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**Datasheet for the decision
of 29 June 2011**

Case Number: T 1022/07 - 3.5.04

Application Number: 00942955.6

Publication Number: 1197085

IPC: H04N 7/173

Language of the proceedings: EN

Title of invention:

Interactive television program guide with selectable languages

Applicant:

United Video Properties, Inc.

Opponent:

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Headword:

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Relevant legal provisions:

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Relevant legal provisions (EPC 1973):

EPC Art. 56

Keyword:

"Inventive step - no"

Decisions cited:

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Catchword:

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Case Number: T 1022/07 - 3.5.04

D E C I S I O N
of the Technical Board of Appeal 3.5.04
of 29 June 2011

Appellant: United Video Properties, Inc.
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Representative: Hibbert, Juliet Jane Grace
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Decision under appeal: Decision of the Examining Division of the
European Patent Office posted 2 February 2007
refusing European patent application
No. 00942955.6 pursuant to Article 97(1) EPC
1973.

Composition of the Board:

Chairman: B. Müller
Members: A. Dumont
R. Gerdes

Summary of Facts and Submissions

- I. The appeal is directed against the decision to refuse European patent application No. 00942955.6.
- II. The examining division refused the application on the ground that the subject-matter of the independent claims of all requests then on file lacked inventive step over a combination of the prior art disclosed in documents
- D4: EP 0 744 866 A2 and
D5: EP 0 822 713 A1.
- III. In the statement of grounds of appeal the appellant requested that the decision be cancelled and that a patent be granted on the basis of the main request submitted prior to the oral proceedings before the examining division.
- IV. In an annex to the summons to oral proceedings the board *inter alia* stated that it provisionally agreed with the division's argumentation and finding as to lack of inventive step starting from D5.
- V. In a letter dated 27 May 2011 the appellant announced that he would not be represented at the oral proceedings. He enclosed system claim 1 as retained in an auxiliary request and requested that the board admit and consider it, as a minor clarifying amendment of claim 1 of the main request. He requested a decision on the basis of the main request or, in the alternative, the auxiliary request.

VI. Oral proceedings before the board took place on 29 June 2011 in the absence of the appellant.

VII. Claim 1 of the main request reads as follows:

"A system in which a television program having a plurality of associated tracks having content is distributed to a plurality of users, and wherein the content of each track is in a language and the content of at least two different tracks are in different languages, the system comprising:

interactive program guide equipment (17) including user television equipment (22);

an interactive television program guide having various functions that is implemented on the interactive program guide equipment, wherein the interactive television program guide displays program guide screen text for each of the various functions in at least one program guide display screen on the user television equipment;

means for providing the program guide display screen text in at least two languages to the interactive television program guide;

means for filtering the received program guide display screen text based on a language selected by a user; and

means for selecting one or more tracks having content in a language selected by a user for playing by the user television equipment;

wherein the interactive television program guide is configured to:

provide a user with an opportunity to select a language;

filter the received program guide display screen text based on the language selected by the user, wherein program guide display screen text for at least one

language that is not the language selected by the user is filtered out;
display the filtered program guide display screen text in the language selected by the user for each of the various functions of the interactive television program guide in at least one program guide display screen on the user television equipment; and
select one or more tracks having content in the language selected by the user for playing by the user television equipment."

VIII. Claim 1 of the auxiliary request reads as follows:

"A system in which a television program having a plurality of associated tracks having content is distributed to a plurality of users, and wherein the content of each track is in a language and the content of at least two different tracks are in different languages, the system comprising:
interactive program guide equipment (17) including user television equipment (22);
means for receiving the television program for display on the user television equipment;
an interactive television program guide having various functions that is implemented on the interactive program guide equipment, wherein the interactive television program guide displays the program guide screen text for each of the various functions in at least one program guide display screen on the user television equipment;
means for downloading the program guide display screen text in at least two languages to the interactive television program guide;

means for filtering the downloaded program guide display screen text based on one of the languages selected by a user; and
means for selecting one or more tracks having content in a language selected by a user for playing by the user television equipment;
wherein the interactive television program guide is configured to:
provide a user with an opportunity to select a language;
filter the downloaded program guide display screen text based on the language selected by the user, wherein program guide display screen text for at least one language that is not the language selected by the user is filtered out;
display the filtered program guide display screen text in the language selected by the user for each of the various functions of the interactive television program guide in at least one program guide display screen on the user television equipment; and
select a track having content in the language selected by the user for playing by the user television equipment together with the displayed program."

IX. The reasoning in the decision under appeal may be summarised as follows.

D5 discloses an electronic programme guide (EPG) system providing a user with an opportunity to select from a plurality of audio tracks in different languages and subtitles also in different languages. D5 does not disclose means for providing EPG screen text in more than one language and filtering it based on a selected language. The objective problem may thus be seen as to

how to allow users who already have access to some language choices to use an EPG more conveniently.

D4 provides the solution by allowing the user to select a language for the audio track, as well as a language for the text displayed in menus of the interface or for subtitles. Whilst not actually being an EPG, the textual menu information of D4 overlaps to a large extent with the functions of an EPG.

Once the concept of language selection for programme-related information is known, which is the case in both D5 and D4, it is obvious for the skilled person to extend this concept to any other application in the multimedia equipment concerned. Providing selecting/filtering means also for programme guide content is then essentially the same as for audio tracks or subtitles.

X. The appellant's arguments may be summarised as follows.

The invention differs from the system disclosed in the closest prior art D5 by means for providing programme guide display screen text in at least two languages to an interactive television programme guide; by means for filtering the screen text based on a language selected by a user; and by the programme guide being configured to filter and display the filtered text for each of the various functions of the interactive television programme guide.

D4 is not concerned with programme guides and does not belong to the same technical field as the invention. Thus it does not solve the objective problem of using a

programme guide more conveniently. D4 does not suggest that the selection of the menu language would have any effect on the audio tracks. Furthermore, menu language for multi-national use is known to be based on in-built languages stored in the user television equipment during manufacture, whereas in the invention the selection operates on received or downloaded text.

The invention represents a fundamental rethink of the implication of making settings, by first selecting the text language, then the audio track language. This is the opposite of the sequence in D4.

Filtering further results in lessening the bandwidth requirements of transmission to the user equipment.

As a result, the invention as claimed is novel and inventive over the prior art.

Reasons for the Decision

1. The appeal is admissible.
2. Main request
 - 2.1 It is uncontested that D5 is the closest prior-art document and discloses a system with an interactive programme guide (figure 2) according to the first three paragraphs of claim 1 of the main request, in which the user is further provided with an opportunity to select a language, causing the system to select and play the audio track having content in the selected language.

- 2.2 It is also uncontested that D5 does not disclose that the received screen text of the interactive programme guide may be filtered and displayed based on the language selection, with the text not in the selected language being filtered out. Thus D5 does not mention a single language selection acting both on audio tracks and on programme guide screen text ("coordinated" using the terminology of the description of the present application; or "streamlined procedure" in paragraph 5 on page 4 of the statement of grounds of appeal).
- 2.3 The objective problem may be formulated as improving the convenience of the interactive programme guide for multi-lingual use.
- 2.4 D4 relates to a television system, where audio tracks and subtitles in different languages are received in television equipment ("multi-language program supply"). The user is provided with an opportunity to select the language of the audio track and the language of the text of subtitles, which are both programme-related data and thus necessarily associated with the television programme and received/filtered by the user television equipment. D4 (column 3, lines 22 to 29) further discloses the subtitles being automatically displayed in the language of the audio track selected by the user. Thus, both the received screen text (the subtitles) and the received audio tracks are filtered and reproduced based on this single language selection stored in a specification table (figure 1). Audio tracks and text content not in the selected language are filtered out in the user equipment.

- 2.5 Improving the convenience of interactive programme guides for the user was a constant endeavour in the field of television equipment before the priority date of the present application. The skilled person would have extended the concept known from D4 without exercising inventiveness to other textual content such as various functions of the programme guide screen text received in the equipment, in order to make the system still more convenient.
- 2.6 The appellant argues that D4 does not belong to the same technical field as the invention. However, both D4 and D5 refer to the DVB standard with the transmission of television programmes and additional service information, for instance subtitles, distributed in more than one language (see D4, column 1, lines 33 to 41; and D5, page 2, lines 3 to 6). More generally, both documents are concerned with a convenient presentation to the user of such service information. The board is therefore of the opinion that D4 and D5 belong to the same technical field, which is also the field of the invention.
- 2.7 The appellant further argues that, in the invention, the text language is selected before the audio track language, whereas the prior art adopts the opposite sequence. However, both the invention and D4 ensure that both languages are selected in a single step ("provide a user with an opportunity to select a language" in claim 1 of the main request). There is thus no difference in the sequence.
- 2.8 The appellant further argues that the selection operates on received screen text in the invention, as

opposed to in-built text such as menus in D4. However, the selection also operates on the subtitles in D4, which are received screen text.

2.9 The appellant mentions a lessening of the bandwidth requirement for transmission as an advantage. However, filtering signals in the receiver does not reduce the bandwidth, as opposed to filtering on the transmitter side prior to distribution (see the present application, page 7, lines 1 to 15). This alleged advantage is therefore not achieved in the system of claim 1 comprising only means for filtering the received signals.

2.10 As a result, the subject-matter of claim 1 of the main request lacks inventive step (Article 56 EPC 1973).

2.11 In conclusion, the main request is not allowable.

3. Auxiliary request

3.1 Admissibility

Claim 1 of the auxiliary request was submitted in reaction to the board's annex to the summons, and more than one month before the oral proceedings. It consists of minor amendments to claim 1 of the main request raising no particular difficulty. The auxiliary request is therefore admitted (Article 13(1) RPBA).

3.2 Inventive step

Compared with claim 1 of the main request, claim 1 of the auxiliary request additionally sets out "means for receiving the television program for display on the

user television equipment", and indicates that the (audio) track having content in the language selected by the user is played "together with the displayed program". These features are also implicit in the television equipment of D4 and D5.

Moreover, instead of being "received" or "provided" as in claim 1 of the main request, the programme guide display screen text is "downloaded" according to claim 1 of the auxiliary request. This implies that the screen text is received from an external source, for instance the provider of the television programmes. The reasoning for claim 1 of the main request relies on programme-related screen text such as subtitles, which are also distributed, or downloaded, from an external source. The reasoning thus equally applies to the auxiliary request.

As a result, the subject-matter of claim 1 of the auxiliary request lacks inventive step for the same reasons as claim 1 of the main request.

3.3 In conclusion, the auxiliary request is not allowable.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar

The Chairman

D. Meyfarth

B. Müller