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Datasheet for the decision
of 4 July 2008

Case Number: T 0124/05 - 3.5.05

Application Number: 01119850.4

Publication Number: 1204018

IPC: G06F 3/023

Language of the proceedings: EN

Title of invention:
Method and apparatus for inputting characters in a mobile
terminal

Patentee:
SAMSUNG ELECTRONICS CO., LTD.

Opponent:
-

Headword:
-

Relevant legal provisions:
EPC Art. 52(1)

Relevant legal provisions (EPC 1973):
EPC Art. 54(1) and (2), 56

Keyword:
"Lack of novelty (main request)"
"Lack of inventive step (auxiliary request)"

Decisions cited:
-

Catchword:
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Beschwerdekammern   Boards of Appeal   Chambres de recours

Case Number: T 0124/05 **-** 3.5.05

D E C I S I O N
of the Technical Board of Appeal 3.5.05
of 4 July 2008

Appellant:	SAMSUNG ELECTRONICS CO., LTD. 416, MAETAN-dong Paldal-gu Suwon-City, Kyungki-do (KR)
Representative:	Grünecker, Kinkeldey, Stockmair & Schwanhäusser Anwaltssozietät Leopoldstraße 4 D-80802 München (DE)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted 06 September 2004 refusing European application No. 01119850.4 pursuant to Article 97(1) EPC 1973.**

Composition of the Board:

Chairman:	D. H. Rees
Members:	M. Höhn
	P. Schmitz

Summary of Facts and Submissions

I.   This is an appeal against the decision of the examining
        division given in oral proceedings on 21 June 2004,
        with written reasons dated 06 September 2004 to refuse
        application number 01119850.4. According to the
        decision the independent claims of the sole request
        lacked novelty with respect to the disclosure of
        document

        D1: US 5991396.

II.   Notice of appeal was filed and the appeal fee paid on
        15 November 2004. A statement of grounds of appeal
        including a new additional set of claims was filed with
        a letter dated 14 and received 17 January 2005.

III.   The appellant (applicant) requested that the decision
        under appeal be set aside and a patent be granted based
        on claims 1 to 11 underlying the appealed decision
        (main request) or claims 1 to 9 of the auxiliary set
        submitted with the statement of grounds of appeal
        (auxiliary request). A further auxiliary request for
        oral proceedings was made.

IV.   With a communication dated 11 March 2008 the Board
        summoned the appellant for oral proceedings to be held
        on 01 July 2008 in accordance with the appellant's
        auxiliary request. The board expressed the preliminary
        opinion that the subject-matter of independent claim 1
        according to the main request was anticipated by D1 and
        the subject-matter of independent claim 1 according to
        the auxiliary request was considered obvious in the
        light of the disclosure of the same document.

V.   With a letter dated 03 June 2008 and received 04 June
        2008 the appellant requested a decision according to
        the state of the file and withdrew the request for oral
        proceedings. The appellant did not present any comments
        on the Board's preliminary opinion expressed in the
        communication dated 11 March 2008.

VI.   With a fax letter dated 23 June 2008 the appellant was
        informed that the oral proceedings to be held on
        01 July 2008 were cancelled.

VII.   Independent claim 1 of the main request reads as
        follows:

        "1. A method for inputting characters in a mobile
        terminal which includes a display, a key input unit and
        a storage unit for storing a number of characters, the
        method comprising:
        storing a number of characters which are arranged in a
        predetermined order in the storage unit in mutual
        association with respect to each of a number of keys in
        the key input unit; and
        displaying at least one character from the number of
        characters stored in association with the pressed key
        for a predetermined time interval;
        characterized in that
        the characters are flickered in the display to show
        that the input is not completed."

        Independent claim 10 of the main request reads as
        follows:

"10. An apparatus for inputting characters in a mobile
terminal, comprising:

a key input unit having a number of keys;
a storage unit for storing a number of characters in
mutual association which are arranged in predetermined
order with respect to each of the keys of said key
input unit;
a display unit for displaying a character associated
with a key inputted by the key input unit; and
a controller, for searching corresponding characters
from the storage unit and sequentially displaying the
corresponding characters in a current cursor position
of the display unit according to a time interval when
pressing of the key is started by a user, and
maintaining the displayed corresponding character in
the display unit and displacing the current cursor
position to a next position when the user terminates
pressing of the key,
characterized in that
the controller is adapted to control the display unit
to flicker the characters to show that the input is not
completed."

Independent claim 1 of the auxiliary request reads as
follows:

"1. A method for inputting characters in a mobile
terminal which includes a display (16), a key input
unit (17) for generating a key input signal
consecutively, while a user keeps pressing a key and a
storage unit (18) for storing a number of characters
arranged in a predetermined order in mutual association

with respect to each of a number of keys in the key
input unit, the method comprising:
confirming (S110) if the key input signal is generated
from the key input unit;
if the key input signal is generated, searching a
number of characters corresponding to the inputted key
from the storage unit and while the pressed key is kept,
displaying (S120) the characters at the current cursor
position in sequence, each for a predetermined time
interval, wherein the characters are flickered in the
display to show that the input is not completed; and
when pressing of the key is terminated, maintaining
(S140) the character displayed at the current cursor
position."

Reasons for the Decision

1.   **Main request**

1.1   In the appealed decision the examining division argued
        that D1 anticipated the subject-matter of claim 1 (see
        section 2 of the appealed decision). The appellant
        apparently accepts that D1 discloses all the features
        of the preamble of claim 1 as no counterarguments have
        been presented. The board agrees - see in particular
        figure 5, col. 2, l. 19-31; col. 3, l. 62 to col. 4,
        l. 13 and col. 5, l. 17-32.

1.2   The application does not give any technical definition
        of the term "flickering" used in the characterising
        portion of claim 1. The board considers that the
        skilled person would understand this expression to
        cover every frequent change in intensity of

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illumination, including "blinking". Hence "blinking" is
a particular embodiment of "flickering", which feature
of independent claim 1 is therefore also anticipated by
D1 (see col. 5, l. 28-30).

1.3   The appellant argues that according to D1 blinking of a
         character indicates the current cursor position (D1,
         col. 5, l. 29-30) whereas the invention teaches to
         flicker the character in order to show that the input
         is not completed.

         However, the board considers that if the character is
         still blinking in D1 this inherently also indicates
         that the input is not yet completed, but another
         character can be input. Only when the character no
         longer blinks, the cursor having moved to the next
         position, is the input completed.

         Hence, the board considers the subject-matter of
         independent claim 1 not new over D1 (Article 52(1) EPC,
         Article 54(1) and (2) EPC 1973).

1.4   Independent claim 10 comprises the further feature of
         sequentially displaying the corresponding characters in
         a current cursor position of the display unit according
         to a time interval when pressing of a key is started by
         the user, and maintaining the displayed corresponding
         character in the display unit and displacing the
         current cursor position to a next position when the
         user terminates pressing of the key.

         D1 shows that a cursor is moved to another position if
         the key is not further actuated (see col. 2, l. 26-30)
         and also scrolling through a group of characters by

having a key continuously actuated (see col. 2, l. 65
to col. 3, l. 10). Claim 10 is therefore also not new
over D1.

2.   **Auxiliary request**

2.1   D1 discloses maintaining the character displayed at the
       current cursor position (see D1, col. 2, l. 28-30).
       Contrary to the appellant's arguments, D1 also mentions
       the alternative generation of a key input signal while
       a user keeps pressing a key (see D1, col. 2, l. 65 to
       col. 3, l. 19, in particular col. 2, l. 67 "...having a
       key continuously actuated..." and col. 3, l. 6 and 7
       "... control the selection process by keeping a key
       actuated...") for the same purpose as in the invention,
       i.e. in order to speed up selection (D1, col. 3, l. 13-
       14).

3.   In the light of this hint in D1, the board considers
       the subject-matter of amended claim 1 obvious
       (Article 52(1) EPC and Article 56 EPC 1973).

4.   The board further notes that the appellant has not
       attempted to rebut the board's arguments, given in its
       communication, which led to the view that the subject-
       matter of the independent claims of all the requests
       either lacked novelty or did not involve an inventive
       step.

5.   Since there is no allowable request the appeal must be
       dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar   The Chairman

K. Götz   D. H. Rees

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