

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

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To:

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

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/EP2018/083802

International filing date (day/month/year)
06.12.2018

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC
INV. G10L15/22 G06F3/16 G06F3/01

Applicant
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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 43*bis*.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 66.1*bis*(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:



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Date of completion of this opinion

see form PCT/ISA/210

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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:
 - 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 13ter.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 13ter.1(a)).
 - on paper or in the form of an image file (Rule 13ter.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:

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 | <u>4, 6-8, 10</u> |
| | No: Claims | <u>1-3, 5, 9, 11-14</u> |
| Inventive step (IS) | Yes: Claims | |
| | No: Claims | <u>1-14</u> |
| Industrial applicability (IA) | Yes: Claims | <u>1-14</u> |
| | No: Claims | |

2. Citations and explanations

see separate sheet

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:

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:

- D1 US 2008/153465 A1 (EVERMANN GUNNAR [US] ET AL) 26 June 2008 (2008-06-26)
- D2 US 2018/113672 A1 (KLEIN CHRISTIAN [US] ET AL) 26 April 2018 (2018-04-26)
- D3 US 2011/081083 A1 (LEE DAR-SHYANG [US] ET AL) 7 April 2011 (2011-04-07)
- D4 US 2013/238312 A1 (WAIBEL ALEXANDER [US]) 12 September 2013 (2013-09-12)
- D5 WO 2016/054230 A1 (XBRAIN INC) 7 April 2016 (2016-04-07)

2 The subject-matter of claim 1 (and mutatis mutandis the subject-matter of the further independent claims 12, and 14) is not new in the sense of Article 33(2) PCT, and the criteria of Article 33(1) PCT are therefore not met. The subject-matter of claim 1 is disclosed by document D1 as follows (the references in parenthesis referring to the respective parts of document D1):

A method for generating a command to be processed by a voice-controlled electronic device (Fig. 2), the method comprising:
receiving a voice input representative of a first portion of a command to be processed by the electronic device (Fig. 3, Fig. 4, paras. 45-50);
receiving a selection of content displayed on a screen of the electronic device, the selected content being representative of a second portion of the command to be processed by the electronic device (paras. 28, 73); and
generating the command based on a combination of the voice input and the selected content (paras. 28, 73).

- 3 In addition, the subject-matter of claim 1 (and mutatis mutandis the subject-matter of the further independent claims 12, and 14) is not new in the sense of Article 33(2) PCT, and the criteria of Article 33(1) PCT are therefore not met in view of document D2. The subject-matter of claim 1 is disclosed by document D2 as follows (the references in parenthesis referring to the respective parts of document D2):

A method for generating a command to be processed by a voice-controlled electronic device (para. 38 as well as reference sign 144 in Fig. 3), the method comprising:

receiving a voice input representative of a first portion of a command to be processed by the electronic device (para. 38);

receiving a selection of content displayed on a screen of the electronic device, the selected content being representative of a second portion of the command to be processed by the electronic device (para. 38, Fig. 6); and

generating the command based on a combination of the voice input and the selected content (para. 38, Fig. 6; as well as reference sign 144 in Fig. 3 described in paras. 25-28; see also Figs. 8-10).

- 4 The dependent claims 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 novelty (Article 33(2) PCT) and/or inventive step (Article 33(3) PCT).

Claim 2: See Fig. 1 and the already cited passages of D1.

Claim 3: See para. 88 of D1.

Claim 4: See Figs. 9, and 10 of D2 and note that whatever sliding gestures for selecting content on a touch screen as that of D1 belong to the common general knowledge.

Claim 5: See the already cited passages of D1.

Claim 6. Figs. 6A-6C of D3.

Claims 7, 8: See Fig. 9 of D4. In addition, it is noted that whether the voice input and selected text are of a different language is not a question of a technical solution. Rather, it depends on the underlying data used for the command. As

such, if for example, the system of D1 was used for building a search query, the selectable result list may very well include foreign language names, etc. Hence, even if assuming novelty of claim 7, it would not be inventive.

Claim 9: The claimed parameter could be e.g. a parameter of the selected result of paras. 28, 73 of D1.

Claim 10: See para. 77 of D5.

Claim 11: See the already cited passages of D1.

Claim 13: This is implicitly disclosed by D1 since some kind of storage is necessary for the mobile phone of D1 to operate.

Re Item VIII

Certain observations on the international application

5 Claim 10 is not clear (Art. 6 PCT).

Claim 10 defines that the selection of the content is received upon failure to correctly transcribe voice input representing the content. This is contradicting claim 1 which defines that the selection is a second part of the command which appears to be independent from the speech input (see also the embodiments in the specification).

6 To meet the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in documents D1, and D2 should be mentioned in the description.