

Translation

PATENT COOPERATION TREATY

PCT/FR2003/003600



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 1H5180400129WOPCT/PL	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/003600	International filing date (<i>day/month/year</i>) 05 décembre 2003 (05.12.2003)	Priority date (<i>day/month/year</i>) 09 décembre 2002 (09.12.2002)
International Patent Classification (IPC) or national classification and IPC H04Q 7/32		
Applicant FRANCE TELECOM		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 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 _____ sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- 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 Article 35(2) 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 02 juillet 2004 (02.07.2004)	Date of completion of this report 15 December 2004 (15.12.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/FR2003/003600

I. Basis of the report

1. With regard to the elements of the international application:*

- the international application as originally filed
- the description:
 - pages _____ 1-10 _____, as originally filed
 - pages _____, filed with the demand
 - pages _____, filed with the letter of _____
- the claims:
 - pages _____ 1-16 _____, as originally filed
 - pages _____, as amended (together with any statement under Article 19
 - pages _____, filed with the demand
 - pages _____, filed with the letter of _____
- the drawings:
 - pages _____ 1/2-2/2 _____, as originally filed
 - pages _____, filed with the demand
 - pages _____, filed with the letter of _____
- the sequence listing part of the description:
 - pages _____, as originally filed
 - pages _____, filed with the demand
 - pages _____, filed with the letter of _____

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 international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of the 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. _____
- the drawings, sheets/fig _____

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, as indicated in the Supplemental Box (Rule 70.2(c)).**

* 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 (Rule 70.16 and 70.17).

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

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/FR 03/03600

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)	Claims	<u>3, 4, 6, 7, 10, 11, 14-16</u>	YES
	Claims	<u>1, 2, 5, 8, 9, 12, 13</u>	NO
Inventive step (IS)	Claims	_____	YES
	Claims	<u>1-16</u>	NO
Industrial applicability (IA)	Claims	<u>1-16</u>	YES
	Claims	_____	NO

2. Citations and explanations

1. Reference is made to the following document:

D1: DE 198 16 575 A (MANNESMANN AG) 28 January 1999
(1999-01-28).

2. The present application does not fulfil the requirements set forth in PCT Article 33(1) because the subject matter of claim 1 does not comply with the requirement of novelty defined in PCT Article 33(2).

Document D1 describes (the references between parentheses apply to said document):

a method for the two-way exchange of data (cf. column 13, line 63 to column 14, line 4) between a logical process hosted on a SIM card (SIM card 38 in figure 2) and a logical process hosted on a local entity (third equipment 39 in figure 2). Said method requires the use of in-transit storage supported by said SIM card (cf. column 14, lines 2-4; claims 32 and 33) and said two processes alternately use said storage in such a way that each process writes data therein and

said data is subsequently read by the other process (cf. column 13, line 63 to column 14, line 4).

3. In light of document D1, the subject matter of independent claims 8 and 13 likewise does not fulfil the requirement of novelty defined in PCT Article 33(2) because the subject matter thereof relates to the corresponding SIM card and local device for implementing the method as per claim 1.
4. The dependent claims do not contain any features which, in combination with the features of any one of the claims to which they refer, might define subject matter that fulfils the PCT requirements of novelty and inventive step (see the documents and corresponding passages cited in the search report).

Observations:

The relative expression "momentarily present" in claims 8 and 13 does not have a well-defined, recognised meaning and casts doubt on the technical features to which it refers. As a result, the subject matter of said claims has not been defined clearly (PCT Article 6). What is more, said subject matter refers to the features of a method, not the features of a device.