiliary request

Claim 1 adds to claim 1 according to the main request
the step of providing download control information
comprising buffer delay based on a predetermined
download speed to enable a receiver to render the
identifiable starting file and media objects of said
multimedia container during transmission. These
features aim at enabling a progressive downloading of
the multimedia presentation at the receiver (see
page 8, lines 12 to 16 of the description).

In D1, progressive downloading of the multimedia
presentation is achieved by enabling the media segments

to be played as soon as the file-level meta-data and
the segment's meta-data are received (see [0015],
[0031] and [0036]). D1 further teaches that some
terminals may be not capable of progressive downloading
(see [0041]). The skilled person would thus realise
that one of the reasons therefore lies in the download
speed achievable by these terminals. The skilled person
would thus obviously consider providing buffering based
on the download speed, in order to achieve progressive
downloading at these terminals.

Thus, the subject-matter of claim 1 does not involve an
inventive step, having regard to the disclosure of D1
and the common general knowledge of the skilled person.

Therefore, the first auxiliary request is not allowable
under Article 56 EPC.

3.4   Second auxiliary request

Claim 1 adds to claim 1 according to the main request
the following juxtaposed features:

- the media objects are organised in the multimedia
container as interleaved continuous fragments of data.
This feature is however already known from D1 (see e.g.
Figure 5a);

- the media objects comprise a combination of dynamic
media objects and static media files. This feature is
also disclosed in D1 (see [0025]: "The content may be
e.g. video, audio, still images");

- the identifiable starting file is a scene description
file. This feature is also known from D1 (see [0059]:
"presentation time line");

- the identifiers of the dynamic media objects are located in a first section of the container, the identifiers of the static media objects and the scene description file are located in a second section of the container, and the media objects are located in a third section of the container. In the board's judgement, separating different types of files in a data structure is a common measure in the field of data processing.

Therefore, the subject-matter of claim 1 does not involve an inventive step, having regard to the disclosure of D1 and the common general knowledge of the skilled person.

Thus, the second auxiliary request is not allowable under Article 56 EPC.

4. In conclusion, none of the requests is allowable, for lack of novelty or inventive step.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chair:

K. Götz-Wein   A. Ritzka

Decision electronically authenticated