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(54) Title: TELECOMMUNICATION SYSTEM FOR SECURE TRANSACTION MANAGEMENT, AND RELATED METHOD

(57) Abstract:

**PATENT COOPERATION TREATY**

**PCT**

**DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT**

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

Applicant's or agent's file reference ASS001	<b>IMPORTANT DECLARATION</b>	Date of mailing(day/month/year) 07/10/2008
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International Patent Classification (IPC) or both national classification and IPC G06F21/00		
Applicant ASSELLE, Giuseppe		

This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below

1.  The subject matter of the international application relates to:

- a.  scientific theories
- b.  mathematical theories
- c.  plant varieties
- d.  animal varieties
- e.  essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes
- f.  schemes, rules or methods of doing business
- g.  schemes, rules or methods of performing purely mental acts
- h.  schemes, rules or methods of playing games
- i.  methods for treatment of the human body by surgery or therapy
- j.  methods for treatment of the animal body by surgery or therapy
- k.  diagnostic methods practised on the human or animal body
- l.  mere presentations of information
- m.  computer programs for which this International Searching Authority is not equipped to search prior art

2.  The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:


the description       the claims       the drawings

3.  A meaningful search could not be carried out without the sequence listing; the applicant did not, within the prescribed time limit:

- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).

4.  A meaningful search could not be carried out without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

5. Further comments:      see annex

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  Katrin Sommermeyer
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## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

The claimed and disclosed subject-matter provides no contribution in a technical field for which the office would be required to perform a search.

Technically the application is limited to the reference to two computers interconnected via a telecommunications network which exchange messages thereover. The search for these technical means is neither purposeful nor possible. It is not purposeful because such systems were known not only to the person skilled in the art but to the public at large at the priority date of the application. Indeed the original documents in toto do not technically specify the distributed computer system in an enabling manner but on the contrary rely on the reader's assumed knowledge thereof. Moreover, such a search is not possible for the virtually unlimited number of documents making reference to such systems.

The cognitive commercial and/or administrative nature of the data exchanged is not considered in the assessment of novelty and/or inventive step by this office. The office is not obliged to perform a search in respect of subject matter being exclusively limited to non-technical subject-matter relating to methods of doing business and/or programming computers.

In particular the notion of security as defined in the present application is not a technical one in the sense of directly and wilfully controlling the forces of nature but the implementation of commercial, administrative and possibly legal rules which does not enter a field for which a search has to be performed merely because it is implemented by a program for computers in the same manner as an order or command or denial of permission does not gain a character which in its substance is to be considered technical merely because it is uttered on a telephone.

As above statement concerns the original disclosure in toto and not just the claims on file, contrary to what might be inferred from the general legal advice in the following automatically generated paragraph, it is not to be anticipated that the circumstances giving rise to a search at a later stage in the procedure before this office will arise in the present case. Both in the international phase and a possible regional European phase, amendments of the application are limited to the basis of the original disclosure which in toto presents no subject-matter justifying a search.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.2), should the problems which led to the Article 17(2)PCT declaration be overcome.