

Internal distribution code:

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

**Datasheet for the decision
of 6 May 2025**

Case Number: T 0417/24 - 3.5.07

Application Number: 19873100.2

Publication Number: 3859680

IPC: G06F40/166, G06T11/60,
G06F3/0484

Language of the proceedings: EN

Title of invention:

Content editing method and terminal

Applicant:

Huawei Technologies Co., Ltd.

Headword:

Content editing/HUAWEI

Relevant legal provisions:

EPC Art. 84

RPBA 2020 Art. 12(4), 13(1), 13(2)

Keyword:

Amendment to case - main request and auxiliary requests 1 to 8
(not admitted)

Amendment after summons - auxiliary requests 9 to 13
(admitted) - auxiliary request 14 (not admitted)

Claims - clarity - auxiliary requests 9 to 13 (no)

Decisions cited:

G 0001/04, T 2766/17, T 3097/19, T 0367/20



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

Case Number: T 0417/24 - 3.5.07

D E C I S I O N
of Technical Board of Appeal 3.5.07
of 6 May 2025

Appellant:
(Applicant)

Huawei Technologies Co., Ltd.
Huawei Administration Building
Bantian, Longgang District
Shenzhen Guangdong 518129 (CN)

Representative:

Epping - Hermann - Fischer
Patentanwalts-gesellschaft mbH
Schloßschmidstraße 5
80639 München (DE)

Decision under appeal:

**Decision of the Examining Division of the
European Patent Office posted on 12 October 2023
refusing European patent application
No. 19873100.2 pursuant to Article 97(2) EPC**

Composition of the Board:

Chair J. Geschwind
Members: R. de Man
M. Jaedicke

Summary of Facts and Submissions

I. The applicant appealed against the decision of the examining division refusing European patent application No. 19873100.2.

II. The examining division decided that the subject-matter of the independent claims of the main request and auxiliary requests 2, 3 and 5 to 8 lacked an inventive step over the following document:

D1: US 2017/0091153 A1, 30 March 2017.

Auxiliary requests 1 and 4 did not comply with Article 84 EPC for lack of clarity.

III. With its statement of grounds of appeal, the appellant filed an amended main request and amended auxiliary requests 1 to 8.

IV. In a communication accompanying the summons to oral proceedings, the board indicated that it was not inclined to admit the main request and auxiliary requests 1 to 8 into the appeal proceedings. It also raised a number of clarity objections and expressed a negative view on inventive step.

V. With a letter submitted in preparation for the oral proceedings, the appellant filed auxiliary requests 9 to 13.

VI. During the oral proceedings, the appellant filed an auxiliary request 14. At the end of the oral proceedings, the Chair announced the board's decision.

VII. 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 claims of the main request or, in the alternative, of one of auxiliary requests 1 to 14.

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

"A content editing method, wherein the method comprises:

- displaying, by a terminal (100), an editable user interface (200, 210, 220, 230, 400, 410, 800), wherein the editable user interface (200, 210, 220, 230, 400, 410, 800) displays multimedia content and doodle content, the doodle content is generated in response to an operation performed by a user on the multimedia content, the editable user interface (200, 210, 220, 230, 400, 410, 800) comprises a content editing area (221, 223, 801), and the content editing area (221, 223, 801) is used to add or edit the multimedia content and/or the doodle content;
- displaying, by the terminal (100), the added or edited doodle content in the content editing area (221, 223, 801) in response to an operation of adding or editing the doodle content; or displaying, by the terminal (100), the added or edited multimedia content in the content editing area (221, 223, 801) in response to an operation of adding or editing the multimedia content; and
- automatically extending, by the terminal (100), the content editing area (221, 223, 801) by a preset size after detecting that the added doodle content or multimedia content reaches or exceeds a preset position in the content editing area (221, 223, 801), the doodle content and the multimedia content

being editable in the extended content editing area (221, 223, 801)."

Dependent claim 6 reads as follows:

"The method according to any one of claims 1 to 5, wherein the multimedia content includes a text and a picture."

Dependent claim 7 reads as follows:

"The method according to any one of claims 1 to 6, wherein an extended content editing area (221, 223, 801, 802) comprises the content editing area (221, 223, 801) and an extension area (802) of the content editing area (221, 223, 801), and wherein the preset position is within the content editing area (221, 223, 801) and is spaced from the extension area (802)."

- IX. The additional feature of dependent claim 6 of auxiliary requests 1, 3, 4, 5, 7 and 8, of dependent claim 7 of auxiliary request 2 and of dependent claim 5 of auxiliary request 6 is identical to that of dependent claim 6 of the main request.
- X. Claim 1 of auxiliary request 9 is identical to claim 1 of the main request.

Dependent claim 7 of auxiliary request 9 reads as follows:

"The method according to any one of claims 1 to 6, wherein the method further comprises:

storing, by the terminal (100), the doodle content in response to the operation of adding or editing the

doodle content, wherein the doodle content is stored in a sparse dot matrix manner."

XI. Claim 1 of auxiliary request 10 differs from claim 1 of auxiliary request 9 in that the text after "in response to an operation of adding or editing the multimedia content;" has been replaced with:

- "- determining that a current size of the content editing area (221, 223, 801) does not exceed a maximum limit after detecting that the added doodle content or the added multimedia content reaches or exceeds a preset position in the content editing area; and
- automatically extending, by the terminal (100), the content editing area (221, 223, 801) by a preset size after detecting that the added doodle content or multimedia content reaches or exceeds the preset position in the content editing area (221, 223, 801) and when it is determined that the current size of the content editing area (221, 223, 801) does not exceed the maximum limit, to form an extended content editing area that comprises an extension area, wherein a size of the extended content editing area is larger than a size of the content editing area (221, 223, 801), the doodle content and the multimedia content are editable in the extended content editing area (221, 223, 801), and wherein the preset position is within the content editing area (221, 223, 801) and spaced from the extension area."

XII. Claim 1 of auxiliary request 11 differs from claim 1 of auxiliary request 9 in that the following text was added at the end of the first bullet point:

", wherein the content editing area (221, 223, 801) comprises a first layer and a second layer, the first layer is used to add or edit the multimedia content, the second layer is used to add or edit the doodle content, a size of the second layer is the same as a size of the first layer, and the second layer is transparent".

XIII. Claim 1 of auxiliary request 12 reads as follows:

"A content editing method, wherein the method comprises:

- displaying, by a terminal (100), an editable user interface (200, 210, 220, 230, 400, 410, 800), wherein the editable user interface (200, 210, 220, 230, 400, 410, 800) displays multimedia content and doodle content, the doodle content is generated in response to an operation performed by a user on the multimedia content, the editable user interface (200, 210, 220, 230, 400, 410, 800) comprises a content editing area (221, 223, 801), and the content editing area (221, 223, 801) is used to add or edit the multimedia content and/or the doodle content, wherein the content editing area (221, 223, 801) comprises a first layer and a second layer, the first layer is used to add or edit the multimedia content, the second layer is used to add or edit the doodle content, a size of the second layer is the same as a size of the first layer, and the second layer is transparent, wherein before displaying, by the terminal (100), the added or edited doodle content in the content editing area (221, 223, 801) in response to the operation of adding or editing the doodle content, the method further comprises: switching, by the terminal

- (100), the first layer with the second layer in response to a first operation of the user;
- displaying, by the terminal (100), the added or edited doodle content in the content editing area (221, 223, 801) in response to an operation of adding or editing the doodle content; or displaying, by the terminal (100), the added or edited multimedia content in the content editing area (221, 223, 801) in response to an operation of adding or editing the multimedia content;
 - determining that a current size of the content editing area (221, 223, 801) does not exceed a maximum limit after detecting that the added doodle content or the added multimedia content reaches or exceeds a preset position in the content editing area; and
 - automatically extending, by the terminal (100), the content editing area (221, 223, 801) by a preset size after detecting that the added doodle content or multimedia content reaches or exceeds the preset position in the content editing area (221, 223, 801), the doodle content and the multimedia content being editable in the extended content editing area (221, 223, 801), wherein when the second layer covers the first layer in the content editing area (221, 223, 801), the terminal (100) automatically extends the content editing area (221, 223, 801) by the preset size if detecting that a position of the doodle content entered by the user reaches the preset position in the content editing area (221, 223, 801), and when the first layer covers the second layer, the terminal (100) automatically extends the content editing area (221, 223, 801) by the preset size when detecting that multimedia information added by the user exceeds a current size of the content editing area (221, 223, 801),

wherein the automatically extending the content editing area (221, 223, 801) by the preset size comprises automatically extending the second layer and the first layer by the preset size at the same time, and wherein an extended content editing area comprising an extension area has a size larger than the previously current size of the content editing area (221, 223, 801)."

XIV. Claim 1 of auxiliary 13 differs from claim 1 of auxiliary request 9 in that the following text has been added at the end of the claim:

"wherein the method further comprises:

storing, by the terminal (100), the doodle content in response to the operation of adding or editing the doodle content, wherein the doodle content is stored in a sparse dot matrix manner for making the terminal (100) be not limited by an image display size of the doodle content, and when the terminal (100) stores the doodle content in the sparse dot matrix manner, a data header, a first stroke, and a second stroke are included, wherein

- the data header includes an identifier of the doodle content, a note version number, a total quantity of strokes included in the doodle content, a data length of the doodle content, an identifier used to prompt to save a start position of the first stroke, an identifier used to prompt to save a start position of the second stroke, a color index used for the first stroke, a color index used for the second stroke, a pen type index used for the first stroke, and a pen type index used for the second stroke,
- the first stroke includes a type identifier of the first stroke, to indicate a line type used for the

first stroke, and coordinates and a width of each point included in the first stroke, and

- the second stroke includes a type identifier of the second stroke, to indicate a line type used for the second stroke, and coordinates and a width of each point included in the second stroke, and

wherein the method further comprises:

- storing, by the terminal (100), the multimedia content and the doodle content displayed in a same content editing area into a same file."

XV. Claim 1 of auxiliary request 14 reads as follows:

"A content editing method, wherein the method comprises:

- displaying, by a terminal (100), an editable user interface (800), wherein the editable user interface (800) displays multimedia content and doodle content, the doodle content is generated in response to an operation performed by a user on the multimedia content, the editable user interface (800) includes a content editing area (801), and the content editing area (801) is used to add or edit the multimedia content and/or the doodle content;
- displaying, by the terminal (100), the added or edited doodle content in the content editing area (801) in response to an operation of adding or editing the doodle content; or displaying, by the terminal (100), the added or edited multimedia content in the content editing area (801) in response to an operation of adding or editing the multimedia content;
- determining that a current size of the content editing area (801) does not exceed a maximum limit after detecting that the added doodle content or

- the added multimedia content reaches or exceeds a preset position in the content editing area; and automatically extending, by the terminal (100), the content editing area (801) by a preset size after detecting that the added doodle content or multimedia content reaches or exceeds the preset position in the content editing area (801) and when it is determined that the current size of the content editing area (801) does not exceed the maximum limit, to form an extended content editing area that comprises an extension area (802) and the content editing area (801), wherein a size of the extended content editing area is larger than a size of the content editing area (801), wherein the editable user interface (800) includes the content editing area (801) and the extension area (802) and the terminal (100) responds to a slide-up or slide-down operation of the user in an area (810) of a display (151) of the terminal (100) so that the display (151) displays the multimedia content and doodle content in positions in the corresponding content editing area (801) and in the corresponding extension area (802), the doodle content and the multimedia content are editable in the extended content editing area, and wherein the preset position is within the content editing area (801) and spaced from the extension area (802)."

Reasons for the Decision

1. The application relates to content editing.

Main request and auxiliary requests 1 to 8

2. *Admission into the appeal proceedings - Article 12(4) RPBA*

2.1 The main request and auxiliary requests 1 to 8 were all filed for the first time with the statement of grounds of appeal. Their admission into the appeal proceedings is therefore at the board's discretion (Article 12(4), first and second sentences, RPBA).

2.2 The primary object of the appeal proceedings is to review the decision under appeal in a judicial manner (Article 12(2) RPBA). The appeal proceedings are not a continuation of the first-instance proceedings. Hence, any amendments to the application filed in the appeal proceedings should be directed to rendering the application allowable and be accompanied with reasons why they overcome the objections raised (Article 12(4), third and fourth sentences, RPBA).

2.3 In the present case, the amendments made to the main request, as compared with the version refused by the examining division, included the incorporation of newly drafted dependent claims 6 and 7 (see point VIII. above). At least dependent claim 6 was also included in each of auxiliary requests 1 to 8 (see point IX. above).

2.4 The appellant argued that dependent claims 6 and 7 had been included to address "possible clarity objections" in connection with the expressions "multimedia content", "extended content editing area" and "preset position".

However, the decision under appeal contained no clarity objections to these terms, and dependent claims are in any event unsuitable to clarify the terms used in an independent claim.

- 2.5 The inclusion of new dependent claims in the main request and auxiliary requests 1 to 8 is unnecessary for the purpose of rendering the refused application allowable. It is an attempt not to render the refused application allowable but to continue the first-instance proceedings. The board therefore does not admit the main request and auxiliary requests 1 to 8 into the appeal proceedings (Article 12(4) RPBA).

Auxiliary request 9

3. *Admission in the appeal proceedings - Article 13(2) RPBA*

- 3.1 Auxiliary request 9 is identical to the main request considered in the decision under appeal and therefore no longer includes the newly drafted dependent claims 6 and 7. However, it reintroduces dependent claims which had been deleted in the main request filed with the statement of grounds of appeal. In particular, the appellant had deleted dependent claim 7 in view of the clarity objection raised in the decision under appeal to then auxiliary request 1, which included the additional feature of dependent claim 7.
- 3.2 The appropriate reaction to the board's admissibility concerns with respect to the amendments introducing additional dependent claims compared to the requests refused by the examining division would have been to delete those claims without reverting other amendments.

While the deletion of dependent claims still constitutes an amendment to the appeal case and must therefore be assessed under Article 13 RPBA, in the present case such an amendment would have directly and straightforwardly resolved an issue which was not central to the appeal case and would not have otherwise affected the substance of the case. This circumstance may be regarded as exceptional, thereby justifying the amendment's admission under Article 13(2) RPBA. The board further notes that such relative leniency is warranted to balance its strict approach to the admissibility of amendments introducing dependent claims (see point 2. above).

3.3 Since the appellant, at the oral proceedings, expressed its willingness to delete dependent claim 7 from auxiliary request 9, the board found it appropriate to discuss the merits of the request. In view of the conclusion arrived at by the board, as set out below, there ultimately was no need to invite the appellant to file an amended version of auxiliary request 9 with claim 7 deleted.

3.4 Hence, auxiliary request 9 is admitted into the appeal proceedings.

4. *Clarity*

4.1 Claim 1 is directed to a content editing method performed by a terminal. The terminal displays an "editable user interface" which displays multimedia and doodle content. The editable user interface comprises a "content editing area" which is used to add or edit the content. The terminal displays the added or edited content in the content editing area in response to an operation of adding or editing the content. When the

terminal detects that the added content reaches or exceeds a preset position in the content editing area, it automatically extends the content editing area by a preset size.

- 4.2 In the board's view, the skilled person reading claim 1 on its own, i.e. without consulting the description or drawings, understands that the "content editing area" is a specific area within the displayed editable user interface. In this area, the multimedia and doodle content is displayed, and by interacting with this area, the user may add or edit the content. With this interpretation, automatically extending the content editing area by a preset size means extending the size of the area that the content editing area takes up within the displayed user interface, for example by reducing the size of other parts of the user interface or by resizing the window in which the editable user interface is displayed.
- 4.3 However, Figures 8A and 8B, which are described on page 20, lines 2 to 5, of the description as filed show the display 151 of a terminal 100 which displays a user interface 800. In area 810 of the display 151, a portion of "content editing area 801" is displayed. Content editing area 801 includes an area 802 which is "an extension area of an initial content editing area". The area 810 of display 151 shows the upper portion of the content area 801, which coincides, at least approximately, with the initial content area. The description states that the terminal 100 may respond to a slide-up or slide-down operation of the user in the area 810 "so that the display 151 displays content that is in a corresponding position in the corresponding content editing area 801". In the context of Figures 8A and 8B, the skilled person understands this as meaning

that the user can bring part or all of the lower portion of the content editing area 801, approximately coinciding with the extension area 802, into view by means of a slide-up operation. The skilled person also understands that it is area 810 rather than "content editing area" 801 that is used to add or edit the content.

- 4.4 Hence, the skilled person understands from Figures 8A and 8B and their description that, at least in one embodiment of the claimed invention, the "content editing area" is not a specific area of the displayed editable user interface (such as area 810 in Figure 8A) within which the content is displayed and with which the user interacts to add and edit content but instead refers to the scrollable content (such as "area" 801 in Figures 8A and 8B) of such an area.
- 4.5 Since the claims are to be interpreted in the light of the description and drawings (see decisions T 2766/17, Reasons 6; T 3097/19, Reasons 29; T 367/20, Reasons 1.3.2 and 1.3.3), the scope of the term "content editing area", on its proper interpretation, encompasses the "content editing area" of the embodiment disclosed in Figures 8A and 8B and their description. It follows that the meaning of the term "content editing area" deviates substantially from the meaning which the skilled person would ascribe to it based solely on the wording of the claim alone. Claim 1 therefore fails to meet the requirement of Article 84 EPC that, as far as possible, the meaning of the terms of the claims be clear from their wording alone (G 1/04, OJ EPO 2006, 334, Reasons 6.2; T 3097/19, Reasons 35 and 36).

- 4.6 The appellant argued that there was no contradiction between the expression "the editable user interface comprises a content editing area" in claim 1 and the disclosure on page 20, lines 2 to 5, in connection with Figures 8A and 8B. The application disclosed that there could be an "extended content editing area" which comprised the "content editing area" and an extension area of the content editing area. In Figures 8A and 8B, the "content editing area" was not necessarily the full document being edited (or the "scrollable content", to use the board's wording in point 4.4 above) but could be one of several regions shown in these figures.

However, Figures 8A and 8B and the description on page 20, lines 2 to 5, leave no doubt that the content editing area 801 is indeed the whole scrollable content shown in Figure 8B, only a portion of which is visible within the area 810 of the user interface shown in Figure 8A. The appellant's argument is therefore not convincing.

Auxiliary requests 10 to 13

5. *Admission into the appeal proceedings - Article 13(2) RPBA*

- 5.1 Since the clarity objection raised in point 4. above appeared to apply, at least at first sight, also to claim 1 of each of auxiliary requests 10 to 13, for reasons of procedural efficiency the board heard the appellant at the oral proceedings first on whether the clarity objection was overcome by claim 1 of any of auxiliary requests 10 to 13.
- 5.2 In view of the board's conclusion on this matter, as set out below, there was no need to hear the appellant

on the admissibility of auxiliary requests 10 to 13 under Article 13(2) RPBA. The board therefore admits these requests into the appeal proceedings.

6. *Clarity*

6.1 Claim 1 of each of auxiliary requests 10 to 13 includes the features which led the board to its interpretation of the term "content editing area" set out in points 4.1 and 4.2 above:

- displaying, by a terminal, an editable user interface, wherein the editable user interface displays multimedia content and doodle content;
- the editable user interface comprises a content editing area;
- the content editing area is used to add or edit the multimedia content and/or the doodle content;
- displaying, by the terminal, the added or edited doodle content in the content editing area in response to an operation of adding or editing the doodle content; or displaying, by the terminal, the added or edited multimedia content in the content editing area in response to an operation of adding or editing the multimedia content;
- automatically extending, by the terminal, the content editing area by a preset size after detecting that the added doodle content or multimedia content reaches or exceeds a preset position in the content editing area.

6.2 Moreover, none of the amendments made in these requests contradicts or otherwise affects this interpretation.

6.2.1 In particular, the features of claim 1 of auxiliary request 10 which specify that the content editing area

is extended by a preset size only if its current size does not exceed a maximum limit are fully in line with the interpretation of the "content editing area" as a specific area within the displayed editable user interface which can be extended - if total screen area permits - by reducing the size of other parts of the user interface or by resizing the window in which the editable user interface is displayed.

- 6.2.2 Likewise, the features of claim 1 of auxiliary request 11 which specify that the content editing area comprises a first layer which is used to add or edit the multimedia content and a second layer which is used to add or edit the doodle content do not contradict the interpretation of the "content editing area" as a specific area within the displayed editable user interface with which the user can interact to add or edit content.
- 6.2.3 The remaining amendments, which relate to the "preset position", the behaviour of the "layers" and the data format for storing the doodle content, have no bearing on the interpretation of the term "content editing area".
- 6.3 It follows that none of auxiliary requests 10 to 13 overcomes the objection of lack of clarity raised in point 4. above (Article 84 EPC).

Auxiliary request 14

7. Admission into the appeal proceedings - Article 13(2) RPBA

- 7.1 Auxiliary request 14 was filed during the oral proceedings before the board. Apart from the deletion

of certain reference signs and the replacement of an occurrence of "comprises" with "includes", claim 1 of auxiliary request 14 differs from claim 1 of auxiliary request 10 in the addition of the following features:

- wherein the editable user interface (800) includes the content editing area (801) and the extension area (802) and
- the terminal (100) responds to a slide-up or slide-down operation of the user in an area (810) of a display (151) of the terminal (100) so that the display (151) displays the multimedia content and doodle content in positions in the corresponding content editing area (801) and in the corresponding extension area (802).

7.2 The appellant argued that the added features, which had been taken from the description on page 20, lines 2 to 5, brought the claim in line with the embodiment described in this passage and therefore overcame the clarity objection raised in point 4. above.

7.3 Since the clarity objection raised in point 4. above was communicated to the appellant in the board's communication accompanying the summons to oral proceedings, the appellant could have filed amendments to address it already with its letter submitted in preparation for those oral proceedings. This objection therefore does not constitute an exceptional circumstance justifying the admission of auxiliary request 14 under Article 13(2) RPBA.

7.4 Moreover, auxiliary request 14 does not *prima facie* comply with Article 84 EPC, which is an argument against its admission under Article 13(1), fourth sentence, RPBA. According to page 20, lines 2 to 5,

read in combination with Figure 8B, the extension area 802 is a portion of the content editing area 801, not an area separate from the content editing area. In addition, whereas the passage of the description states that "the display 151 displays content that is in a corresponding position in the corresponding content editing area", which is in line with what is shown in Figures 8A and 8B, claim 1 of auxiliary request 14 now states that "display (151) displays the multimedia content and doodle content in positions in the corresponding content editing area (801) and in the corresponding extension area (802)", which is rather in line with the board's interpretation as set out in points 4.1 and 4.2 above.

- 7.5 For these reasons, the board does not admit auxiliary request 14 into the appeal proceedings (Article 13(1) and (2) RPBA).
8. Since none of the requests admitted into the appeal proceedings is allowable, the appeal is to be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chair:



G. Nachtigall

J. Geschwind

Decision electronically authenticated