

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year)	11.08.2016
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Applicant's or agent's file reference 181607182

FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/CN2016/083684	International filing date (day/month/year) 27.05.2016	Priority date (day/month/year) 29.06.2015
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International Patent Classification (IPC) or both national classification and IPC H04N 21/472 (2011.01) i

Applicant ZTE CORPORATION

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.

Name and mailing address of the ISA/CN	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

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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
 - 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 43*bis*.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:

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Box No. II

Priority

1. The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:
[1] It has been verified that the priority claim is
valid.

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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
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1. Statement			
Novelty (N)	Claims	1-10	YES
	Claims	None	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims	None	NO

2. Citations and explanations:	
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[1]	1. Reference is made to the following documents
[2]	D1: CN 104270679 A (07 January 2015);
[3]	D2: CN 103139615 A (05 June 2013)
[4]	2. Novelty and inventive step
[5]	D1 is the prior art document closest to claims 1 and 7. D1 discloses a method and device for combining live Digital Video Broadcasting (DVB) and network on demand (see claim 1, abstract, and description, paragraphs [0032], [0033], and [0051]): receiving a playing instruction, the playing instruction comprising program information and being a live DVB instruction or a network on demand instruction; when the instruction is the live DVB instruction, sending the live DVB instruction and the program information to a condition receiver, such that the condition receiver returns video data according to the live

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DVB instruction and the program information; when the instruction is the network on demand instruction, sending the network on demand instruction and the program information to an OTT server, such that the OTT server returns video data according to the network on demand instruction and the program information. An intelligent playing terminal may be an intelligent set top box. During live DVB or network on demand, a terminal application receives selection for the live DVB instruction or the network one demand instruction made by a user on an interface of the application, and meanwhile, the terminal application receives information on a program to be played selected by the user on a program menu (equivalent to acquiring a DVB page and an OTT page by a set top box).

- [6] Claims 1 and 7 differ from D1 in that: the set top box fuses the DVB local page with the OTT server page, and claim 7 further differs from D1 by achieving configurations to a corresponding fusion device by the fusion method. Therefore, claims 1 and 7, and dependent claims 2-6 and 8-10 thereof comply with PCT Article 33(2). On the basis of the distinguishing features, the technical problem solved by claims 1 and 7 is how to save time used for switching from live DVB to OTT on demand, and the problem solved by claim 7 further lies in how to achieve configurations to a corresponding device by a method. Regarding the differences, D2 discloses a method and apparatus for TV program

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arrangement (see abstract and description, paragraphs [0019] and [0046]-[0049]): arranging Internet Protocol Television (IPTV) program information and DVB TV program information in a mixed manner to generate a mixed electronic program menu, arranging in a mixed manner comprising classifying IPTV programs and DVB TV programs based on program types. The template, interface style and color, and the like of the mixed electronic program menu can be adjusted; integrating electronic program menus and arranging the IPTV program information and the DVB TV program information in a mixed manner for unified display eliminates the problem of time delay during switching from an IPTV electronic program menu to a DVB electronic program menu, and also eliminates the problem of non-unified display styles between the IPTV program information and the DVB TV program information.

[7] The features above also function in D2 to eliminate the problem of time delay during inter-menu switching by arranging different program information in a mixed manner. On the basis of the content disclosed in D2, a person skilled in the art would easily further conceive of fusing, during use of a set top box supporting both DVB and OTT, a DVB local page with an OTT server page to reach the purpose of saving time for menu switching. Moreover, achieving configurations to a corresponding device by a method is a common technical means. Therefore, it would be obvious to

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arrive at the solutions of claims 1 and 7 by combining D1, D2, and the common technical means in the art. Claims 1 and 7 do not comply with PCT Article 33(3).

[8] The additional technical features of dependent claims 2-6 and 8-10 are common technical means. Claims 2-6 and 8-10 do not comply with PCT Article 33(3).

[9] 3. Industrial applicability

[10] Claims 1-10 comply with PCT Article 33(4).