PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA210 (second sheet)

FOR FURTHER ACTION
See paragraph 2 below

International application No. International filing date (day/month/year) Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC
INVI. H04L29/06 H04N21/258 H04N21/472 H04N21/462

Applicant
YOUVIEW TV LIMITED

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 and 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 usually 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/ISA220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA220.

Name and mailing address of the ISA:

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Date of completion of this opinion
see form PCT/ISA210

Authorized Officer
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Form PCT/ISA237 (Cover Sheet) (July 2009)
Box No. I  Basis of the 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

☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

a. (means)

☐ on paper

☐ in electronic form

b. (time)

☐ in the international application as filed

☐ together with the international application in electronic form

☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing 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.

5. Additional comments:

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

1. Statement

Novelty (N)  
Yes: Claims  21-30, 34, 35
No: Claims  1-20, 31-33, 36-43

Inventive step (IS)  
Yes: Claims
No: Claims  1-43

Industrial applicability (IA)  
Yes: Claims
No: Claims  1-43

2. Citations and explanations

see separate sheet
Box No. VII  Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

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 documents:


D3 "Digital Video Broadcasting (DVB); Multimedia Home Platform (MHP) Specification 1.0.3; Draft ES 201 812" In: 1 August 2001 (2001-08-01), IEEE, LIS, SOPHIA ANTIPOLIS CEDEX, FRANCE, XP055080469, vol. V1.1.1, page 1-46, 151-196,


2 The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of independent claims 1, 36, 42 and 43 is not new.

2.1 Referring to claim 1, document D1 discloses a method of authorising multiple user devices and multiple content providers in a content provision system (page 4, fifth paragraph, "... giving way to more open Internet-based systems, that support remote, many-two-many relationships..."); the method comprising:

providing each content provider with a content provider authorisation certificate (page 7, first paragraph, "... Entities that are unknown to one another, each individually establish a trust relationship with a CA...");
providing each user device with a user device authorisation certificate (page 7, first paragraph, "... Entities that are unknown to one another, each individually establish a trust relationship with a CA...")], wherein the content provider authorisation certificate and the user device authorisation certificate originate from a common source (page 6, last paragraph-page 7, first paragraph); and
determining whether each content provider and each user device is authorised to participate in the content provision system via a mutual exchange and comparison of said certificates between respective content providers and user devices (page 7, first paragraph, "... Unknown individuals can now use their certificates to establish trust between them because they trust the CA to have performed an appropriate entity authentication, and the CA's signing of the certificates attests to this fact..." and page 20, last paragraph-page 23, last line).

2.2 It should be noted that, although claim 1 refers to authorisation and authorisation certificates, the application describes that, if an entity is authenticated it is also authorised to participate in the system. This authorisation by authentication is implied by the authentication by the Public Key Infrastructure.

2.3 Since all the features are known in combination from D1 the subject-matter of claim 1 is not new.

2.4 It should be noted that the lack of novelty of the subject-matter of claim 1 may as well be demonstrated along the disclosure of any of documents D2 and D3 (see passages cited in the search report).

2.5 The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claims 36, 42 and 43, which therefore is also considered not new.

3 Dependent claims 2-35 and 37-41 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 PCT in respect of novelty and/or inventive step, the reasons being as follows:

3.1 Referring to claims 2-20, 31 and 37-41, these claims merely define features of the public key infrastructure disclosed in D1 (see citations in the search report).
3.2 Referring to claims 21-30, 32 and 33, D3 discloses the use of a PKI infrastructure for signing and downloading applications to set-top boxes (see citations in the search report).

3.3 Referring to claims 34 and 35, D4 discloses the secure acquisition of certificates using a cryptographic key (see citations in the search report). It should also be noted that hard coding keys into a hardware is standard procedure in the field of network security.

**Re Item VII**

**Certain defects in the international application**

4 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1-D4 is not mentioned in the description, nor are these documents identified therein.

5 The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).