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**Datasheet for the decision
of 3 May 2021**

Case Number: T 1762/18 - 3.5.05

Application Number: 05254862.5

Publication Number: 1624367

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 1/SAMSUNG

Relevant legal provisions:

EPC Art. 56

Keyword:

Inventive step - (no)



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Case Number: T 1762/18 - 3.5.05

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

Appellant: Samsung Electronics Co., Ltd.
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 5 February 2018
refusing European patent application No.
05254862.5 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 filed an amended main request and an amended auxiliary request. It requested that the decision be set aside and that a patent be granted on the basis of one of these requests. 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 (500) for providing a three-dimensional motion graphic user interface (MGUI), the apparatus comprising:

a control module (530) that creates a polyhedron component that can be opened and that has at least one opening face (340, 380, 1310, 1320) and an internal

space (370) that is surrounded by faces of the polyhedron component and that contains at least one information object related to information displayed on an information face [paragraph 31] of the polyhedron component, said at least one information object being removable from the polyhedron component when the opening face is opened, and said at least one information object pulled outside remain outside regardless of whether the opened opening face is closed;

a storing module (550) that stores the polyhedron component created by the control module;

an input module (510) to which data about a user's action with respect to the polyhedron component is input;

a user interface module (520) comprising a component attribute assigning module (521) for assigning predetermined attributes to at least one of a plurality of faces subordinate to the polyhedron component and mapping information displayed on an information face according to the predetermined attributes, a motion processing module (522) for processing motion of the polyhedron component according to the data about the user's action input through the input module (510), and for mapping information displayed on an information face of the polyhedron component and/or by information objects contained in the internal space of the polyhedron component through the component attribute assigning module (512); and

an output module (540) that displays a processing result of the user interface module;

said component attribute assigning module (521) being further arranged for determining information displayed by the information objects that are contained in the internal space of the polyhedron component according to

a face of the polyhedron component on which a focus is placed by a user, and maps the information."

VI. Claim 1 of the 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 (520) comprising a component attribute assigning module (521) for assigning predetermined attributes to at least one of a plurality of faces subordinate to the polyhedron component and mapping information displayed on an information face according to the predetermined attributes, a motion processing module (522) for processing motion of the polyhedron component according to the data about the user's action input through the input module (510), and for mapping information displayed on an information face of the polyhedron component and/or by information objects contained in the internal space of the polyhedron component through the component attribute assigning module ~~(512)~~ (521), a component group managing module (523) which receives data about a specific polyhedron selected by a user from a group of polyhedron components through the input module (510), highlights the selected polyhedron, and modifies information mapped onto an information face of the selected polyhedron through the component attribute assigning module (521); and an output module (540) that displays a processing result of the user interface module; [...]"

Reasons for the Decision

1. The invention relates to a 3D GUI metaphor of "polyhedron components" with at least one "opening face" that can be "opened" and an "information face". These polyhedron components contain "information objects" in their "inner space" which can be "removed from" and "pulled outside" a polyhedron component when it is open. An information object pulled outside a polyhedron component may "remain outside" when the polyhedron component is "closed". The information displayed by "information objects" is determined according to the face of the polyhedron component on which "a focus is placed".
2. The contested decision found that the only feature of claim 1 of the main request distinguishing it from D1 was the information displayed by the information objects contained in the inner space of the polyhedron component being determined according to a face of the polyhedron on which the user has placed focus. The appellant emphasised in its statement setting out the grounds of appeal that this feature, contrary to the examining division's interpretation, was not directed to what is presented on the information face of the polyhedron component, but instead to what is displayed by the information objects contained in the polyhedron component, depending on the face of the polyhedron component which is in focus.
3. In its preliminary opinion, the board informed the appellant that, irrespective of the correct interpretation of the distinguishing feature of claim 1 of the main request, it did not produce any technical effect solving a technical problem. 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. In this case, the appellant did not demonstrate that a technical problem was solved, although it argued in its statement setting out the grounds of appeal that the invention solved "technical problems faced by interaction with a user" without specifying what these technical problems were. It merely referred to "receiv[ing] data on the user's action" and "reflecting the user's action", but these are what any GUI does, not technical problems.

4. The appellant did not submit any additional arguments in the statement setting out the grounds of appeal for the additional features of claim 1 of the auxiliary request. In its preliminary opinion, the board noted that it could not see any technical effect in these features, either.
5. Since the appellant did not reply in substance to the board's preliminary opinion, the board sees no reason to change it.
6. Therefore, claim 1 of both requests on file does not solve any objective technical problem and does not involve an inventive step (Article 56 EPC).
7. As none of the requests is allowable, the appeal must 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