

PATENT COOPERATION TREATY

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) 28-07-2017

Applicant's or agent's file reference ROADRUNR1	FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/IN2017/050231	International filing date (day/month/year) 07-06-2017	Priority date (day/month/year) 09-02-2017
International Patent Classification (IPC) or both national classification and IPC G06Q30/02,G09F19/22 Version=2017.01		
Applicant CARTHERO TECHNOLOGIES PVT LTD		

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 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/ Indian Patent Office Plot No. 32, Sector 14, Dwarka, New Delhi-110075 Facsimile No.	Date of completion of this opinion 28-07-2017	Authorized officer Subhash Kumar Singh Telephone No. +91-1125300200
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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:
 - a. forming part of the international application as filed:
 - in the form of an Annex C/ST.25 text file.
 - on paper or in the form of an image file.
 - b. furnished together with the international application under PCT Rule 13*ter*.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.
 - c. furnished subsequent to the international filing date for the purposes of international search only:
 - in the form of an Annex C/ST.25 text file (Rule 13*ter*.1(a)).
 - on paper or in the form of an image file (Rule 13*ter*.1(b) and Administrative Instructions, Section 713).
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 forming part of 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. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims		YES
	Claims	1-10	NO
Inventive step (IS)	Claims		YES
	Claims	1-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO
2. Citations and explanations:			
Reference is made to the following document:			
D1: WO2009143564 A1 (ADVERTIXX PTY LTD) 3 December 2009 (03-12-2009)			
Article 33(2) PCT - Novelty			
The subject-matter of claims 1-10 is not new in the sense of Article 33(2) of PCT. Regarding independent claim 1, D1 discloses (the cited references in brackets refer to the document D1) a system for hyper-locally targeting media content (Abstract), the system comprising:			
a portable media device configured to render a media content item (claim 1 and Paragraph 83);			
a memory unit to store (Paragraph 77):			
a database comprising one or more records associated with the media content item, and a set of program modules, wherein the one or more records comprise a first viewer count associated with the media content item, and a first demographics data set associated with the media content item (Paragraphs 57-60, 70-85 and 94-101);			
a processor to execute the set of program modules, wherein the set of program modules comprises: an input module, executed by the processor, configured to receive from at least one user terminal, at least one image of a crowd of people in vicinity of the at least one user terminal, receive from the at least one user terminal, a location reference associated with the at least one user terminal, and receive from at least one server (claim 22, Paragraphs 18-19, 76-83, 90-92):			
a traffic density data associated with the location reference, and a second demographic data set associated with the location reference (Abstract, Paragraphs 53-55, 67-68 and 112-113);			
a viewer count estimation module, executed by the processor, configured to analyze the at least one image with a plurality of image processing and eye-tracking algorithms, analyze the traffic density data, and estimate a second viewer count associated with the crowd of people based on analysis of the at least one image and the traffic density data (claim 12, Paragraphs 87-113); and			
an output module, executed by the processor, configured to render the media content item via the portable media device, based on the first viewer count being lesser than the second viewer count, and			

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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 question whether the claims are fully supported by the description, are made:

1. The features of claims 1-10 are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
2. Rule 5.1(a)(ii) of requires that the relevant background art disclosed by D1 should be mentioned in the description and the document should be identified therein.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Continuation of Citation and Explanation(Box5)

the first demographic data set being identical to the second demographic data set(claim 12, 22 Paragraph 53 and 85-115). Hence claim 1 is not novel.

Independent claim 6 refers to a method claim corresponding to the system of claim 1. Therefore, observation regarding claim 1 also applies to the said claim.

Dependent claims 2-5 and 7-10 do not appear to contain any additional features which, in combination with the independent claims meet the requirements of the PCT with respect to novelty.

Article 33(3) PCT - Inventive Step

The subject-matter of claims 1-10 does not have Inventive Step in the sense of Article 33(3) of PCT because claimed features are disclosed in D1.

Article 33(4) PCT - Industrial Applicability

The subject matter of claims 1-10 is considered to have industrial applicability and therefore complies with the requirements of Article 33(4) of PCT.