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Datasheet for the decision
of 23 July 2025

Case Number: T 1787/23 - 3.5.05

Application Number: 17760610.0

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IPC: G06F3/14, H04N21/41,
                          H04N21/431, H04N21/436,
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                          G09G5/14, H04N21/414

Language of the proceedings: EN

Title of invention:
System for connecting a mobile device and a common display

Applicant:
T1V, INC.

Headword:
The need for rendering an icon/T1V

Relevant legal provisions:
EPC Art. 84
RPBA 2020 Art. 13(2)

Keyword:
Admittance of claim requests filed after Art. 15(1) RPBA
communication - main request, 1st and 3rd to 9th auxiliary
requests (no): no "exceptional circumstances" + no suitability
to resolve issues raised
Clarity - 2nd, 10th and 11th auxiliary requests (no)

Decisions cited:
T 2271/18, T 2632/18

Case Number: T 1787/23 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 23 July 2025

Appellant:	T1V, INC.
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Decision under appeal:	**Decision of the Examining Division of the European Patent Office posted on 4 April 2023 refusing European patent application No. 17760610.0 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair	K. Bengi-Akyürek
Members:	E. Konak
	F. Blumer

Summary of Facts and Submissions

I.   The appeal is against the examining division's decision
        to refuse the present European application.

        The examining division decided that the main request
        (also called "Request A") did not comply with
        Article 123(2) EPC and that auxiliary requests 1 and 2
        (also called "Request B" and "Request C") did not
        comply with Article 56 EPC. The examining division also
        found that the main request did not comply with
        Article 56 EPC for the same reasons as for auxiliary
        request 1.

II.   Oral proceedings were held before the board on
        23 July 2025.

        The appellant's final requests were that the decision
        under appeal be set aside and that a patent be granted
        on the basis of the **main request** or one of **auxiliary
        requests 1 to 11**, i.e. auxiliary requests 2 and 11 on
        which the contested decision is based, auxiliary
        requests 3 to 9 as filed with letter dated 9 July 2025,
        the main request and auxiliary requests 1 and 10 as
        filed with letter dated 21 July 2025.

        At the end of the oral proceedings, the board's
        decision was announced.

III.   Claim 1 of the **main request** reads as follows:

        "A method of connecting a mobile device to a common
        display associated with a display computer controlling
        the common display, the common display comprising a
        display region wherein different windows corresponding

to different mobile devices are to be displayed and the display computer comprising a virtual canvas that is larger than the display region of the common display, the method comprising, for the mobile device:

- downloading a display application onto the mobile device;

- selecting the display computer for the common display in the display application;

- connecting the mobile device to the display computer;

- selecting, on the mobile device, a data stream being a video signal to be displayed on the common display; and

- sending the data stream of the selection to the display computer to be displayed in a window in the display region of the common display corresponding to the mobile device, wherein the display computer is to:

    - determine a first resolution (R1) of the data stream sent by the mobile device to the display computer,

    - determine a second resolution (R2) associated with a region in which the data stream is to be presented,
the display computer is further to display the data stream from the mobile device in a mobile device window in the display region of the common display, the mobile device window being an editable window that can be moved, resized, and marked on,
characterized in that,

when R2 is less than R1, then the display computer is to send a third resolution (R3) to the mobile device, where R1 > R3 >= R2, and the display application on the mobile device is to

    - down sample the selection in accordance with the third resolution, R3, and

- only transmit the down sampled
resolution (R3) to the display computer; and
    when the second resolution (R2) of the region in
which the data stream is presented changes to an
updated second resolution (R2), the display computer is
to send an updated third resolution (R3) to the mobile
device, and the mobile device is to transmit the data
stream to the display computer in accordance with the
updated third resolution (R3)."

Claim 1 of **auxiliary request 1** differs from claim 1 of
the main request in that the equals sign "=" was
deleted from the text "where R1 > R3 >= R2".

Claim 1 of **auxiliary request 2** reads as follows:

"A method of connecting a mobile device to a common
display associated with a display computer controlling
the common display, the common display comprising a
display region wherein different mobile device windows
corresponding to different mobile devices are to be
displayed and a tray region outside the display region
wherein mobile device icons corresponding to different
mobile devices are to be displayed, the mobile device
window being an editable window that can be moved,
resized, and marked on, and the display computer
comprising a virtual canvas being a virtual region that
expands to greater than the physical area of the
display region of the common display and where any
section of the virtual canvas can be viewed on the
display region, the method comprising, for the mobile
device:
    - downloading a display application onto the mobile
device;
    - selecting the display computer for the common
display in the display application;

- connecting the mobile device to the display computer;

- selecting, on the mobile device, a data stream being a video signal to be displayed on the common display; and

- sending the data stream of the selection to the display computer to be displayed in a corresponding mobile device window in the display region or in a corresponding mobile device icon in the tray region, wherein the display computer is to:

- determine a second resolution (R2) associated with the display region or tray region in which the data stream is to be presented,

characterized in that,

the display computer is further to determine a first resolution (R1) of the data stream sent by the mobile device to the display computer,

the display computer is further to display the data stream from the mobile device in the mobile device window in the display region or in the mobile device icon in the tray region,

when R2 is less than R1, then the display computer is to send a third resolution (R3) to the mobile device, where R1 > R3 >= R2, and the display application on the mobile device is to

- down sample the selection in accordance with the third resolution, R3, and

- only transmit the down sampled resolution (R3) to the display computer;

when the second resolution (R2) changes to an updated second resolution (R2), the display computer is to send an updated third resolution (R3) to the mobile device, and the mobile device is to transmit the data stream to the display computer in accordance with the updated third resolution (R3); and

when mobile device window is moved off of the section of the virtual canvas viewable on the display region, the display computer is to send, to the mobile device, a resolution and a frame rate needed to render the mobile device icon of the mobile device data stream in the tray region, and the mobile device is to transmit the data stream to the display computer in accordance with the resolution needed to render the icon."

Claim 1 of **auxiliary request 3** differs from claim 1 of auxiliary request 2 in that the terms "mobile device icon(s)" and "icon" were replaced by the term "thumbnail(s)".

Claim 1 of **auxiliary request 4** differs from claim 1 of auxiliary request 2 in that the text ", and the mobile device is to transmit the data stream to the display computer in accordance with the resolution needed to render the icon" was deleted.

Claim 1 of **auxiliary request 5** differs from claim 1 of auxiliary request 3 in that the text ", and the mobile device is to transmit the data stream to the display computer in accordance with the resolution needed to render the thumbnail" was deleted.

Claim 1 of **auxiliary request 6** differs from claim 1 of auxiliary request 2 as follows (with the deletions ~~struck through~~ and the additions <u>underlined</u>):

"[...]
when the second resolution (R2) changes to an updated second resolution (R2), the display computer is to send an updated third resolution (R3) to the mobile device, and the mobile device is to transmit the data

stream to the display computer in accordance with the
updated third resolution (R3); ~~and~~

 when the mobile device window is moved off of the
section of the virtual canvas viewable on the display
region, the display computer is to send, to the mobile
device, a resolution and a frame rate needed to render
the mobile device icon of the mobile device data stream
in the tray region, and the mobile device is to
transmit the data stream to the display computer in
accordance with the resolution needed to render the
icon<u>; and</u>

 <u>wherein the display computer is to request a third</u>
<u>resolution (R3) from the mobile device, the third</u>
<u>resolution (R3) being larger than the second</u>
<u>resolution (R2) needed for the mobile device window,</u>
<u>but not as large as the full resolution of the display</u>
<u>region</u>."

Claim 1 of **auxiliary request 7** differs from claim 1 of
auxiliary request 3 as follows (with the deletions
~~struck through~~ and the additions <u>underlined</u>):

"[...]
 when the second resolution (R2) changes to an
updated second resolution (R2), the display computer is
to send an updated third resolution (R3) to the mobile
device, and the mobile device is to transmit the data
stream to the display computer in accordance with the
updated third resolution (R3); ~~and~~

 when the mobile device window is moved off of the
section of the virtual canvas viewable on the display
region, the display computer is to send, to the mobile
device, a resolution and a frame rate needed to render
the thumbnail of the mobile device data stream in the
tray region, and the mobile device is to transmit the

data stream to the display computer in accordance with
the resolution needed to render the thumbnail; and
    wherein the display computer is to request a third
resolution (R3) from the mobile device, the third
resolution (R3) being larger than the second
resolution (R2) needed for the mobile device window,
but not as large as the full resolution of the display
region."

Claim 1 of **auxiliary request 8** differs from claim 1 of
auxiliary request 6 in that the text ", and the mobile
device is to transmit the data stream to the display
computer in accordance with the resolution needed to
render the icon" was deleted.

Claim 1 of **auxiliary request 9** differs from claim 1 of
auxiliary request 7 in that the text ", and the mobile
device is to transmit the data stream to the display
computer in accordance with the resolution needed to
render the thumbnail" was deleted.

Claim 1 of **auxiliary request 10** differs from claim 1 of
the main request as follows (with the additions
underlined):

"[...] and
    when a mobile device window is moved off of the
display region, the display computer is to send, to the
mobile device, a resolution needed to render an icon of
the mobile device data stream on the common display,
and the mobile device is to transmit the data stream to
the display computer in accordance with the resolution
needed to render the icon."

Claim 1 of **auxiliary request 11** differs from claim 1 of
auxiliary request 2 as follows (with the deletions
~~struck through~~ and the additions <u>underlined</u>):

"A method of connecting a mobile device to a common
display associated with a display computer controlling
the common display, the common display comprising a
display region wherein ~~different~~ <u>at least two</u> mobile
device windows corresponding to ~~different~~ <u>at least two</u>
mobile devices are to be displayed and a tray region
outside the display region wherein <u>at least two</u> mobile
device icons corresponding to ~~different~~ <u>at least two</u>
mobile devices are to be displayed, the mobile device
window being an editable window that can be moved,
resized, and marked on, and the display computer
comprising a virtual canvas being a virtual region that
expands to greater than the physical area of the
display region of the common display and where any
section of the virtual canvas can be viewed on the
display region, the method comprising, for <u>each of</u> the
<u>at least two</u> mobile device<u>s</u>:
[...]".

Reasons for the Decision

1.   Claim requests filed on 21 July 2025

1.1   On 21 July 2025, the appellant filed "corrected sets of
        the Main Request and Auxiliary Requests 1 and 10",
        addressing clerical errors in the dependent claims of
        the respective claim requests filed or re-filed on
        9 July 2025.

1.2   Since those corrections do not affect the independent
        claims and in view of the outcome of these appeal

proceedings, there is no need to decide on the admissibility of the corrected claim requests filed on 21 July 2025.

1.3   For the purposes of the following considerations on admittance, the board assumes that the main request and auxiliary requests 1 and 10 were effectively filed when the *uncorrected* claim requests were filed.

2.   Main request and auxiliary request 1 - admittance

2.1   The **main request** and **auxiliary request 1** were filed *after* the notification of the board's communication under Article 15(1) RPBA. Therefore, they are not be taken into account unless there are exceptional circumstances, which have been justified with cogent reasons by the appellant (Article 13(2) RPBA).

2.2   The appellant argued that there were "exceptional circumstances" as the board raised in its preliminary opinion new added subject-matter and clarity objections against the then auxiliary requests 1 and 2, although the examining division had rejected these claim requests based only on Article 56 EPC.

2.3   However, these claim requests are not based on the appellant's former auxiliary requests 1 and 2 but on its former main request. The examining division rejected that main request based on Article 123(2) EPC. In its preliminary opinion, the board agreed with those objections under Article 123(2) EPC. Therefore, and irrespective of whether "new objections" raised by a board may, *per se*, constitute "exceptional circumstances" (see e.g. **T 2271/18**, catchword and **T 2632/18**, catchword), there are thus no "exceptional circumstances" here which could indeed justify the

filing of amendments based on the main request on which the contested decision is based.

2.4   Therefore, the board did not admit the main request and auxiliary request 1 into the appeal proceedings (Article 13(2) RPBA).

3.   Auxiliary request 2 - clarity (Article 84 EPC)

3.1   **Auxiliary request 2** corresponds to auxiliary request 1 on which the contested decision is based.

3.2   Claim 1 of auxiliary request 2 includes the following features (board's labelling):

(a) A method of connecting a mobile device to a common display associated with a display computer controlling the common display, the common display comprising a display region wherein different mobile device windows corresponding to different mobile devices are to be displayed and a tray region outside the display region wherein mobile device icons corresponding to different mobile devices are to be displayed, the mobile device window being an editable window that can be moved, resized, and marked on, and the display computer comprising a virtual canvas being a virtual region that expands to greater than the physical area of the display region of the common display and where any section of the virtual canvas can be viewed on the display region,

(b) the method comprising, for the mobile device:
    - downloading a display application onto the mobile device;
    - selecting the display computer for the common display in the display application;

- connecting the mobile device to the display
computer;
- selecting, on the mobile device, a data stream
being a video signal to be displayed on the common
display; and
- sending the data stream of the selection to the
display computer to be displayed in a corresponding
mobile device window in the display region or in a
corresponding mobile device icon in the tray
region,

(c) wherein the display computer is to:
- determine a second resolution (R2) associated
with the display region or tray region in which the
data stream is to be presented,

(d) the display computer is further to determine a
first resolution (R1) of the data stream sent by
the mobile device to the display computer,

(e) the display computer is further to display the data
stream from the mobile device in the mobile device
window in the display region or in the mobile
device icon in the tray region,

(f) when R2 is less than R1, then the display computer
is to send a third resolution (R3) to the mobile
device, where R1 > R3 >= R2, and the display
application on the mobile device is to
- down sample the selection in accordance with the
third resolution, R3, and
- only transmit the down sampled resolution (R3) to
the display computer;

(g) when the second resolution (R2) changes to an
updated second resolution (R2), the display
computer is to send an updated third
resolution (R3) to the mobile device, and the
mobile device is to transmit the data stream to the
display computer in accordance with the updated
third resolution (R3); and

(h) when the mobile device window is moved off of the
    section of the virtual canvas viewable on the
    display region, the display computer is to send, to
    the mobile device, a resolution and a frame rate
    needed to render the mobile device icon of the
    mobile device data stream in the tray region, and
    the mobile device is to transmit the data stream to
    the display computer in accordance with the
    resolution needed to render the icon.

3.3   The board understands the term "mobile device icon"
        mentioned in features (a), (b), (e) and (h) of present
        claim 1 as referring to a symbol of the entity that it
        represents, i.e. a "mobile device" in the case at hand.

3.4   As to **feature (h)**, it is not clear in technical terms
        what is meant by the phrase "a frame rate *needed* to
        render [an] icon", since there is actually no *need* to
        use more than one frame to render an "icon".

        Furthermore, it is not clear what is meant in technical
        terms by the phrase "a resolution [...] *needed* to
        render [an] icon". In particular, the rendering of an
        "icon" does not *need* to have any one-to-one
        correspondence with the data stream transmitted from a
        mobile device.

        Thus, it is also not clear what the mobile device has
        to do in terms of technical steps in order to actually
        "transmit the data stream to the display computer *in
        accordance with the resolution needed to render the
        icon*", since there is indeed no technical need to
        transmit a data stream for this purpose.

3.5   The appellant argued that the board's interpretation of
        the term "icon" was merely linguistic and ignored the

clear technical teaching conveyed by the wording of
claim 1. In particular, the appellant referred to
features (a), (b) and (e), which respectively state
that "the common display compris[es] a display region
wherein different mobile device windows corresponding
to different mobile devices are to be displayed and a
tray region outside the display region wherein mobile
device icons corresponding to different mobile devices
are to be displayed", "the data stream of the selection
[is sent] to the display computer to be displayed in a
corresponding mobile device window in the display
region or in a corresponding mobile device icon in the
tray region" and that "the display computer is further
to display the data stream from the mobile device in
the mobile device window in the display region or in
the mobile device icon in the tray region". From this
context, it was clear that the "mobile device icons"
within the meaning of claim 1 displayed video data
streams just like the "mobile device windows". They
were merely smaller in size and did not provide for a
detailed inspection of the data streams due to their
size. Instead, they only served the purpose of giving
an overview of what is displayed on the mobile device.

The board is not convinced by the appellant's
arguments. First, features (b) and (e) do not state
that the "data stream" is sent to and displayed in both
"mobile device windows" in the *display region* and in
"mobile device icons" in the *tray region*. Instead, both
features use the conjunction "or". Since the data
stream should necessarily be displayed in a streaming
mode in the "mobile device window", it follows that the
"mobile device icon" corresponding to the mobile device
sending the data stream may well display a still (i.e.
static) image symbolising the stream displayed in the
"mobile device window" or the mobile device sending

that stream. Second, feature (a) explicitly states that the "mobile device icon" *corresponds to* a "mobile device" and not to the "data stream" being sent by the mobile device. This interpretation is reinforced by its very name "<u>mobile device</u> icon". Third, feature (c) indeed already determines a "resolution R2" *associated with* the tray region. Thus, it is not clear in feature (h), how the "resolution [...] needed to render the mobile device icon [...] in the tray region" differs from this resolution *associated with* the tray region.

3.6   Therefore, claim 1 of auxiliary request 2 is not clear (Article 84 EPC).

4.   Auxiliary requests 3 to 9 - admittance

4.1   **Auxiliary requests 3 to 9** were filed *after* the notification of the board's communication under Article 15(1) RPBA. Therefore, their admittance is at the board's discretion under Article 13(2) RPBA. The board, when exercising its discretion, may however also apply the criteria of Article 13(1) RPBA such as, *inter alia*, the suitability of the amendments for resolving the issues which were raised by the board.

4.2   In these auxiliary requests, the appellant tried out combinations of three different amendments, labelled A3, A4 and A5 by the appellant, with auxiliary request 2.

        -   In amendment A3, the terms "mobile device icon", "device icon", and "icon" were replaced by the term "thumbnail".

- In amendment A4, the last part of feature (h),
  namely "the mobile device is to transmit the data
  stream to the display computer in accordance with
  the resolution needed to render the icon" was
  deleted.

- In amendment A5, an additional feature (i) from the
  description was added at the end of the claim,
  namely:

  (i)   wherein the display computer is to request
          a third resolution (R3) from the mobile
          device, the third resolution (R3) being
          larger than the second resolution (R2)
          needed for the mobile device window, but
          not as large as the full resolution of the
          display region.

  Auxiliary request 3 comprises amendment A3, **auxiliary
  request 4** comprises amendment A4, **auxiliary request 5**
  comprises amendments A3 and A4, **auxiliary request 6**
  comprises amendment A5, **auxiliary request 7** comprises
  amendments A3 and A5, **auxiliary request 8** comprises
  amendments A4 and A5 and **auxiliary request 9** comprises
  amendments A3, A4 and A5.

4.3   The appellant submitted that amendments A3 and A4 were
        to overcome, *inter alia*, the clarity objections raised
        by the board, while amendment A5 was to overcome the
        inventive-step objections.

        However, amendment A3 is in fact not suitable for
        overcoming the board's clarity objections raised above
        in points 3.4 and 3.5. In particular, the board did not
        object to the term "icon" as being unclear but to "a
        resolution and a frame rate needed to render [an

icon]".

Amendment A4 is likewise not suitable for overcoming
the board's clarity objections which relate not only to
the *last* but also the *first* part of feature (h), which
refers to "a resolution and a frame rate needed to
render the mobile device icon of the mobile device data
stream in the tray region".

Finally, amendment A5 was filed not to overcome clarity
objections but to overcome inventive-step objections.
Therefore, it is simply not suitable for overcoming the
outstanding clarity objections.

4.4   For these reasons, the board did not admit auxiliary
       requests 3 to 9 into the appeal proceedings.

5.   Auxiliary requests 10 and 11 - clarity (Article 84 EPC)

5.1   Claim 1 of **auxiliary requests 10 and 11** corresponds to
       claim 1 of the main request and of auxiliary request 2
       on which the contested decision is based.

5.2   The last feature of claim 1 of auxiliary request 10
       reads:

           "when a mobile device window is moved off of the
           display region, the display computer is to send, to
           the mobile device, a resolution needed to render an
           icon of the mobile device data stream on the common
           display, and the mobile device is to transmit the
           data stream to the display computer in accordance
           with the resolution needed to render the icon
           [emphases by the board]".

This wording is similar to that of feature (h) of auxiliary request 2, in particular including the same unclear expression "a resolution [...] needed to render [an icon]". Therefore, the clarity objections raised against claim 1 of auxiliary request 2 in points 3.4 and 3.5 above apply also to claim 1 of auxiliary request 10.

5.3   Since claim 1 of auxiliary request 11 likewise includes feature (h) of auxiliary request 2, the clarity objections to claim 1 of auxiliary request 2 apply also to claim 1 of auxiliary request 11.

5.4   Therefore, claim 1 of auxiliary requests 10 and 11 is at least not clear (Article 84 EPC).

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chair:

B. Brückner   K. Bengi-Akyürek

Decision electronically authenticated