

PATENT COOPERATION TREATY

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From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

To:
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Date of mailing (day/month/year) **24 NOV 2004**

Applicant's or agent's file reference
AZNE00901WO

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/US04/13636	International filing date (day/month/year) 29 April 2004 (29.04.2004)	Priority date (day/month/year) 29 April 2003 (29.04.2003)
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International Patent Classification (IPC) or both national classification and IPC
IPC(7): H04L 9/32 and US Cl.: 713/200

Applicant
AZAIRE NETWORKS INC.

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Ayaz R. Sheikh <i>Ayaz R. Sheikh</i> Telephone No. 703-305-1373
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**WRITTEN OPINION OF THE
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International application No.

PCT/US04/13636

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

a sequence listing

table(s) related to the sequence listing

b. format of material

in written format

in computer readable form

c. time of filing/furnishing

contained in international application as filed.

filed together with the international application in computer readable form.

furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-3</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-3</u>	NO
Industrial applicability (IA)	Claims <u>1-3</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Claims 1-3 lack an inventive step under PCT Article 33(3) as being obvious over Digiorgio et al in view of Josenhans et al. As to claims 1 and 3, Digiorgio et al discloses supporting a method of authentication according to the universal access method (UAM) of authentication and authorization.

Digiorgio et al does not teach authenticating roaming customers of mobile service providers.

Josenhans et al teaches authenticating roaming customers of mobile service providers.

Therefore, it would have been obvious to a person having ordinary skill in the art to modify Digiorgio et al so that roaming customers of mobile service providers would have been authenticated.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Digiorgio et al by the teaching of Josenhans et al because it allows a roaming customers to obtain services from their provider and it also prevents fraud.

As to claim 2, Digiorgio et al teaches employing temporary credentials in order to provide secure means for authenticating a client of a customer client device to a network of a mobile service provider for authentication with privacy as to user identity and to prevent replay attacks.

Claims 1-3 meet the criteria set out in PCT Article 33(4), and thus meet industrial applicability because method and apparatus for performing SIM-based authentication and authorization in a WLAN Internet Service Provider network supporting the universal access method of authentication and authorization enabling roaming for customers of mobile service providers onto the network can be made or used in industry.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claims 1-3 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims 1-3 are indefinite for the following reason(s): omnibus claims.

Claims 1-3 have the phrase "substantially as shown and described" render the claims omnibus claims.