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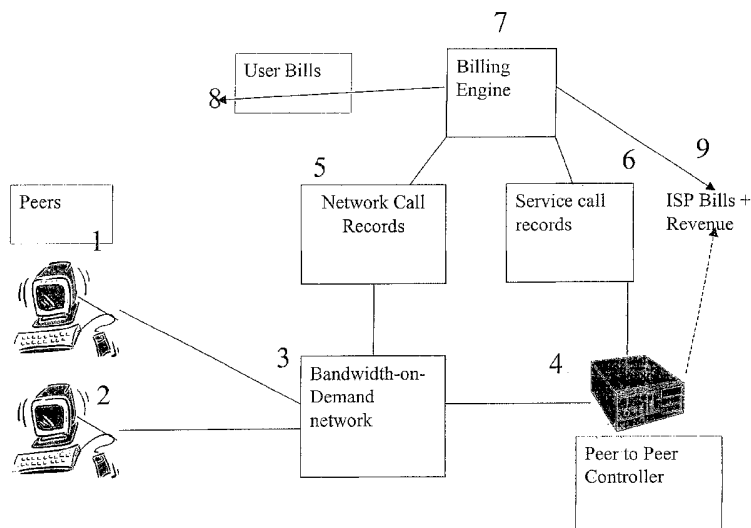
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[Continued on next page]

(54) Title: MONITORING OF NETWORK USAGE



(57) Abstract: A bandwidth-on-demand network records connections established by a user (1), and also records calls made by that user using a specific application controller (4) controlling a peer-to-peer file transfer system. Calls may then be charged by a billing engine (7) at different rates according to whether a connection make use of the application (4). The application server (4) monitors the use made of files transferred over the system and charges payments according to the nature of the files, for example to extract royalty payments. By charging a high premium for peer-to-peer transfers made other than to an approved application server (4), uncontrolled and unsupervised file transfers can be discouraged, thereby reducing the uncontrolled exchange of copyright material.



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— *before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments*

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

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INTERNATIONAL SEARCH REPORT

PCT/GB 03/00188

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 H04L29/08 H04L12/14 G06F17/60

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04L G06F H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 756 424 A (CANON KK) 29 January 1997 (1997-01-29) abstract column 9, line 48 -column 10, line 23 column 14, line 11 -column 15, line 3 column 19, line 21 -column 20, line 30 figures 1,3,4,6	1-19
X	WO 01 50278 A (APPSPOINT) 12 July 2001 (2001-07-12) abstract page 11, line 19 - line 27 page 14, line 13 - line 22 page 31, line 20 -page 32, line 31 figures 1A,,1B,3 --- -/--	1-19

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

* & * document member of the same patent family

Date of the actual completion of the international search

30 July 2003

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INTERNATIONAL SEARCH REPORT

PCT/GB 03/00188

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	FINDELI M: "P2P (Peer-to-Peer Networking)" INTERNET CITATION, 1 July 2001 (2001-07-01), XP002241326 Retrieved from the Internet: <URL:http://findeli.com/docs/p2p.pdf> the whole document -----	1-19

INTERNATIONAL SEARCH REPORT

International Application No. PCT/GB 03 00188

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Claims Nos.: 20-39

Rule 39.1(iii) PCT - Scheme, rules and method for doing business
The claims relate to subject matter (business method) are not allowed under Article 17.2(a)i and Rule 39.1(iii) PCT. Given that the claims are formulated in term of such subject matter or merely specify commonplace features relating to its technological implementation (a communication network, computers used for keeping call records and a billing engine for calculating charges based on the records), the search examiner could not establish any technical problem which might potentially have required an inventive step to overcome: however it appears that the non-technical problem solved is how to make uneconomical to download copyrighted material from the network without paying royalties. Hence it was not possible to carry out a meaningful search into the state of the art (guidelines Part B Chapter VIII, 1-6).

Continuation of Box I.2

Claims Nos.: 1-19

No meaningful search is possible for independent claims 1, 10 and 16 due to their very broad scope (Article 17.2(a)ii PCT). The claims relate to a monitoring process and apparatus composed by several subcomponents where a monitoring device produces an unspecified output (generated after receiving non better specified inputs). In fact, this broad and speculative scope includes embodiments in many fields of network monitoring devices, such as network traffic control, telephone networks, VoIP, multimedia transmission, ATM networks. Hence, the search was limited to the embodiments relating to examples as presented in the description on page 8 lines 1-19.

The applicant's attention is drawn to the fact that claims, or parts of 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.

INTERNATIONAL SEARCH REPORT

PCT/GB 03/00188

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 20-39
because they relate to subject matter not required to be searched by this Authority, namely:
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☒ Claims Nos.: 1-19
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest☐ The additional search fees were accompanied by the applicant's protest.☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

PCT/GB 03/00188

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