Internal distribution code:

(A) [-] Publication in OJ
(B) [-] To Chairmen and Members
(C) [-] To Chairmen
(D) [X] No distribution

Datasheet for the decision of 3 May 2021

Case Number: T 1681/18 - 3.5.05

Application Number: 05254600.9

Publication Number: 1621988

IPC: G06F3/048

Language of the proceedings: EN

Title of invention:
Three-Dimensional Motion Graphic User Interface and method and apparatus for providing the same.

Applicant:
Samsung Electronics Co., Ltd.

Headword:
Polyhedron components 3/SAMSUNG

Relevant legal provisions:
EPC Art. 56

Keyword:
Inventive step - (no)

This datasheet is not part of the Decisior
It can be changed at any time and without notic

Europäisches Patentamt
European Patent Office
Office européen des brevets

Beschwerdekammern

Boards of Appeal

Chambres de recours

Boards of Appeal of the
European Patent Office
Richard-Reitzner-Allee 8
85540 Haar
GERMANY
Tel. +49 (0)89 2399-0
Fax +49 (0)89 2399-4465

Case Number: T 1681/18 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 3 May 2021

Appellant: (Applicant)	Samsung Electronics Co., Ltd. 129, Samsung-ro Yeongtong-gu Suwon-si, Gyeonggi-do, 443-742 (KR)
Representative:	Grootscholten, Johannes A.M. Arnold & Siedsma Bezuidenhoutseweg 57 2594 AC The Hague (NL)
Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted on 25 January 2018 refusing European patent application No. 05254600.9 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair	A. Ritzka
Members:	E. Konak
	E. Mille

Summary of Facts and Submissions

I. The appeal is against the examining division's decision to refuse the application on the grounds that the main request and the auxiliary requests did not meet the requirements of Article 56 EPC in view of the following document:

D1: US 5 303 388

II. With its statement setting out the grounds of appeal, the appellant maintained the main request and auxiliary request on which the decision under appeal was based as the main request and first auxiliary request and filed a second auxiliary request. It requested that the decision be set aside and that a patent be granted on the basis of one of the requests on file. It requested oral proceedings as an auxiliary measure.

III. In its preliminary opinion issued in preparation for the oral proceedings, the board raised objections under Articles 84 and 56 EPC.

IV. The appellant did not reply in substance to the board's preliminary opinion. It merely withdrew its request for oral proceedings and requested a decision. The scheduled oral proceedings were thus cancelled.

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

"An apparatus for providing a three-dimensional motion graphic user interface (MGUI), the apparatus comprising:

a control module (630) which creates a three-dimensional interface space (200) having an active space (210) and an inactive space (220) and creates a polyhedron component (240) that is three-dimensionally presented in the active space (210), said polyhedron component (240) comprising a main body (410) and at least one cover (420), wherein said at least one cover (420) can be entirely separated from the main body (410);
a storage module (650) which stores the three-dimensional interface space (200) and the polyhedron component (240) created by the control module (630);
an input module (610) to which data about a user's action with respect to the three-dimensional interface space (200) or the polyhedron component (240) is input;
a user interface module (620) which assigns predetermined attributes to at least one of a plurality of faces (310) forming the polyhedron component (240), maps information displayed to the faces of the at least one of a plurality of faces (310) which are information faces according to the predetermined attributes, processes motion of the polyhedron component (240) according to data about the user's action input through the input module (610), and changes the information which is mapped to at least one information face or the way of displaying the information which is mapped to at least one information face according to motion of the polyhedron component (240); and
an output module (640) which displays a processing result of the user interface module (620);
wherein the polyhedron component (240) contains at least one information object (440) related to the information displayed on the plurality of faces (310) forming the polyhedron component (240) in an internal space (430) between said at least one cover (420) and said main body (410);

wherein presentation of said at least one information object (440) varies with a face selected from faces of the main body (410) and a face from faces of the cover (420);
wherein said at least one information object (440) in the internal space (430) automatically pops outside after the cover (420) is opened, or remains in the internal space (430) even after the cover (420) is opened and is then be pulled out by a user's action."

VI. Claim 1 of the first auxiliary request differs from claim 1 of the main request as follows (with the additions underlined and the deletions ~~struck through~~):

"[...]
a user interface module (620), including a component attribute assigning module (622), wherein the user interface module (620) ~~which~~ assigns predetermined attributes to at least one of a plurality of faces (310) forming the polyhedron component (240), maps information displayed to the faces of the at least one of a plurality of faces (310) which are information faces according to the predetermined attributes, processes motion of the polyhedron component (240) according to data about the user's action input through the input module (610), ~~and~~ changes the information which is mapped to at least one information face or the way of displaying the information which is mapped to at least one information face according to motion of the polyhedron component (240), receives data about a specific polyhedron selected by a user from a group of polyhedron components, highlights the selected polyhedron, and modifies information mapped onto an information face of the selected polyhedron through the component attribute assigning module (622); and
[...]"

VII. Claim 1 of the second auxiliary request differs from claim 1 of the first auxiliary request as follows (with the additions underlined):

"[...]
wherein presentation of said at least one information object (440) varies with a face selected from faces of the main body (410) and a face from faces of the cover (420);
wherein the at least one information object (440) contained in the internal space (430) of the polyhedron component (240) changes according to motion of said main body (410) or motion of said at least one cover (420);
wherein said at least one information object (440) in the internal space (430) automatically pops outside after the cover (420) is opened, or remains in the internal space (430) even after the cover (420) is opened and is then be pulled out by a user's action."

Reasons for the Decision

1. The invention relates to a 3D GUI metaphor of "polyhedron components" with a "main body" and a "cover" that "can be entirely separated from the main body". A polyhedron component contains "information objects" in its "internal space" between the main body and the cover, which can "automatically pop outside when the cover is opened" or can be "pulled out by a user's action". The information displayed by "information objects" varies according to the selected faces of the main body and the cover.

2. In principle, designing such a GUI metaphor and the associated user experience belongs to the sphere of non-technical artistic activity, graphic design and animation. Providing a particular user experience with a GUI can only solve a technical problem if it produces a technical effect that goes beyond the straightforward or unspecified implementation of that user experience on a standard computer system or if it can credibly be demonstrated that the provided user experience credibly assists the user in performing a technical task.

3. Given these considerations, the features of claim 1 of the main request that the contested decision acknowledged to be new over D1, in particular the polyhedron component having a main body and a cover that can be entirely separated, the information objects being in an internal space between the main body and the cover and the presentation of the information objects varying with the selected face of the main body or the cover, are non-technical differences in GUI design which do not produce any technical effect. The appellant argued that the feature of information objects automatically popping outside after the cover is opened was not disclosed in D1 either. Regardless of the fact that this feature is only present as an alternative in the claim wording, such visual effects do not produce a technical effect either. The appellant's argument that the objects 77 displayed on the icon cube 74 in D1 are not 3D is not relevant, since the claim wording does not specify the dimensions of the information objects. Irrespective of that, this would have been a further non-technical difference in design.

4. The appellant submitted that it disagreed with the contested decision matching at least one information object of claim 1 of the main request to the objects 77 in D1, but it did not explain why, and the board cannot follow this. It argued that, according to the claim, the presentation of the information objects inside the polyhedron component varied according to the orientation of the polyhedron component, not as information on the outside of the icon cube 74 as in D1. The board agrees with the appellant that in D1 the presentation of the objects 77 or the information 78 about them seems not to vary with the selected face of the icon cube 74, as seems to be required by the claim; however, the appellant did not credibly demonstrate any technical effect of this difference.

5. The appellant argued that the distinguishing features of claim 1 of the main request resolved two contradictory "technical requirements", namely "maximizing an amount of information easily accessible to a user while minimizing a needed amount of input operations and not needlessly cluttering the screen"; however, neither reducing clutter nor presenting to the user more information in a GUI with fewer input operations are technical requirements. The appellant argued that such a problem in which two contradictory requirements were addressed was considered to be technical in T 643/00. However, T 643/00 does not mention anywhere contradictory technical requirements.

6. Regarding claim 1 of the first auxiliary request, the appellant argued that the additional features give the user more possibilities to configure the type of information that should be shown with a minimum of input actions. It argued that, in D1, the icon cube 74 was analogous to a physical object that can be rotated

and looked at from different sides, but the object itself did not change; however, the board cannot see any technical effect in giving a user more possibilities to configure a GUI.

7. Regarding claim 1 of the second auxiliary request, the appellant argued that its additional features clarified its arguments for claim 1 of the main request. The objects in D1 were simple and unchanging. Since the information objects in the internal space could change according to the claim, they could be used to make additional information accessible to the user without taking up more space; however, allowing additional information to be presented in a GUI does not have any technical effect.

8. The board raised all these objections in its preliminary opinion. Since the appellant did not reply to it in substance, the board sees no reason to change its preliminary opinion.

9. Therefore, claim 1 of the main request, the first auxiliary request and the second auxiliary request does not solve any objective technical problem and does not involve an inventive step (Article 56 EPC).

10. As none of the requests is allowable, the appeal has to be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chair:

K. Götz-Wein A. Ritzka

Decision electronically authenticated