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**Datasheet for the decision
of 21 December 2023**

Case Number: T 1803/21 - 3.5.03

Application Number: 15890205.6

Publication Number: 3282679

IPC: H04M1/725, G06F3/048,
G06F3/0482

Language of the proceedings: EN

Title of invention:

Method for displaying view and terminal device

Applicant:

Huawei Technologies Co., Ltd.

Headword:

Grouping of multiple objects/HUAWEI

Relevant legal provisions:

EPC Art. 56
RPBA 2020 Art. 12(8)

Keyword:

Decision in written proceedings - (yes): cancellation of
hearing following appellant's announcement of non-attendance
Inventive step - (no): obvious implementation of a certain type
of presentation of information

Decisions cited:

T 1802/13, T 0336/14



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Case Number: T 1803/21 - 3.5.03

D E C I S I O N
of Technical Board of Appeal 3.5.03
of 21 December 2023

Appellant: Huawei Technologies Co., Ltd.
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Decision under appeal: **Decision of the Examining Division of the European Patent Office posted on 14 April 2021 refusing European patent application No. 15890205.6 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair K. Bengi-Akyürek
Members: J. Eraso Helguera
R. Romandini

Summary of Facts and Submissions

- I. The appellant lodged an appeal against the decision of the examining division to refuse the present European patent application for lack of inventive step (Article 56 EPC) with respect to a sole request.
- II. The appealed decision referred to the following prior-art document:

D1: US 2012/0290984 A1.
- III. The appellant requested that the appealed decision be set aside and that a patent be granted on the basis of the claims of the request on which the appealed decision is based.
- IV. In a communication pursuant to Article 15(1) RPBA 2020, the board stated its negative preliminary opinion on the allowability of the sole claim request.
- V. In response to that communication, the appellant submitted further arguments on inventive step. Then, the appellant informed the board that it would not be attending the arranged oral proceedings and "asked to issue a written decision on the basis of the documents on file".
- VI. The board subsequently cancelled those oral proceedings (cf. Article 12(8) RPBA 2020).
- VII. Claim 1 of the request reads as follows:

"A method for displaying a view performed by a terminal device on which a view control and at least one

application are installed, the view control is a control in an operating system of the terminal device, and the method comprises:

- a.) determining whether multiple objects in a first application among the at least one application are sorted (S301);
- b.) if no in step **a.)**, sorting the multiple objects by using the view control in the operating system (S302);
- c.) if yes in step **a.)**, and after step **b.)**, determining whether a quantity of the multiple objects is greater than or equal to a preset threshold (S303);
- d.) if no in step **c.)**, ending the method;
- e.) if yes in step **c.)**, determining whether a type of a sorting attribute of the sorting is a character string type or a value type, wherein the sorting attribute corresponding to the value type is a size of occupied storage space (S304);
- f.) if the sorting attribute is the character string type, grouping the multiple sorted objects according to a character corresponding to each object (S305);
- g.) if the sorting attribute is the value type, grouping the multiple sorted objects according to values of sizes of storage space occupied by the multiple objects (S306);
- h.) allocating a group identifier to each group, thereby allocating multiple group identifiers, and establishing mapping relationships between objects in each group and the group identifier of the group (S307);
- i.) generating, by using the view control, a view comprising all the group identifiers forming the multiple group identifiers and the multiple objects (S308);

- j.) displaying at least a part of the view (S309); and
- k.) when receiving a selection instruction for a first group identifier, displaying (an object corresponding to the first group identifier, wherein the first group identifier is any group identifier of all the group identifiers (S310))."

Reasons for the Decision

1. SOLE REQUEST

1.1 *Claim 1 - inventive step (Article 56 EPC) starting from D1*

1.1.1 Document **D1** discloses a method for displaying a view performed by a terminal device (cf. Figs. 7A to 7C). A list of data items is displayed by grouping the data items into "bins" or a hierarchy of "bins". For instance, data items are assigned to "bins" based on last names ("sorting attribute of the character string type"). A "bin identifier" (e.g. "E" on Fig. 7A) is associated with each "bin". Upon user operation (e.g. a *single click*, a *double-click*, a *mouse-over*, a *click-and-hold*, a *pinch-in* or a *pinch-out*) on the "bin identifier", the list expands to display the alphabetically-sorted names contained in the "bin" associated with the "bin identifier" (cf. paragraphs [0033], [0034] and Fig. 7B).

1.1.2 The board agrees with the appellant and the examining division that the subject-matter of claim 1 differs from D1 in **features c.), e.) and g.)**, i.e. grouping is done if the quantity of multiple objects is greater than or equal to a preset threshold - otherwise the method ends - and the multiple sorted objects are

grouped according to values of sizes of storage space occupied by the multiple objects if the sorting attribute is the value type, corresponding to a size of occupied storage space.

1.1.3 The appellant submitted that those features had the technical effect of optimising the use of screen space. In particular, feature c.) served this effect by limiting a grouping to cases where a grouping was actually necessary; features e.) and g.) worked towards this effect by grouping the storage space required by the individual entries. All of these features worked towards the joint effect of optimising the use of screen space.

1.1.4 The appellant further commented on the reasons provided in the appealed decision as follows:

(a) In Reasons 12.1.3.1 of the appealed decision, the examining division did not provide any proof or even argumentation for the allegation that the skilled person would realise that, for a very small number of items, it is not beneficial to group them but instead that grouping was a way to provide some order when there are too many objects.

(b) In Reasons 12.1.3.2, the examining division further argued that features e.) and g.) would correspond to a design variation. Especially, the examining division argued that it was well known to use different sorting criteria and mentioned the "Windows Explorer" as a proof for this. First of all, the examining division did not provide a specific example of the "Windows Explorer" predating the priority date of the present application. Also, a specific piece of software

could not be considered as proof of the general knowledge of the skilled person. Moreover, the argumentation of the examining division was inherently flawed since the examining division did not show a grouping according to the size of occupied storage space. Such a grouping is completely uncommon and was not found in any version of the "Windows Explorer" according to the knowledge of the applicant.

- 1.1.5 In response to the board's preliminary opinion, the appellant added that, by checking whether the number of objects was greater than or equal to the preset threshold, a reduction in the processing burden imposed on the terminal device was achieved. The grouping was only done if the number of objects was greater than or equal to the preset threshold, but otherwise the method was ended. Therefore, a subsequent processing - in the sense of a subsequent grouping - was only done if the number of objects was greater than or equal to the preset threshold. If the number of objects was less than the preset threshold, no further method steps were executed. The grouping method steps were only executed if it was really worth executing those method steps, reducing the processing burden imposed onto the terminal device since, if the number of objects was less than the preset threshold, nothing was done.
- 1.1.6 These arguments are not convincing. With respect to the purported technical effect of distinguishing features c.), e.) and g.), the board is not persuaded that the grouping of multiple sorted objects according to a user-defined sorting attribute indeed leads to an "optimisation of the screen space" given that:

- (a) according to feature i.), the view generated comprises **all** the group identifiers forming the multiple group identifiers **and** the multiple objects, and
- (b) no indication is given about the graphical representation of objects and group identifiers (e.g. icon size, font size, etc.).

Even if it did, the mere fact of grouping objects in accordance with user-defined sorting attributes - in particular the size of occupied storage space - and associating them with respective group identifiers cannot credibly assist the user in performing a technical task by means of a continued and/or guided human-machine interaction process (cf. e.g. T 336/14, Reasons 1.2.5). Rather, the distinguishing features merely relate to the obvious implementation of a certain type of *presentation of information* which is merely dictated by (subjective) user preferences. According to the jurisprudence of the Boards of Appeal, such features cannot contribute to a credible technical effect (see e.g. T 1802/13, Reasons 2.1.5).

Finally, the arguments concerning the alleged reduction of the processing burden do not sway the board. In essence, the appellant compares the claimed situation with one where grouping would be done irrespective of the quantity of objects. However, as explained above, the selection of the minimum quantity of the multiple objects - as per feature c.) - is not associated with any quantifiable objective technical assessment but with a (subjective) user preference.

Thus, the subject-matter of claim 1 does not involve an inventive step.

- 1.2 It follows that the sole request is not allowable under Article 56 EPC.
2. Since there is no allowable claim request on file, the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chair:



B. Brückner

K. Bengi-Akyürek

Decision electronically authenticated