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Application No./Patent No. 90902741.9-2202	Ref. IJ/M-914	Date 30. 06. 95
Applicant/Proprietor LANG, Richard A.		

Communication pursuant to Article 96(2) and Rule 51(2) EPC

The /further/ examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable to correct the indicated deficiencies within a **period**

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(3) and 83(2) and (4) EPC.

Amendments to the description, claims and drawings are to be filed where appropriate within the said period in **three copies** on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



A. Schinnerl
 Primary examiner
 for the Examining Division

Communication despatched, EXRE and statistical data recorded

Enclosures: 3 page/s reasons (Form 2906)

26. 06. 95
 Date Initials

Registered letter

File Copy

EPO Form 2001.2 07.93

Bescheid/Protokoll (Anlage)	Communication/Minutes (Annex)	Notification/Procès-verbal (Annexe)
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The examination is being carried out on the following application documents:

Description:

Pages 1-24 as originally filed

Claims:

Nos. 1-35 and 36 (partly) filed with your letter of 12/09/90

Nos. 36 (partly) and 37-118 filed with your letter of 05/05/95

Drawings:

Sheets 1/6-6/6 as originally filed

1. The arguments forwarded by the applicants with their letter of reply dated 05.05.95 are not convincing.
 - a. On page 1, paragraph 3, lines 8-10 of the letter of reply it is stated that "the compression described on page 7, lines 5-27 of the description results in the claimed time compressed representation of the audio/video information". However, the passage on page 7 of the description describes data compression processes in order to reduce the amount of data. No time compression is mentioned in this passage. The term "time compressed representation of information" used in the independent claims 1, 40, 50, 66, 105 and 118 means that the information is made available (for transmitting, viewing etc.) in a

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shorter time period than the real time of said information. The time compression as such does ^{not} involve a data compression. Therefore, the subject-matter as claimed in claims 1, 40, 50, 66 and 105 lacks clarity because it does not make sense to generate a time compressed representation of an information and store this representation in a memory means where the effect of the time compression is lost. When reading the information from the storage for transmission as claimed e.g. in the last paragraph of claim 1, a new time compressed representation of the stored information has to be generated. Here, the time compression depends on the reading speed of the storage.

- b. In the first paragraph, lines 5-10 of page 2 of the letter of reply it is stated that "if the audio/video program is received in analog format, it may be converted to digital format for further processing" and "if the audio/video program is received in digital format, it may directly be compressed". Since for compression and storing of the information digital data are required, it is not clear why in claims 50 and 105 the received digital information is converted to analog information (Article 84).
- c. Having regard to paragraph 3 of page 2 of the letter of reply, it is noted that the data transfer rate of the CD-player of document D1 is higher than the data rate of compressed data used in the application as expressed in the official communication dated 22.04.94.
2. The claims are still not regarded as being concise (Article 84) because independent claim 50 includes all the

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features of independent claim 1 and independent claim 105 includes all the features of independent claim 66. Hence claims 50 and 105 should be reformulated as a claims, cf. Rule 29(4) EPC and the Guidelines C-III, 3.5.

3. For the above reasons and the reasons set out in the official communication dated 22.04.94 in sections 1, 2(a), 2(b), 4 and 5, applied to the corresponding new claims, the application is not allowable. It should be appreciated that if, after response to this communication, the application still gives rise to any of the objections set out above, or in the official communications dated 22.04.94, it is likely to be refused.

A. Schinnerl

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