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Datasheet for the decision of 6 July 2021

Case Number: T 0200/14 - 3.5.06

Application Number: 06251412.0

Publication Number: 1729239

IPC: G06F21/24

Language of the proceedings: EN

Title of invention:
Image processing system, image processing apparatus, image processing program product suited for transmitting and receiving data among a plurality of image processing apparatuses

Applicant:
Konica Minolta Business Technologies, Inc.

Headword:
Peer-to-peer MFP network/KONICA MINOLTA II

Relevant legal provisions:
EPC 1973 Art. 56
RPBA 2020 Art. 13(1)

Keyword:
Inventive step - no
Amendment to appeal case

Decisions cited:
T 0178/04

Catchword:

Europäisches Patentamt
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Beschwerdekammern

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Case Number: T 0200/14 - 3.5.06

D E C I S I O N
of Technical Board of Appeal 3.5.06
of 6 July 2021

Appellant: (Applicant)	Konica Minolta Business Technologies, Inc. 6-1, Marunouchi 1-chome, Chiyoda-ku Tokyo 100-0005 (JP)
Representative:	Gille Hrabal Partnerschaftsgesellschaft mbB Patentanwälte Postfach 18 04 09 40571 Düsseldorf (DE)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted on 18 November 2013 refusing European patent application No. 06251412.0 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman	M. Müller
Members:	T. Alecu
	B. Müller

Summary of Facts and Submissions

I. The appeal is against the decision of the Examining Division to refuse the application. The decision cited in particular the document
D1: EP 0 929 023 A
and found that the requests underlying the decision lacked inventive step starting from D1.

II. The appellant initially requested (with the statement of grounds and subsequent letter of 18 March 2014) that the decision be set aside and that a patent be granted on the basis of a main request, based on the second auxiliary request rejected by the Examining Division for lack of inventive step starting from D1, or on the basis of one auxiliary request.

III. The Board informed the appellant of its provisional opinion that both requests lacked clarity and that inventive step would be discussed starting from
D6: JPH1042114 A,
cited in the description of the original application, in view of document
D7: K. Aberer , M. Hauswirth, "An Overview on Peer-to-Peer Information Systems", Workshop on Distributed Data and Structures, 2002, Paris, France,
introduced by the Board.

IV. In response to the summons the appellant filed sets of claims A and B forming one main and one auxiliary request. The previous requests were withdrawn if the new requests were admitted.

V. Claim 1 of claim set A reads:

A system comprising a network (2) and a scanner, a printer or a facsimile (100, 100A, l00B, 100C) which is connected to the network (2) and communicates with another scanner, printer or facsimile connected to the network, and allows inputting and outputting of data using itself and said another scanner, printer or facsimile, both of the scanner, printer or facsimile having an image forming portion for forming an image on recording media, comprising:

a user data storage portion (l07) to store user data including user identification information for identifying each user;

a data input portion (l13) into which image data is inputted;

a relation information generating portion (S35) to generate relation information which associates location information of the image data in the network with the user identification information;

a storage portion (107) to store the relation information;

a control portion (S52, S35A) to control so as to store the relation information in the storage portion of the image processing apparatus or in another image processing apparatus connected to the network;

a user identification information input portion (S71) into which user identification information is inputted;

a relation information obtaining portion (S74, S81} to obtain the relation information including the user identification information inputted in the user identification information input portion from the storage portion of the image processing apparatus or from another image processing apparatus; and

a data obtaining portion (S79, S84} to obtain image data associated by the relation information obtained by the relation information obtaining portion.

VI. Claim 1 of claim set B differs from that of set A in that at the end of the claim the following features are added:

wherein the storage portion (107} can store the image data inputted into the data input portion in addition to the relation information, and the control portion controls so as to store the image data in the storage portion of the scanner, printer or facsimile and to cause another scanner, printer or facsimile to store the relation information, and

wherein the user data storage portion stores the user data including the user identification information and apparatus identification information for identifying each scanner, printer or facsimile, and wherein the scanner, printer or facsimile further comprises a transmission portion {S36) to transmit the relation information to a scanner, a printer or a facsimile specified by the apparatus identification information associated with the user identification information by the user data.

Reasons for the Decision

The application and the prior art

1. The aim of the invention is to provide a system which allows sharing image data between a plurality of image processing apparatuses (scanners, printers or fax devices, or multi-function devices), each of them

usable as an input or as an output terminal. To this end, said apparatuses store a list of registered user information, with user identification information for identifying each user, as well as relation information associating location information of the image data with the user identification information. It is then possible for a first such apparatus to request a second one to transmit information on its registered user, relation information, and image data. The need for a separate server is thereby avoided.

2. The application describes the invention starting from document D6. This document teaches a client-server architecture for copying machines, wherein a user can scan an image on one of the machines and send it to another one for printing. The image data is first pushed on the server, including information about the destination machine, and, using a pull mechanism, retrieved by that machine.

3. Of relevance to the present decision is also document D7. This document is an overview of peer-to-peer (P2P) systems which are said to offer an alternative to client-server systems, every node acting as both client and server. As explained on the first two pages, these systems solve (through decentralization) both the bottleneck and the single point of failure problems characteristic of client server configurations, but at the expense of computational complexity.

Admittance of requests based on claim sets A and B as filed in response to the summons

4. The Board notes that the first summons to oral proceedings for the present case was issued on 10 December 2019, before the entry into force of the RPBA

2020, and the requests based on claim sets A and B were filed in response to this summons. The second summons, of 12 February 2021, became necessary for reasons internal to the Board of Appeal and was further delayed due the COVID-19 pandemia. The Board thus considers that, according to the transitional provisions (Article 25(1) and (3) RPBA 2020), Article 13(2) RPBA 2020 does not apply, and that the admittance of these requests is governed, *inter alia* at least, by Article 13(1) RPBA 2020.

5. The Board also considers that the amendments are *bona fide* responses to the clarity objections first raised by the Board in the first summons at point 6 (removal of "*without a server*"), and admits these requests (Article 13(1) RPBA 2020).

Inventive step (Article 56 EPC 1973)

Preliminary remark

6. The oral proceedings in this case took place immediately after those in related case T 0178/04, in which a decision on inventive step was taken based on the combination of D6 with D7. The appellant did not wish to make any further submissions in the present case. The arguments of the appellant in T 0178/04 are considered in this case (only) inasmuch as they apply analogously.

Main request

7. As a starting point for the discussion the Board uses document D6. The difference to the system of claim 1 is that the latter system contains features related to sharing the image data between the terminals, notably

using *relation information ... which associates location information of the image data in the network with the user identification information*. These features serve to define a system wherein the terminals can communicate directly with each other, i.e. users can send and retrieve data from different terminals directly, as opposed to the client-server configuration of D6.

8. Client-server configurations have known pitfalls, such as bottlenecks and single point of failure issues (D7, section 1; D7 section 2). The skilled person will search for a solution to these issues. A well known alternative to client-server systems avoiding these pitfalls is the P2P decentralised system (D7, section 2). When modifying the system of D6 from client-server to P2P, it becomes necessary for the imaging apparatuses themselves to take over the functionality previously provided by the server. This means that the image data and the *destination* information (D6 terminology) must be stored on the terminals themselves. In a secure system, the destination information must include, other than data location, also image data ownership information, e.g. who is allowed to retrieve said data.

9. The features of claim 1 using *relation information* define nothing more than this, which means that they constitute a straightforward technical implementation of the requirement to distribute the role of the server over the imaging apparatuses in a P2P setup.

10. The appellant contested the above analysis in that MFP systems were small scale systems and did not have the same problems as large scale systems such as those discussed in D7. The skilled person would not have

considered bottlenecks as a real problem in D6 and would anyway not have considered D7, which was about large scale systems.

10.1 The objective technical problem was therefore rather the one presented in the description in relationship with D6, i.e. that *system modifications could not be accommodated with flexibility* (end of paragraph 3). D7 did not address this problem, so the skilled person would not have taken it into account.

10.2 Even if they would have considered D7, there are systems in D7 which are still partly centralized (Napster), so it not obvious to build a fully decentralized system, taking account of the fact that this comes at the expense of higher computational complexity and security issues (D7 section 1).

11. The Board does not accept this argumentation, because, even if bottlenecks may be a lesser issue in D6, at least the single point of failure problem remains present, and applies equally to small and large scale systems. Thus the skilled person would consider D7 and the *decentralised* P2P approach in order to solve this problem, and would thereby arrive at the claimed features.

12. It is concluded that claim 1 of the main request lacks inventive step starting from D6 in view of the common general knowledge as evidenced by D7.

Auxiliary request

13. The features added in this request define, first (*wherein the storage portion ...*), that the storage portion can store the image data and that the control portion shares the *relation information* to other terminals and, second (*wherein the user data storage*

portion...), that the user data comprises *apparatus identification information for identifying each scanner, printer or facsimile*, and that the *relation information* can be sent to those apparatuses *associated with the user*.

14. The appellant did not explain the significance of these features. The Board considers that the first one is a direct consequence of using a P2P system; the terminals need to store the image data and need to share the relation information, so that image data can be retrieved from a different terminal. The technical effect of the second one is not clear, as it it does not exclude sending the information to other terminals not associated with the user. It can be read as a broadcast *push* mechanism, which is a P2P equivalent of sending the destination data to the server, i.e. the D6 approach, and is therefore obvious by adapting D6 from client-server to P2P.

15. The board therefore concludes that claim 1 of this request lacks inventive step as well.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chairman:

L. Stridde M. Müller

Decision electronically authenticated