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**Datasheet for the decision  
of 14 October 2016**

**Case Number:** T 0164/12 - 3.5.02

**Application Number:** 05704773.0

**Publication Number:** 1728226

**IPC:** G08B25/08, G08B25/10,  
G08B29/12, H04M11/04, H04N7/18

**Language of the proceedings:** EN

**Title of invention:**  
Construction System for Supervision

**Applicant:**  
Multicom Security AB

**Relevant legal provisions:**  
EPC Art. 56

**Keyword:**  
Inventive step - (no) - common general knowledge



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Case Number: T 0164/12 - 3.5.02

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.02**  
**of 14 October 2016**

**Appellant:** Multicom Security AB  
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117 43 Stockholm (SE)

**Representative:** Glawe, Delfs, Moll  
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**Decision under appeal:** **Decision of the Examining Division of the European Patent Office posted on 4 July 2011 refusing European patent application No. 05704773.0 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** G. Flyng  
**Members:** R. Lord  
R. Cramer

## **Summary of Facts and Submissions**

I. This is an appeal of the applicant against the decision of the examining division to refuse European patent application No. 05 704 773.0. The reason given for the refusal was that the subject-matter of the independent claim 1 then on file did not involve an inventive step according to Article 56 EPC.

II. The following documents of the prior art cited during the procedure before the examining division are relevant for this decision:

D1: US 5 027 383 A, and  
D6: GB 2 389 937 A.

The following documents cited in the International Search Report for the application underlying the present application (i.e. the international application published as WO 2005/072075 A2) are also relevant for this decision:

D7: US 2002/0170064 A1, and  
D8: US 2003/0196208 A1.

With a reply dated 14 September 2016 to the summons to oral proceedings issued by the board the appellant filed an amended set of claims which replaced both of the requests previously on file.

III. Oral proceedings before the board took place on 14 October 2016. During the discussion of inventive step the board raised an objection based on D1 and common general knowledge, and referred also to D6, D7 and D8. The appellant requested that the decision under

appeal be set aside and that a patent be granted in the following version:

- description pages 1 to 40 as published in the A2 publication
- claims 1 to 8 filed on 14 September 2016
- drawing pages 1 to 22 as published in the A2 publication.

IV. Claim 1 according to the appellant's sole request reads as follows:

"Arrangement of units to form a monitoring system comprising a number of local alarm systems (100) and a number of different monitoring stations (200), the local alarm systems (100) each being adapted to show, at their particular locations, the statuses of various devices in the local system, such indication being achieved using, at least one surveillance camera; the local alarm systems each having means to send messages or other information about the statuses of the devices in the local alarm system to one or more monitoring stations, over a number of different communication channels, this increasing the certainty of the messages/information reaching the intended destination; each monitoring station being equipped with means for remote checking of the extent to which each local alarm system is able to send messages and means for the remote configuration of the local alarm systems and means for directing the information streams from the local alarm systems, wherein at least one of the monitoring stations has a device for traffic distribution, said traffic distribution device is adapted to control a traffic load from surveillance cameras by: being adapted to send images and/or video streams to various receivers, the resolution and update frequency of the content corresponding to the available

bandwidth and/or what the receiver requires of the images/video streams; to use mathematical algorithms to compress said images and video streams (in order to take as little bandwidth as possible); and, to determine to which receivers the images or video streams from surveillance cameras shall be sent."

V. The appellant essentially argued as follows:

It was not obvious how to implement the feature of the monitoring stations modifying the data transmission in the system known from D1. This was particularly the case since D1 did not disclose the use of cameras as sensors. The claimed means for directing information streams was also not obvious. In this context the receivers mentioned in the claim corresponded to the features with reference numbers 300 and 400 in figure 8 of the application.

### **Reasons for the Decision**

1. The appeal is admissible.
2. *Procedural issues*

Claim 1 of the appellant's sole request is based essentially on the combination of claims 1 and 4 of the original application. The board has reservations concerning the admissibility of this request, given that it was filed only one month before the oral proceedings before the board and that it represents a significant change in direction of the appellant's case, particularly since in section III of the International Search Report the dependent claim 4 was

identified as defining a different invention from the remaining claims. Nonetheless, given that for the reasons indicated below the request is clearly not allowable, the board decided to leave that question open for the purposes of the present decision.

3. *Inventive step (Article 56 EPC)*

3.1 The disclosure of document D1 was discussed in detail in the decision under appeal. The subject-matter of the present claim 1 differs from that disclosure by the following features:

- D1 does not disclose that the sensors of the local alarm systems include surveillance cameras;
- D1 does not disclose the features relating to the directing of information streams or the traffic distribution device for controlling the traffic load by controlling the resolution and update frequency of the images and/or by using data compression.

3.2 Concerning the first of these distinguishing features, the board is of the opinion that the skilled person would, at the priority date of the present application, have considered the use of surveillance cameras in an alarm system to form part of common practice. This was not disputed by the appellant.

3.3 Concerning the remaining distinguishing features, the board also considers that the skilled person making use of this type of distributed alarm system with image data would have been aware of the limitations concerning the available bandwidth on the communication channels, and that it was therefore necessary to provide some sort of controller to limit the amount of data transmitted, since this applied to any network

transmitting image data. He would also have been aware of suitable techniques, such as directing the data streams appropriately, restricting the image resolution and/or update frequency and using data compression. Indeed, it must be assumed that these techniques form part of the common general knowledge of the skilled person, because the application contains no teaching concerning these aspects beyond what is defined in the present claim, so that if the skilled person did not have that knowledge, then the disclosure of the application would be insufficient within the meaning of Article 83 EPC. Moreover, the existence of such knowledge about image data transmission in the particular technical field of camera-based surveillance systems is confirmed by documents D7, D8 and D9, which were cited in the International Search Report with respect to original claim 4 (see the passages of those documents cited in that Report).

3.4 The appellant argued that it would not have been obvious to the skilled person how to implement these additional features in the system of D1. The board does not find this argument convincing, for the following reasons.

- The board considers that it would have been obvious to the skilled person that in order to add cameras to the local sensors as shown in figure 1 of D1 it would have been necessary only to ensure that the communication channels had adequate bandwidth.
- Moreover, the manner in which the additional functions relating to the control of the transmitted data could be implemented would also have fallen within the capability of the skilled person. The resultant arrangement would correspond to the general arrangement depicted in figure 8 of

the present application and thus fall within the terms of the present claim.

- Finally, as noted above, given the limited teaching of the present application in these respects, it must be assumed that the skilled person was in possession of such knowledge, otherwise he would not have been in a position to be able to carry out the claimed invention.

3.5 The board therefore concludes that the subject-matter of the present claim 1 does not involve an inventive step according to Article 56 EPC in the light of the teaching of document D1 combined with the common general knowledge of the skilled person, the existence of this common general knowledge being supported by D7, D8 and D9.

4. Since for the above reasons, the appellant's sole request is not allowable, the appeal has to be dismissed.



**Order**

**For these reasons it is decided that:**

The appeal is dismissed.

The Registrar:

The Chairman:



U. Bultmann

G. Flyng

Decision electronically authenticated