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**Datasheet for the decision
of 16 July 2019**

Case Number: T 1898/13 - 3.5.06

Application Number: 08768245.6

Publication Number: 2171572

IPC: G06F7/00

Language of the proceedings: EN

Title of invention:

REAL PROPERTY INFORMATION MANAGEMENT, RETENTION AND TRANSFERAL
SYSTEM AND METHODS FOR USING SAME

Applicant:

Thermodynamic Design, Llc

Headword:

House information management/THERMODYNAMIC DESIGN LLC

Relevant legal provisions:

EPC Art. 56, 123(2)

Keyword:

Inventive step - (no)
Amendments - added subject-matter (yes)

Decisions cited:

Catchword:



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Case Number: T 1898/13 - 3.5.06

D E C I S I O N
of Technical Board of Appeal 3.5.06
of 16 July 2019

Appellant: Thermodynamic Design, Llc
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 9 April 2013
refusing European patent application No.
08768245.6 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman M. Müller
Members: A. Teale
A. Jimenez

Summary of Facts and Submissions

- I. This is an appeal against the decision, dispatched with reasons on 9 April 2013, to refuse European patent application No. 08 768 245.6 on the basis that the subject-matter of *inter alia* claim 1 according to a main and two auxiliary requests did not involve an inventive step, Article 56 EPC, in view of a notorious prior art data processing system.
- II. The International Search Report cited, *inter alia*, the following document which was not relied upon in the reasons for the decision:

D4: US 6 594 633 B1.
- III. A notice of appeal was received, and the appeal fee paid, on 10 June 2013.
- IV. With a statement of grounds of appeal, received on 8 August 2013, the appellant refiled the claims according to a main and two auxiliary requests which formed the basis for the decision. The appellant requested that the decision be set aside in all respects.
- V. In an annex to a summons to oral proceedings the board set out its provisional opinion that the claimed subject-matter according to all three requests seemed not to involve an inventive step, Article 56 EPC, starting from D4. In addition, claim 1 according the first auxiliary request seemed to contain added subject-matter, contrary to Article 123(2) EPC. In point 9.1 of the annex the board stated that, if amendments were filed in response to the summons, it would be necessary at the oral proceedings to discuss

their compliance with *inter alia* Articles 123(2) and 52(1) EPC. The board also pointed out that the board could consider these issues and announce a decision based on new objections arising from such newly submitted amendments even if the appellant chose not to attend the oral proceedings, Article 15(3) RPBA.

- VI. With a response dated 14 June 2019 the appellant filed new sets of claims according to a main and four auxiliary requests, replacing all versions of the claims previously on file. The appellant requested an indication from the board before the oral proceedings whether any of the requests complied with the EPC.
- VII. The board issued, via its registry, a communication dated 21 June 2019 stating that none of the requests of 14 June 2019 appeared to be allowable, so that the oral proceedings would take place as scheduled.
- VIII. The appellant did not appear at the oral proceedings, scheduled for 16 July 2019 at 9:00 hrs, the board receiving a letter from the appellant on the morning of 16 July 2019 at 9:05 hrs stating that "neither the Appellant nor the Appellant's representative will attend the Oral proceedings scheduled for 16 July 2019 and request a decision be entered on the basis of the Written Submissions and 5 claim sets filed on 14 June 2019". At the end of the oral proceedings, which were held in the appellant's absence, the board announced its decision.
- IX. The application is thus being considered in the following form:

Description:

All requests: pages 1 to 2 and 8 to 39 as published in WO 2008/153978 A2.

The following three sets of pages were received with the grounds of appeal:

Main request: pages 3 to 7.

First auxiliary request: pages 3 to 7.

Second auxiliary request: pages 3 to 7.

Claims (all received on 14 June 2019):

Main request: 1 to 21.

First auxiliary request: 1 to 20.

Second auxiliary request: 1 to 20.

Third auxiliary request: 1 to 21.

Fourth auxiliary request: 1 to 21.

Drawings (all requests):

pages 1 to 61 as published.

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

"A computer system for maintaining property information, comprising:

a) one or more databases configured to receive and store property information, the databases having: a property table (305) listing property records of physical properties; a file list (314) associated with the property table through a referential attribute of the property table, the file list (314) containing computer-readable files (304) associated with each property record, wherein each file has a privacy attribute settable by a user; and a user table (303) identifying a current record owner of each property in the property table;

b) a server operatively connected to said database for receiving data to be written to the database and for delivering to the user data from the database;

c) a user controls component (100) operatively connecting one or more remote users to said server for writing to or reading from the database, the component (100) presenting a user interface enabling a user to create a file and set the privacy attribute on the file;

d) a property ownership locking mechanism limiting to the current record owner of said property control of files with the privacy attributes set to private; and

e) a property ownership transfer mechanism operable to change the current record owner of a property identified in the database from a first user to a second user, wherein ownership of the files marked as private is not transferred and wherein prior to transferring ownership of said property from the first user to the second user, the property ownership transfer mechanism is operable to remove from the property record files with the privacy attribute set to private."

XI. Claim 1 according to the first auxiliary request differs from that according to the main request in the property ownership mechanism (point "d") comprising a set of computer instructions executable to restrict communication of files to various categories of users.

XII. Claim 1 according to the second auxiliary request differs from that according to the main request in the adaptation of the property ownership locking mechanism (point "e") to be operated by the current record owner

of said property to establish user access controls to limit access to selected property information to specific users or groups of users and/or the type of access selected users or groups of users have to selected property information.

XIII. Claim 1 according to the third auxiliary request differs from that according to the main request in that (point "e"), if the second user is a registered user, an email is transmitted to the second user informing the second user of the transfer, and if the second user is not a registered user, an email is transmitted to the second user informing the second user to register for the transfer to take place.

XIV. Claim 1 according to the fourth auxiliary request differs from that according to the main request in that (point "e"), on property ownership transfer, a key code is generated and transmitted to the second user, the second user enabling the transfer of the files on use of the key code.

Reasons for the Decision

1. Admissibility of the appeal

In view of the facts set out at points I, III and IV above, the appeal fulfills the admissibility requirements under the EPC and is consequently admissible.

2. The appellant's non-attendance at the oral proceedings

The duly summoned appellant did not attend the oral proceedings. In accordance with Article 15(3) RPBA, the

voluntary absence of the appellant was not a reason for delaying a decision, and the board relied for its decision only on the appellant's written submissions. The board was in a position to decide at the conclusion of the oral proceedings, since the case was ready for decision, Article 15(5, 6) RPBA.

3. Summary of the invention

3.1 The application relates to a system for managing and transferring access to physical property, in particular house, information.

3.2 According to the description, prior art computer systems were known for *inter alia* facilitating the on-line advertisement, searching and sale of houses; see pages 1 to 2. However what was lacking was a computer system for documenting, retaining, presenting and managing information relating to a house as an asset which ultimately could be conveyed from the seller to the buyer when the house was sold; see page 2, lines 28 to 31.

3.3 The application mentions several categories of system users, such as "guests", authenticated users, "service providers", buyers and sellers; see the paragraph bridging pages 12 and 13. The system accords different privileges to the different categories of users.

3.4 The system comprises one or more databases and a server running on a computer system for keeping a record of *inter alia* the facilities provided by a property and the work done on it. Certain historical data can be made available for searching by other system users, for instance prospective buyers; see figures 17A and 20A to

20D. Property information can be locked, so that it is controlled by the record owner of the property.

- 3.5 The system automates the bargaining process between a house seller and prospective buyers, who initially need only be "guests" rather than authenticated users. However at the latest when the ownership of a house is to be transferred from the seller to the buyer, the buyer must register as an authenticated user in order that the property data is transferred, understood by the board to mean that access to the property record is transferred; see page 37, line 33, to page 38, line 3. Moreover, upon sale of the property, the system will provide the buyer with a transfer key code which, when used by the buyer, causes the system to provide access to the house record; see page 38, lines 13 to 18.
- 3.6 As illustrated in figure 1, the user's computer runs a "user controls" software component (100) and communicates with the system (101). In turn, the system communicates with "External Support Services" (102), for instance a service providing maps; see page 11, lines 9 to 16.
- 3.7 Figure 2 illustrates the subsystems of the house management system, and figure 3 illustrates a relational database design for use in it, shown as a plurality of linked tables. According to page 11, lines 17 to 29, the system can comprise one or more computers, servers and/or one or more storage devices containing one or more databases, relating, for instance, to owners, properties, home improvements, personal property and service providers such as tradesmen and mortgage brokers. As shown in figure 2, the system may be structured into corresponding subsystems dealing with members (202), properties

(203), inventory (204), projects (205), providers (206), files (207) and "database" (208); see page 11, line 30, to page 12, line 23.

4. The prior art

4.1 The prior art alleged by the examining division

4.1.1 Point 5.3 of the reasons for the decision is reproduced *verbatim* here:

"The closest prior art is thus regarded as a data processing system with a terminal which is suitable for processing and transmitting, receiving, and outputting data between a server and electronic network users which is suitable to store and to process data while making use of databases, database records and file lists linked to records for the purpose of implementing administrative access rules based on file attributes. Such a data processing system was well-known at the priority date of the application (2007) and does not require further written evidence."

4.1.2 The board understands the decision to be alleging that this prior art is "notorious" in the sense that it was so well-known at the priority date that no further documentary evidence is required.

4.1.3 The appellant has not disputed the existence of such prior art, but has argued that the prior art acknowledged in the description forms the closest prior art.

4.2 The prior art acknowledged in the description

Page 1, line 28, to page 2, line 27, acknowledges prior art computer-based systems for property management, in particular for the purposes of facilitating advertisement, search, rental and sale, for predicting property values and for contacting service providers interested in a particular home-related project.

4.3 Document D4

4.3.1 D4 relates to a "real estate computer network" platform which facilitates communication between buyers (13), sellers (12) and financial/legal institutions (22, 24); see figure 1 and column 6, lines 18 to 26. Figure 6 shows the main functions of the system. Sellers can create a "property record" (see figure 7; 230) including a property description (104) for their home (see figure 4; 102) and list the property (202) which can then be searched (204) (see figure 8; 244) by prospective buyers. If a "contract period" expires, the property record is removed from the database again; see step 258 and column 13, lines 16 to 19. According to column 9, lines 12 to 17, the property description may comprise the number, type and dimensions of the home as well as fixtures and features.

4.3.2 As shown in figure 1, property records are stored in a property database (20), accessed by a plurality of users (12, 13) via a server (18) and the Internet (16). As illustrated in figure 3, the system also comprises a sales database (30), a transaction database (90) and a scheduling database (94).

4.3.3 Buyers and sellers can also use other system functions to, for instance, negotiate the terms of a purchase

contract (206) (see figure 9) and deliver electronic documents (222); see column 12, lines 28 to 31, and figure 13; "Retrieve document" 544, 546.

4.3.4 As shown in figure 5, users communicate with the system via an online interface (120), for instance a browser window; see column 10, lines 9 to 15. New users first have to register with the system; see "Become member" in figure 12; 492 and figure 13; 532. Registered buyers (156) and sellers (158) then log in to the system using their name (150) and password (152) "to allow confidentiality and ready access to individualized content"; see column 10, lines 35 to 43, (seller) column 17, lines 14 to 22, and figure 12, and (buyer) column 17, lines 52 to 60, and figure 13.

4.3.5 The system known from D4 is suitable for maintaining property information in the sense that a property record is "maintained" on the property database (20) until the contract period expires; see figure 7; 256, 258.

4.3.6 In terms of claim 1 of the main request, D4 discloses: a computer system (see figure 1) for maintaining property information (see abstract), comprising

- a. a database (see figure 3; 20) configured to receive and store property information (see property record, figure 5), the database having a property table (20) listing property records of physical properties (104); a file list (see figure 4; list of items in property record) associated with the property table (20) through a referential attribute of the property table, the file list (20) containing computer-readable files (102) associated with each property record, a

user table (implicit in registering users) identifying a current record owner of each property in the property table (see column 10, lines 35 to 43);

- b. a server (network server 18) operatively connected to said database (20) for receiving data to be written to the database (20) and for delivering to the user data from the database (20);
- c. a user controls component (see browser window in figure 5; 120) operatively connecting one or more remote users to said server for writing to or reading from the database, the component presenting a user interface enabling a user to create a file; see column 10, lines 9 to 43.

Hence the subject-matter of claim 1 of the main request differs from the disclosure of D4 in that:

- a. each file has a privacy attribute settable by a user using the user interface;
- b. a property ownership locking mechanism limiting control of those files with the privacy attributes set to private to the current record owner of said property and
- c. a property ownership transfer mechanism operable to change the current record owner of a property identified in the database from a first user to a second user,
- d. wherein, prior to said ownership transfer, those files in the property record having the privacy

attribute set are removed so that their ownership is not transferred.

5. Inventive step, Article 56 EPC

5.1 The appealed decision

5.1.1 Editorial amendments aside, the subject-matter of the present main and first and second auxiliary requests is the same as that of the corresponding requests dealt with in the decision.

5.1.2 The decision started by removing the features from claim 1 not contributing to its technical character, resulting in a version of claim 1 containing only "technical" features.

5.1.3 The closest prior art was regarded as the "notorious" prior art set out above, the claimed invention differing from the closest prior in the following features:

maintaining property information by adapting the data processing system by assigning property ownership record related data to a file list, by using a first table for listing said records and associating a second table with the first table while operatively connecting one or more remote users for writing to or reading property related entries by enabling a user to create a file and set the privacy attribute on the file; a property ownership locking mechanism limiting to the current record owner of said property control of database entries with the privacy attributes set to private; and a property ownership transfer mechanism operable to change the current record owner of a property identified in the database from a first user

to a second user, wherein ownership of the files marked as private is not transferred and wherein prior to transferring ownership of said property from the first user to the second user, the property ownership transfer mechanism is operable to remove from the property record files with the privacy attribute set to private.

- 5.1.4 These difference features were found to have no technical effect going beyond the mere automation of a non-technical administrative process regarding the privacy of files; see T 0641/00. The problem to be solved was regarded as the implementation of administrative access and ownership rules to digital records stored in files by means of the information stored in a database. The person skilled in the art of data processing would have implemented this non-technical process using well known data processing techniques applied to databases without inventive step.
- 5.1.5 Regarding the first and second auxiliary requests, the features added to claim 1 concerned user specifications relating to administrative functions and were thus unable to lend inventive step to claim 1.
- 5.2 The appellant's arguments
 - 5.2.1 The appellant has argued that the claimed subject-matter is not directed to an administrative problem and involves an inventive step, both in view of a general purpose computer system (understood by the board to be the "notorious" prior art alleged in the decision) and the prior art discussed in the description. Traditionally, computerized systems supporting real property management would only advertise properties for sale; see page 1, lines 28 to 31. The prior art had not

addressed the need for a system which the owner of a property could use to collect and manage information relating to a property, which could then be transferred as a valuable asset to the next owner when the property was sold. The invention lay not only in recognising this problem; the development of a computer system to solve this problem also meant solving a technical problem, and the invention solved this technical problem in an inventive way using a computer system whose components were specifically designed to aid the management and transfer of records pertaining to home ownership.

5.2.2 The objective technical problem was to create an automated real property transfer mechanism in a centralized community system that would transfer the information appropriate for sharing with the next owner of the home, but hold back parts of the information that were being stored in the system only for the current owner's private record keeping. This problem had first been recognised by the inventor.

5.2.3 The appellant questioned whether the assessment of claims having technical and non-technical aspects, set out in the decision (point 2), corresponded to the June 2012 version of the Guidelines for Examination at the EPO. The appellant also challenged the findings in the decision that certain features in claim 1 were non-technical and could therefore be disregarded in the assessment of inventive step. Feature "a" (one or more databases ...) and feature "b" (a server ...) were technical. The user interface (feature "c") was also a technical feature because the user could interact with it to set file privacy attributes. The "property ownership locking mechanism" (feature "d") and the "property ownership transfer mechanism" (feature "e")

were code components having the technical effect of limiting file control and transferring/deleting files, thus going beyond those of merely executing a program.

- 5.2.4 The invention solved the problem using file lists and features "c" to "e", features "c" to "e" not being known from the prior art. The decision had also failed to appreciate that features "c" to "e" acted together to provide enhanced security of information in the property system. The decision had also merely asserted that the skilled person **could** have programmed a computer to act in the claimed manner but had not proved that the skilled person **would** have done so.
- 5.2.5 In response to the summons by the board, the appellant argued that the difference features over D4 had a synergistic effect and that giving the seller a personal choice as to which house documents should not be revealed to the new house owner went beyond merely automating the transfer of documents from the first owner to the second. In its analysis of claim 1 of the main request the board also appeared to have overlooked the feature that "ownership of the files marked as private is not transferred".
- 5.2.6 Regarding the first auxiliary request, restricting communication of files to various categories of users allowed a trusted community of property owners and other users to be established with access to property records by only allowing property data to be accessed by selected users. This additional feature related to computer instructions which enhanced the technical character of the computer system. Moreover the application disclosed the "ownership transfer mechanism" being invoked independently of the status (guest/authenticated user) of the buyer.

5.2.7 Regarding the second auxiliary request, the added features, beyond solving the problem of the main request, also contributed to establishing a trusted community of property owners and other users. The appellant also argued that page 14, lines 20 to 24, and page 17 disclosed the ownership of transfer of "files", rather than merely "history data" from the seller to the buyer. The added features, in particular the property ownership locking mechanism, went beyond routine automation.

5.2.8 In the response to the summons the appellant argued that claim 1 according to the third auxiliary request addressed the problem of securing the transfer of information to unregistered users, the claimed use of an email allowing data to be securely communicated to both registered and unregistered users. As to the fourth auxiliary request, the appellant argued that the use of a transfer key code enhanced the security of information transfer and went beyond routine automation in ensuring that information was only accessed by an intended party.

5.3 The starting point for assessing inventive step

The appellant has not disputed the "notorious" prior art alleged at point 5.3 of the decision, but has argued that the prior art discussed in the application comes closer to the invention. The board however prefers to assess inventive step starting from D4, since it is more detailed in not only disclosing a multi-user computer system with a server and databases but also its use in the same context as the invention, namely managing real estate transactions using a computer network.

5.4 The main request

5.4.1 The subject-matter of claim 1 of the main request differs from the disclosure of D4 in the following features:

- a. each file has a privacy attribute settable by a user using the user interface;
- b. a property ownership locking mechanism limiting control of those files with the privacy attributes set to private to the current record owner of said property and
- c. a property ownership transfer mechanism operable to change the current record owner of a property identified in the database from a first user to a second user,
- d. wherein, prior to said ownership transfer, those files in the property record having the privacy attribute set are removed so that their ownership is not transferred.

5.4.2 Difference feature "d" includes the feature "ownership of the files marked as private is not transferred", said by the appellant to have been overlooked, since these files have the privacy attribute set and, as stated in difference feature "d", their ownership is consequently not transferred.

5.4.3 The appellant has argued that the difference features over D4 have a synergistic effect, but provided no explanations as to what unexpected combinatorial effect could accrue. The board is also unaware of any

synergistic effect and concludes that there is none. In particular, the mere fact that the property ownership transfer mechanism (difference "c") relies on the property ownership locking mechanism (difference "b") which, in turn, relies on the privacy attributes (difference "a") does not prove that their combination produces a synergistic effect.

5.4.4 The appellant has argued that the invention solves the technical problem of "how to technically implement the transfer of records on transfer of ownership from a first owner to a second (new) owner, whilst preventing the ownership transfer of certain records owned by the first owner and not to be transferred." This may be so. However the difference features also achieve an aim ("technical requirement" in the terms of the decision) in a non-technical field, namely to automate the accumulation, selection and transfer of property-related information from the seller of a property, in particular a house, to the buyer. The application acknowledges (see page 1, lines 9 to 24), and the board also regards it as common general knowledge, that before the priority date house owners achieved the above aim, albeit not in an automated fashion, namely accumulating, selecting and transferring property-related information to the buyer of a house. Similarly, the board regards it as common practice before the priority date that house owners, according to their personal choice, would only grant prospective buyers access to some of said information and only transfer some of it to the actual buyer. The board does not accept that the above automation would exclude personal privacy choices, since these would form part of the above aim to be achieved in a non-technical field.

5.4.5 The above differences, in particular difference feature "c" (ownership transfer), are all based on there being a permanent property record (102) on the property database (20) which exists beyond the expiry of the contract period (see figure 7; 256, 258). The person skilled in the art of computer systems, starting from D4 and seeking to achieve the above aim, would have appreciated that, as both the buyer and the seller of a property are registered with the system, there is no need to send documents to the buyer (see D4, figure 6; 222 and figure 13; 544, 546). It would suffice to transfer ownership of files in the shared database so as to give the buyer access to and control over them. Hence the skilled person would have modified the system of D4 to make a record permanent. The board also considers that providing permanent property records would be attractive in the context of D4 based on the idea that today's buyer may be tomorrow's seller wanting to maintain the property record. Once a property record becomes permanent, the skilled person would recognise that the access rights have to be changed when the current property owner changes in order to respect the confidentiality of the new owner's documents, mentioned in D4; see column 10, lines 35 to 38.

5.4.6 Regarding differences "a" (file privacy attribute) and "b" (property ownership locking mechanism), D4 discloses the information of individual users being kept confidential; see column 10, lines 35 to 38. In the board's view, this means that in D4 each user has control over the files that they have uploaded to the system. Hence D4 implicitly discloses a property ownership locking functionality, albeit without any details of its implementation. The effect of the "private attribute", set out in the claims, goes beyond

ownership locking by allowing the user to determine whether a particular file should be made accessible to the new property owner when property transfer occurs. This straightforward technical feature merely implements the owner's personal choice of documents to be made available to the buyer.

- 5.4.7 Turning to difference "d" (removal of "private" files), the skilled person achieving the above aim must prevent a new property/record owner from obtaining access to files marked "private" by the seller. Deleting such files from the property record would have been an obvious implementation of this feature.
- 5.4.8 Hence the subject-matter of claim 1 of the main request does not to involve an inventive step in view of D4.
- 5.5 The first auxiliary request
 - 5.5.1 Claim 1 differs from that of the main request in that the property ownership locking mechanism further comprises "a set of computer instructions executable to restrict communication of files to various categories of users".
 - 5.5.2 Regarding the requirements of Article 123(2) EPC, the board accepts the appellant's argument that these features, understood in the sense that "communication of files" means "file access", are based on page 10, lines 19 to 22, page 14, lines 20 to 24, and page 17.
 - 5.5.3 The added features are implicit from the confidentiality requirement disclosed in D4. The fact that a user's documents are kept confidential implies a category of users, namely all the other users, to whom a document is not automatically communicated; see

column 6, lines 18 to 22. Further restricting the transfer to only registered users, as opposed to unregistered "guests", is a straightforward implementation of a business requirement (see also the finding below with regard to the third auxiliary request).

5.6 The second auxiliary request

5.6.1 Claim 1 differs from that of the main request in the following additional features at the end (based on original claims 4 and 5):

"wherein said property ownership locking mechanism is adapted to be operated by the current record owner of said property to establish user access controls to limit access to selected property information to specific users or groups of users and/or the type of access selected users or groups of users have to selected property information."

5.6.2 The board understands the added features to relate to selecting the type of access other users have to property information under one's own control, regardless of whether a transfer of property ownership has occurred. It covers, for instance, a seller giving a prospective buyer access to certain information. In the board's view, such access controls would form part of the aim to be achieved in a non-technical field.

5.6.3 Hence the additional features are unable to lend inventive step to claim 1.

5.7 The third auxiliary request

5.7.1 Claim 1 differs from that according to the main request in that (point "e"), if the second user is a registered user, an email is transmitted to the second user informing the second user of the transfer, and, if the second user is not a registered user, an email is transmitted to the second user informing the second user to register for the transfer to take place.

5.7.2 The board takes the view that the claimed use of an email is a routine implementation of business steps. In the first case (in which the buyer is a registered user) the email merely provides business information to the buyer. In the second case (in which the buyer is not a registered user) the email serves the business purpose of establishing the identity of the buyer, for instance to charge the buyer for using the system.

5.7.3 Hence the additional features are unable to lend inventive step to claim 1.

5.8 The fourth auxiliary request

5.8.1 Claim 1 differs from that according to the main request in that (point "e"), on property ownership transfer, a key code is generated and transmitted to the second user, the second user enabling the transfer of the files on use of the key code.

5.8.2 The appellant has stated that this feature is based on page 38, lines 13 to 32. The board finds that the added feature is not properly based on the original disclosure, Article 123(2) EPC, which states in particular that "The new owner, upon signing onto the system, is enabled to use the transfer key code to

import the entire history of the property into his account ...". The original disclosure does not mention transfer of files, but rather importing the history of the property into the buyer's account, understood by the board to mean adding access rights to the property history to the buyer's account.

- 5.8.3 If, for the sake of argument, the appellant had been aware of this objection and amended the added feature to make it consistent with the description, the board notes that the added features would not have lent inventive step, Article 56 EPC, to claim 1, since the transfer key code is generated and provided to the buyer only once the sale has been completed, an obvious technical implementation of the business requirement that the property record only be made available to the buyer once the buyer had fulfilled his side of the bargain.

5.9 Conclusion on the appellant's requests

As the application according to the main and four auxiliary requests does not comply with the EPC, the appealed decision cannot be set aside and the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chairman:



I. Aperribay

M. Müller

Decision electronically authenticated