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Application No.	Ref.	Date
05 752 631.1 - 1243	15617MNMms	27.07.2010
Applicant: Ixi Mobile (R&D) Ltd.		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

If filing amendments, you must identify them and indicate the basis for them in the application as filed. Failure to meet either requirement may lead to a communication from the Examining Division requesting that you correct this deficiency (R. 137(4) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).

Registered Letter
EPO Form 2001 04.10CSX

Wiltink, Jan Gerhard
Primary Examiner
For the Examining Division

Enclosure(s): 5 page/s reasons (Form 2906)

The examination is being carried out on the **following application documents**

Description, Pages

1-14 as originally filed

Claims, Numbers

1-15 received on 03-07-2009 with letter of 26.06.2009

Drawings, Sheets

1-3 as originally filed

* * * * *

1 Reference is made to the following documents; the numbering will be adhered to in the rest of the procedure:

D1 US 5 805 775 A (EBERMAN BRIAN SCOTT [US] ET AL) 8 September 1998 (1998-09-08)

D2 WO 02/12982 A (OBJECT SERVICES AND CONSULTING [US]) 14 February 2002 (2002-02-14) ; & US 7 027 975 B1 (PAZANDAK PAUL N [US] ET AL) 11 April 2006 (2006-04-11)

2 The present application does not meet the requirements of Article 52(1) EPC because the subject-matter of claims 1 and 8 do not involve an inventive step within the meaning of Article 56 EPC:

2.1 Document D1 is considered to be the prior art closest to the *method* of claim 1 and discloses:

A method for programming a ~~mobile communication~~ device (command and control a computer system 10 ...)

based on a high-level code (... using natural language ...) *comprising operative language* (... interactions @ column 3, line 6),

the method comprising:

parsing (natural language text 161 ... is parsed by the parser 130 @ column 5, line 47 // The parser 130 ... rewrites the input text by applying the rules as indicated @ column 6, line 24) *the high-level code* (command phrase ... open the home page of doe @ column 6, line 19) *for keywords* (open the home page @ column 6, lines 10, 18, 30, 32, (Rule 1), (Rule 4)) *to recognize the operative language;*

determining at least one operation (get_home_page @ column 6, lines 10, 18, 30, 32, (Rule 1), (Rule 4)) *associated with the operative language;*

determining whether high-level code comprises keywords (of doe) *defining one or more relationships* ("JOHN DOE" @ column 6, lines 16, 28, (Rule 3)) ~~*and conditions*~~ *corresponding to the operative language;*

and

producing an executable code (the sub-string: [get_home_page "JOHN DOE"] will cause a "get_home_page" request 42 to be generated by a "get_home_page" callback procedure @ column 6, line 47)

that can be executed by ~~*a microcontroller of*~~ *the* ~~*mobile communication*~~ *device* (The string can be immediately interpreted by the evaluator 140)

to perform the respective operation (the evaluator 140 can request the opening of the JOHN DOE's home page) *associated with the operative language,*

wherein

the high-level code comprises at least one sentence (open the home page of doe @ column 6, line 22)

formatted in accordance with a first context (natural language input text 161 @ column 6, line 20).

2.2 The *method* of claim 1 therefore differs from this known *method* in the following additional features (indicated above in ~~*strikeout font*~~):

(i) *mobile communication*

(ii) *conditions*

(iii) *microcontroller*

with their obvious independent technical effects of increased flexibility, applicability and efficiency.

2.3 However, these features are described in document D2 as providing the same advantages as in the present application:

> the thin client includes a computing device selected from the list consisting of: personal computer; personal digital assistant; smart phone (*mobile communication device*); net TV; robot controller (*microcontroller*) ; remote controller (*microcontroller*); and smart appliance @ D2, claim 74;
>
> //
>
> The parser 310 ... receives input in the form of sequential source program instructions, interactive online commands, markup tags, or some other defined interface and breaks them into parts (for example, the nouns (objects), verbs (methods), and their attributes or options (*relationships and conditions*)) @ D2, page 11, line 4.

The skilled person would therefore regard it as a normal design option to include these features in the *method* described in document D1 in order to solve the problem posed.

2.4 Therefore, the subject-matter of claim 1 does not involve an inventive step within the meaning of Article 56 EPC.

2.5 The features of independent *system* claim 8 correspond one-to-one to those of independent *method* claim 1; therefore, the subject-matter of claim 8 does not involve an inventive step within the meaning of Article 56 EPC.

3 Dependent claims 2-7, 9-15 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the EPC with respect to inventive step, the reasons being as follows:

3.1 The features relating to either the *mobile communication device* or a *network server* performing the *parsing and determining steps*, relating to a *distributed environment* and *transmitting high-level code* and *executable code* (claims 2-6, 9-13) are disclosed in document D2:

> the method 200 operates on a system 100 that includes the Internet as the communicative connector 106 (*distributed environment*) between a client element 104 and the server element 102, the step 202 of inputting is performed at the client element 104 and the step 204 of requesting an

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