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Datasheet for the decision
of 25 July 2017

Case Number: T 1756/14 - 3.5.06

Application Number: 04764140.2

Publication Number: 1776634

IPC: G06F9/445, H04L29/08

Language of the proceedings: EN

Title of invention:
METHOD FOR SOFWARE PROGRAM SYNCHRONIZATION

Applicant:
Telefonaktiebolaget LM Ericsson (publ)

Headword:
Software synchronization/ERICSSON

Relevant legal provisions:
RPBA Art. 11
EPC 1973 Art. 56, 112(1)(a)

Keyword:
Distinction between technical and non-technical features -
immaterial for features which are part of the objective
technical problem (see point 5.1)
Referral to the Enlarged Board of Appeal (no)
Inventive step - all requests (no)

Decisions cited:

Catchword:

Case Number: **T 1756/14 - 3.5.06**

D E C I S I O N
of Technical Board of Appeal 3.5.06
of 25 July 2017

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 21 February 2014 refusing European patent application No. 04764140.2 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chairman	W. Sekretaruk
Members:	M. Müller
	G. Zucka

Summary of Facts and Submissions

I.   The appeal lies against the decision of the examining
         division, with reasons dispatched on 21 February 2014,
         to refuse European patent application No. 04 764 140.2
         for lack of inventive step. Although the decision made
         reference to a number of documents, in particular

         D1: WO 00/36503 A2 and
         D5: US 2004/045000 A1,

         it did not rely upon any of these in its reasons.

II.   A notice of appeal was received on 29 April 2014, the
         appeal fee being paid on the same day. On 3 July 2014,
         a statement of grounds of appeal was received, in which
         the appellant requested that the decision be set aside
         and that a patent be granted on the basis of claims
         according to a main or one of six auxiliary requests
         (the claims being numbered 1-46, 1-42, 1-38, 1-38,
         1-35, 1-46 and 1-35 respectively), in combination with
         the application documents on file. The appellant also
         requested that the appeal fee be reimbursed because the
         "inconsistent reasoning" in the decision amounted to a
         substantial procedural violation (see grounds of
         appeal, point 1, page 2, 7th paragraph, and page 14,
         point 5.5), and proposed that questions be referred to
         the Enlarged Board, including this one (see page 2 of
         the grounds of appeal): "How should features be
         assessed, which taken alone may be construed as being
         non-technical but which show a technical effect taken
         in combination with other (technical or non-technical)
         claim features?"

III.   In an annex to a summons to oral proceedings, the board
         informed the appellant of its preliminary opinion *inter*

alia that the subject-matter of claim 1 (of all requests) lacked inventive step over common knowledge alone.

IV.   During oral proceedings, the appellant filed a further amended claim 1 as the basis for a seventh auxiliary request and declared that the other claims would be adapted for this request if and once agreement was reached on claim 1.

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

"Method for synchronizing one or more software programs from a first device (D100) to a second device (D200), comprising the steps of

-       creating (100) an application profile indicating one or more software programs on the first device (D100) and indicating one ore [sic] more software program providing nodes (SN100, SN200) from which said one or more software programs are obtainable,
-       providing (200) the application profile to a synchronization manager (SM100),
-       identifying (300) by the synchronization manager (SM100) the one or more software programs and the one or more software program providing nodes (SN100, SN200) according to the application profile,
-       requesting (400) by the synchronization manager (SM100) the one or more software program providing nodes (SN100, SN200) to transfer the one or more software programs,
-       transferring (500) the one or more software programs from the one or more software program

providing nodes (SN100, SN200) to the second
device."

VI.   Claim 1 of the first auxiliary request differs from
       claim 1 of the main request in that the following
       phrase has been added to the end of the "creating"
       step:

       "... wherein the application profile comprises at least
       one license indicator for indicating and identifying at
       least a part of the one or more software programs
       requiring a license, ..."

       and in that the following additional step has been
       introduced after the "identifying" step:

       "... requesting by the synchronization manager an
       authorization by a license authority (LA100) of the
       transfer to the second device (D200) of said part of
       the one or more software programs for that the license
       is required from the one or more software program
       providing nodes where said part of one or more software
       programs requiring the license are obtainable
       from, ..."

VII.   Claim 1 of the second auxiliary request differs from
       claim 1 of the first auxiliary request in that the
       following paragraph has been added at the end:

       "... wherein the synchronization of a software program
       requiring a license results in a configuration where
       the software program requiring a license is operable on
       both the first device (D100) and the second device
       (D200) or wherein the software program requiring a
       license is no longer usuable [sic] on the first device
       (D100) but on the second device (D200) by blocking the

license for the software program on the first device
(D100)."

VIII.   Claim 1 of the third auxiliary request differs from
         claim 1 of the first auxiliary request in that the
         following has been inserted after the "requesting"
         step:

         "... responding by the license authority with a
         response message (403rp) for providing the license or
         an indication thereof to the synchronization manager
         (DM200) ..."

IX.   Claim 1 of the fourth auxiliary request differs from
         claim 1 of the third auxiliary request in that the
         following has been inserted after the "responding"
         step:

         "... providing by the synchronization manager the
         license or the indication thereof to a software program
         providing node (SN200) for the transfer of the one or
         more software programs requiring a license to the
         second device (D200), ..."

X.   Claim 1 of the fifth auxiliary request differs from
         claim 1 of the main request in that the preamble and
         the "creating" step read as follows:

         "Method for automatically synchronizing one or more
         software programs from a first device (D100) to a
         second device (D200), wherein the first device (D100)
         comprises at least a processing unit (PU1), an output
         unit (OU1) and at least a storage unit (SU1),
         comprising the steps of

- creating (100) an application profile, wherein the
  application profile is created on the first device
  (D100) by means of the processing unit (PU1) and
  stored in the storage unit (SU1), indicating one or
  more software programs on the first device (D100)
  and indicating one or more software program
  providing nodes (SN100,SN200) from which said one
  or more software programs are obtainable, and
  wherein the processing unit (PU1) of the first
  device (D100) is adapted to generate a message
  comprising the application profile and to send the
  message via the output unit (OU1) for transfer of
  the application profile
  ..."

XI.   Claim 1 of the sixth auxiliary request differs from
        claim 1 of the fourth auxiliary request by the addition
        of the same features as in claim 1 of the fifth
        auxiliary request vis-à-vis the main request, its
        preamble and "creating" step reading as follows:

        "Method for automatically synchronizing one or more
        software programs from a first device (D100) to a
        second device (D200), wherein the first device (D100)
        comprises at least a processing unit (PU1), an output
        unit (OU1) and at least a storage unit (SU1),
        comprising the steps of
        -   creating (100) an application profile, wherein the
            application profile is created on the first device
            (D100) by means of the processing unit (PU1) and
            stored in the storage unit (SU1), indicating one or
            more software programs on the first device (D100)
            and indicating one or more software program
            providing nodes (SN100, SN200) from which said one
            or more software programs are obtainable, wherein
            the application profile comprises at least one

license indicator for indicating and identifying at
least a part of the one or more software programs
requiring a license, and wherein the processing
unit (PU1) of the first device (D100) is adapted to
generate a message comprising the application
profile and to send the message via the output unit
(OU1) for transfer of the application profile
..."

XII.   Claim 1 of the seventh auxiliary request differs from
        claim 1 of the main request by amendments to the
        "creating", "providing" and "identifying" steps and the
        insertion of a "requesting" step, these four steps now
        being specified as follows:

        "...
        -    creating (100) on the first device (D100) an
             application profile indicating one or more software
             programs on the first device (D100) and indicating
             one or more software program providing nodes
             (SN100, SN200) from which said one or more software
             programs are obtainable,
        -    providing (200) by the first device (D100) the
             application profile to an application profile
             storage node (ASN100) via a message (202),
        -    requesting by the second device (D200) the
             application profile from [the] application profile
             [storage] node (ASN100),
        -    identifying (300) [by] a [...] synchronization
             manager (SM100) being collocated with the second
             device (D200) the one or more software programs and
             the one or more software program providing nodes
             (SN100, SN200) according to the application
             profile,
        ..."

XIII.   Each of the requests also contains further independent
        claims directed at a synchronisation manager device, a
        computer program for synchronising, a first device and
        a second device. The wording of these claims is
        immaterial for this decision.

XIV.   Oral proceedings were held on 25 July 2017 as
        scheduled, at the end of which the chairman announced
        the board's decision.

Reasons for the Decision
Article 11 RPBA

1.   The examining division refused the invention as the
        "straightforward implementation of a known non-
        technical method on top of known hardware" (see page 7,
        esp. paragraphs 3 and 7), using the so-called "COMVIK
        approach" (based *inter alia* on T 641/00) for the
        examination of inventions comprising technical and non-
        technical features.

1.1   The appellant argued that the examining division did
        not correctly assess inventive step, because it

        (a) "mixe[d] up absolute and relative" patentability
            requirements, i.e. the assessment of whether the
            claimed subject-matter constituted an invention
            with that of whether it was novel and inventive
            (see grounds of appeal, section 4, page 4,
            paragraph 3, to page 6, paragraph 2),
        (b) failed to state in the decision "which concrete
            features [were] to be evaluated as technical and
            which as non-technical" (see page 6, last
            paragraph, to page 7, paragraph 1),

(c) did not "assess [inventive step] solely on the
    basis of proven prior art" (see point 5.1, e.g.
    page 7 of the grounds of appeal, paragraph 3),

(d) used assumptions about inventive step in the
    context of computer-implemented inventions which
    had no basis in the EPC (see page 8, paragraphs 5
    and 6), and

(e) contradicted itself because it considered the
    method of claim 1 to be non-technical as a whole
    and, at the same time, to comprise technical
    features (page 14, section 5.5).

The appellant also criticised the COMVIK approach in
more general terms, stating that it had "its limits"
where "ambiguous non-technical features" or "potential
technical features" were concerned (see page 13,
paragraphs 4-6), and because its reliance on
"fictitious considerations [...] le[d] to a discrepancy
in the manner how CII-inventions [...] and inventions
in the field of physics, engineering [etc.] [were]
examined" (grounds of appeal, page 8, paragraphs 3
and 7) and produced absurd results (page 8,
paragraph 8).

1.2   The appellant's assertion that a substantial procedural
        violation had occurred is primarily based on its
        opinion that the reasoning in the decision was
        inconsistent (see point (e) above, and the grounds of
        appeal, section 5.5).

1.3   The board disagrees. The contested decision states that
        "the entire non-technical method is considered to be
        part of the formulation of the problem" and that
        "implementation would be [...] straightforward" for the
        skilled person (see page 6, paragraphs 3 and 5). A
        distinction is therefore made between the "method" and

its "implementation". Other passages of the decision
make the same distinction (see page 4, bottom, points
(a) to (c), and page 7, paragraph 4).

1.4   Hence the board does not consider the passages cited by
        the appellant to be contradictory, and so the
        appellant's view that the decision is deficient is
        unfounded.

1.5   As regards the other points, the board takes the view
        that the decision applied the COMVIK-based approach of
        assessing inventive step in good faith and gave its
        reasons in sufficiently clear terms. It is immaterial
        whether or to what extent the board agrees with the
        decision in substance.

1.6   The board therefore does not consider the first-
        instance proceedings to have suffered from a
        fundamental deficiency which would have justified
        immediate remittal under Article 11 RPBA.

The invention

2.   The application is concerned with the problem of making
        sure that two devices employed by a user are equipped
        with the same software and the same data. This is
        referred to as synchronisation (see page 1, penultimate
        paragraph, to page 2, paragraph 1). It is disclosed
        that the synchronisation of user *data* between machines
        is supported by the SyncML Sync Protocol. Beyond that,
        the application and the claims put particular emphasis
        on the synchronisation of installed *software* between
        devices (page 2, paragraph 2).

2.1   The proposed solution is to create, on the "first"
        device, an "application profile" listing the installed

software programs and, for each of them, addresses of
(one or more) "nodes" from which the program can be
downloaded, its licence requirements - if any, and the
address of the corresponding licence authority (see
table 1 on page 13).

2.2   The application profile is made available to a so-
        called synchronisation manager which "identifies" the
        software programs and the corresponding "nodes" and
        requests that the nodes transfer the programs to the
        "second" device. Before that, it may, if so indicated
        in the application profile, inquire with the licence
        authority whether the transfer is permitted (see
        paragraph bridging pages 15 and 16).

3.   The synchronisation manager is typically embodied in a
        program (see e.g. page 22, lines 28-30) and it may be
        "collocated with" the first or the second device (see
        page 17, lines 30-32; page 18, lines 8-10).

3.1   If the synchronisation manager is "collocated with the
        second device" (page 18, lines 8-10), there are
        alternative ways of providing it with the application
        profile. The first device may send the application
        profile for storage to a dedicated node, aptly referred
        to as an "application profile storage node" (ASN), from
        which the synchronisation manager on the second device
        may then request it (page 18, lines 10-15).
        Alternatively, the application profile may be stored by
        the first device on a "movable storage medium" such as
        a SIM or WIM card, from which the second device can
        read it when the card has been inserted into a suitable
        local reader (page 19, lines 1-10).

Clarity issues

4.   In its preliminary opinion, the board noted several
          clarity issues with the independent device claims.
          These issues were, however, not discussed at the oral
          proceedings and did not have to be decided on following
          the appellant's proposal to focus on independent method
          claim 1, which best reflected the invention as a whole.

Inventive step, main request

5.   The examining division found that claim 1 of the main
          request "define[d] the implementation of a known non-
          technical method on top of known hardware" (see page 7,
          section "Conclusion").

5.1   The examining division thus considered that the method
          being implemented was both known and non-technical. The
          board notes that if an invention solves the problem of
          automating a *known* method, whether it involves an
          inventive step does not depend on whether that method
          is also *non-technical*, in part or as a whole.

5.2   The examining division started from a hypothetical
          situation in which a user wanted to install on a new,
          second computer the software installed on an old, first
          computer. The situation was imagined to arise "at
          Christmas", when the second computer was received as a
          gift, and was hence referred to as the "Christmas
          example" (see the decision, page 5, paragraph 1).

5.3   The appellant challenged "the Christmas [e]xample [as]
          an assertion without substance" (see grounds of appeal,
          page 7, paragraph 3, and page 8, penultimate paragraph,
          and point 3(c) above). The appellant did not explain

which feature of the example it considered not to have been known before the priority date.

6.   The board agrees with the contested decision that the situation is one that commonly arises and which arose before the priority date in the present case (not only at Christmas). The application itself (paragraph bridging pages 1 and 2) makes this assumption too, and the appellant did not challenge it.

6.1   The board therefore considers that common knowledge is a suitable starting point for the assessment of inventive step.

6.2   Furthermore, the board considers that the technical problem solved by the invention is to provide automated support for the installation on a second device of the software that happens to be installed on a first device. During oral proceedings, the appellant accepted this.

6.3   In the board's view, any solution to the given problem necessarily requires

        (i) determining what software is installed on the first machine,
        (ii) determining where and how that software may be obtained, and
        (iii) installing it on the second machine.

6.4   The appellant contested this view, arguing that it was based on hindsight and that the inventive step assessment should, even at this point, pay greater attention to the structural and technical features of the claimed solution.

6.5   The board disagrees for the following reasons.

6.5.1   To decide whether or not a claimed invention involves
        an inventive step, it must be determined whether the
        claimed invention would have been obvious to a person
        skilled in the art (Article 56 EPC 1973). Since an
        invention is construed as being the solution to a
        technical problem (see esp. Rule 27(1)(c) EPC 1973),
        the problem-solution approach for the assessment of
        inventive step starts with the determination of a
        technical problem to be solved over a suitably chosen
        starting point (the "closest prior art"). Once both
        have been selected, the next step is to determine
        whether what the skilled person would have done without
        exercising inventive skill would have led him to the
        claimed invention. In assessing what the skilled person
        would have done, it is precisely in order to avoid the
        risk of hindsight that *no* regard is taken of the
        claimed invention.

6.5.2   Secondly, items (i) to (iii) merely paraphrase aspects
        of the technical problem specified in point 6.2. The
        board agrees with the appellant that it would be
        possible to copy the software direct from the memory of
        the first device to the second device. This is,
        however, not in contradiction of item (ii), because the
        skilled person would still have to determine "where and
        how [the] software may be obtained", namely in this
        case: from the memory of the first device ("where") and
        by direct copying ("how").

6.6   The board also notes that the existence of one obvious
        solution to a problem is insufficient to show that
        other solutions are non-obvious. That is to say,
        irrespective of whether the skilled person could or
        would have considered copying software from the first

device to the second device, the board regards it as an obvious alternative to perform a new installation of the required software on the second device.

6.7   The appellant remarked that the installation of software from a server on the Internet (as opposed to from a CD or DVD) was not as common in 2004 as it is today, without, however, denying that such an installation method was already known before the filing date of the application. The board, by contrast, is convinced that it was not just known but already common in 2004. Even the application describes the "nodes from which [the ...] software programs can be obtained" (see e.g. page 3, lines 1-4, and table 1) as known infrastructure, and thus as part of the problem rather than as part of the solution. The board notes in passing that a major part of the structural, and undisputably technical, features of the claimed invention, namely the first and second devices and the "software program providing nodes", are thus either implied by the problem or identified as commonly known.

6.8   If the skilled person were to perform the installation on the second device manually, it would be obvious for him to assemble all the required information on a sheet of paper (which software, where to get it, what else to do). Likewise, when and since the skilled person is interested in an automated solution, it would be obvious to assemble that same information in a suitable data structure (an "application profile"). It would further be obvious to task a dedicated program (a "synchronization manager") with the management of the installation task.

6.9   The board accepts that there is no necessity for that
        data structure to contain the "nodes" from which the
        software can be obtained. The nodes might be left
        implicit, for instance if they can be derived from the
        identity of the program and its vendor, or be left for
        the user to input later on. Nonetheless, it would be
        obvious to inform the synchronisation manager
        explicitly about the nodes, for instance to simplify
        its task. The board notes that the claimed
        "identifying" step specifies no more than that the
        synchronisation manager accesses the information in the
        application profile. There is nothing in the claims or
        the application to support the appellant's assertion
        that "the step of identifying is a complex task" (see
        grounds of appeal, page 11, paragraph 5).

6.10   In summary, the board agrees with the examining
        division that claim 1 of the *main request* specifies an
        obvious way of automating the installation on a second
        machine of the software which happens to be installed
        on a first machine, and therefore lacks inventive step
        over common knowledge, Article 56 EPC 1973.

7.   As already mentioned, the board's assessment does not
        rely on the assumption that the central idea of the
        claimed invention is a non-technical method. Therefore,
        the appellant's criticism of the "COMVIK approach" to
        assessing inventive step and its opinion on how the
        examining division should have presented its analysis
        are not pertinent. Hence, neither a response from the
        Enlarged Board of Appeal to the proposed question (see
        point II above) is required for a decision in the
        present case (cf. Article 112(1)(a) EPC 1973), nor a
        discussion of the board of appeal decisions cited by
        the appellant.

Inventive step, auxiliary requests

8.   Claim 1 of the *first auxiliary request* is further
            characterised by the fact that the application profile
            contains licence requirements and the synchronisation
            manager requests from a "license authority" the
            corresponding authorisation for the nodes to transfer
            software to the second device.

8.1   It is noted in passing that claim 1 does not specify
            expressly, as apparently intended, that the transfer
            (500) takes place only if and when the licence autho-
            rity has actually provided the requested authorisation.

8.2   Assuming this nonetheless to be the case, these
            features solve the problem of enforcing an installation
            requirement. It is commonly known that the installation
            of software may be regulated by licences in view of
            which authorisation is or is not provided (see also D5,
            paragraphs 6 and 16). It is also known that the
            decision as to whether authorisation is granted is
            taken by a responsible "authority", which suggests that
            such authorisation may have to be "requested". Whether
            the licence authority and the synchronisation manager
            are separate components or combined with each other is
            an obvious matter of software design.

8.3   The board therefore concludes that claim 1 of the first
            auxiliary request also lacks inventive step over common
            knowledge in combination with D5, Article 56 EPC 1973.

9.   Claim 1 of the *second auxiliary request* further speci-
            fies that, in the final "configuration", a piece of
            software is either "operable" on both devices or only
            on the second device and "blocked" on the first one.

9.1   The board takes the view that the decision as to
        whether a program should be allowed to be installed and
        executed on more than one machine is a non-technical
        one which the software vendor would take according to
        legal and economic considerations. As such, this
        requirement does not solve a technical problem. The
        board also notes that it was known in the art that the
        number of allowed installations may be restricted (see
        D5, abstract and paragraph 6) and that it may, hence,
        be a given requirement that a software program be
        uninstalled on a first machine before it may be
        installed on a second machine.

9.2   The board also observes that the claim merely specifies
        that the "synchronization [...] results in" the desired
        "configuration" but does not claim any steps that
        claimed components would have to take to obtain that
        configuration, let alone any potentially non-obvious
        ones.

9.3   The board therefore concludes that claim 1 of the
        second auxiliary request also lacks inventive step.

10.   Claim 1 of the *third auxiliary request* expressly speci-
        fies a "response" from the licence authority to the
        synchronisation manager. The board considers that this
        "response" message is an obvious complement to the
        request discussed above with regard to the first
        auxiliary request.

11.   Claim 1 of the *fourth auxiliary request* specifies that
        the dialogue between the synchronisation manager and a
        licence authority may not be required for all software
        programs to be installed. This is, in the board's view,

an immediate - and thus obvious - consequence of the individual vendors' legal and economic choices.

12.   Claim 1 of the *fifth and sixth auxiliary requests* expressly specifies "processing", "storage" and "output unit[s]", in an apparent attempt to clarify the technical character of the individual method steps. These steps' technical character is not an issue in the preceding analysis, which is therefore not affected by this clarification.

13.   Claim 1 of the seven*th auxiliary request* specifies that the synchronisation manager is "collocated with" - i.e. runs on - the second device and that the application profile is stored on a dedicated server, from which the second device - i.e. the synchronisation manager running on the second device - requests the application profile. This amendment is based on the original disclosure of the description on page 18 (esp. lines 8-17).

13.1   The description explains (page 19, lines 21-24) that an advantage of using an application profile storage node (ASN) may be that users may not have to concern themselves with "any interconnection compatibilities between the first device [...] and the second device". The board is not convinced of this advantage because users will have to concern themselves with "interconnection compatibilities" with the ASN, and the claimed invention (or the description) provides no basis for distinguishing the one type of interconnection from the other.

13.2   The appellant also suggested during the oral proceedings that the use of an ASN reduces the risk from failure or loss of the first device. Again, the

board is not convinced. With or without an ASN, the
first device can be dispensed with as soon as it has
transmitted the application profile.

13.3   Thirdly, the appellant argued that the use of the ASN
        enabled provision and use of the application profile to
        be temporally decoupled. The board, however, notes that
        this potential advantage is not discussed in the
        application and, moreover, that the claimed invention
        does not imply any temporal proximity between provision
        and processing of the application profile by the
        synchronisation manager, let alone between processing
        the application profile and the eventual provision of
        the software from the nodes to the second device.

13.4   The effects achieved by storing the application profile
        on a separate server include the possibility that it
        may be reused (after having been created once) and that
        it need not, in the meantime, be stored on either the
        first or the second device.

13.4.1 The board considers that it is obvious that data which
        may be needed more than once is kept after creation. In
        fact, this is obvious irrespective of whether the
        "synchronization" is carried out manually or
        automatically. Even a handwritten list of requirements
        will be kept for reuse to avoid the effort of creating
        it again. Where this list (or the application profile)
        is kept will be decided by the skilled person according
        to the circumstances. The application profile can be
        kept on the first or the second device or elsewhere.
        Either choice has its own advantages and disadvantages,
        of which the skilled person will be aware. For example,
        in the board's view, a sufficient reason for the
        skilled person to store the application profile

elsewhere would be if the first and second devices had, like pre-2004 mobile phones, limited memory.

13.4.2   The board concludes that claim 1 of the *seventh auxiliary request* also lacks inventive step over common knowledge in the art, Article 56 EPC 1973.

Rule 103(1)(a) EPC

14.   In its preliminary opinion the board took the view that no deficiency was apparent in the first-instance proceedings which would have made reimbursement of the appeal fee equitable. In the end, the question has, however, been left open since the appeal is dismissed and hence reimbursement of the appeal fee is impossible anyway, Rule 103(1)(a) EPC.

Order

For these reasons it is decided that:
The appeal is dismissed.

The Registrar: The Chairman:

B. Atienza Vivancos   W. Sekretaruk

Decision electronically authenticated