

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT  
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PAT 55562W-90	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/CA 03/01458	International filing date (day/month/year) 24.09.2003	Priority date (day/month/year) 24.09.2002
International Patent Classification (IPC) or both national classification and IPC H04Q7/22		
Applicant RESEARCH IN MOTION LIMITED		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.
  - This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

- This report contains indications relating to the following items:
  - I  Basis of the opinion
  - II  Priority
  - III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV  Lack of unity of invention
  - V  Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI  Certain documents cited
  - VII  Certain defects in the international application
  - VIII  Certain observations on the international application

Date of submission of the demand  19.04.2004	Date of completion of this report  18.01.2005
Name and mailing address of the international preliminary examining authority:   European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Ngao, Y.S.  Telephone No. +31 70 340-2071 

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/CA 03/01458

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-14 as originally filed

**Claims, Numbers**

1-12 received on 17.11.2004 with letter of 17.11.2004

**Drawings, Sheets**

1/5-5/5 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.: 13-24
- the drawings, sheets:

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5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-12
	No: Claims	
Inventive step (IS)	Yes: Claims	1-12
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations

**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

1. Reference is made to the following document/s/  
D1: WO 02/065250 A (INVERTIX CORP) 22 August 2002 (2002-08-22)
  
2. Document D1, which is considered to represent the most relevant state of the art, discloses a method of instant messaging by sharing the presence information of the messaging clients, from which the subject-matter of claim 1 differs in that a special state is provided, referred as the "unknown" state, which when entered by a particular messaging client will cause the system to cease further transmissions of presence information to that client.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT) and involving an inventive step (Article 33(3) PCT).

The problem to be solved by the present invention may be regarded as how to improve the instant messaging system for wireless messaging clients by reducing network traffic and by increasing battery life of the client station.

3. Claims 2-12 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

## Claims

1. A method of instant messaging, comprising the steps of:  
providing a plurality of messaging clients capable of transmitting instant messages to one another;  
each of the plurality of messaging clients configured to share presence information with one another via a network through a presence server, the presence server maintaining a state table entry for each of the messaging clients indicating either one of a plurality of known states when the server is aware of the present state of the messaging client or an unknown state when the server is not aware of the present state of the messaging client; and  
for each of the plurality of messaging clients, the presence server (a) accessing the state table entries to determine whether a messaging client is in a first known state in which it is receptive to receiving presence information from the other messaging clients or whether the messaging client is in the unknown state, (b) if the messaging client is in the first known state, then transmitting presence information from the other messaging clients to the messaging client via the network, and (c) if the messaging client is in the unknown state, then inhibiting the transmission of presence information from the other messaging clients to the messaging client until the state table entry for the messaging client transitions to the first known state.
2. The method of claim 1, further comprising the steps of:  
for each of the plurality of messaging clients, the presence server setting a communication timer to a predetermined value that, when expired, will put the messaging client into the unknown state if no communications are received at the presence server from the messaging client before the timer expires.
3. The method of claim 1, further comprising the steps of:  
for each of the plurality of messaging clients, detecting a trigger signal indicating that the messaging client should be put into the unknown state and thereafter ceasing all communications with the presence server.
4. The method of claim 1, further comprising the steps of:  
transmitting presence information directly from each of the plurality of messaging clients to the other messaging clients.

5. The method of claim 1, further comprising the steps of:  
each of the plurality of messaging clients having a buddy list of other messaging clients with which the messaging client is interested in communicating with;  
when the messaging client is in the first known state in which it is receptive to receiving presence information, then obtaining presence information from the presence server for each of the other messaging clients on the buddy list.
6. The method of claim 1, wherein the network is a wide area wireless network.
7. The method of claim 1, further comprising the steps of:  
transmitting instant messages between two of the messaging clients having presence information regarding one another.
8. The method of claim 3, wherein the trigger signal is generated when an instant messaging application is turned off.
9. The method of claim 1, further comprising the steps of:  
after step (c), detecting a communication from the messaging client at the presence server and in response thereto, transitioning the state table entry for the messaging client from the unknown state to a known state.
10. The method of claim 9, wherein the known state is the first known state in which the messaging client is receptive to receiving presence information from the other messaging clients.
11. The method of claim 10, further comprising the step of detecting that the messaging client has transitioned from the unknown state to the first known state and in response thereto, transmitting presence information for the other messaging clients to the messaging client.
12. The method of claim 1, further comprising the steps of:  
as long as the messaging client is in the first known state, the presence server periodically transmitting presence information from the other messaging clients to the messaging client;

the presence server receiving an indication from the network that a periodic transmission of the presence information has not been successfully delivered to the messaging client; and

inhibiting the periodic transmission of presence information to the messaging client until the network indicates that the messaging client is once again able to receive transmissions.