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**Datasheet for the decision  
of 22 April 2015**

**Case Number:** T 2041/11 - 3.5.03

**Application Number:** 06007043.0

**Publication Number:** 1734730

**IPC:** H04M1/725, H04M1/247

**Language of the proceedings:** EN

**Title of invention:**

Device and method for displaying files during bluetooth communication in a wireless terminal

**Applicant:**

Samsung Electronics Co., Ltd.

**Headword:**

Displaying files in a wireless terminal/SAMSUNG

**Relevant legal provisions:**

EPC Art. 56

**Keyword:**

Inventive step - (no)

**Decisions cited:**

T 0641/00, T 1408/04



**Beschwerdekammern  
Boards of Appeal  
Chambres de recours**

European Patent Office  
D-80298 MUNICH  
GERMANY  
Tel. +49 (0) 89 2399-0  
Fax +49 (0) 89 2399-4465

Case Number: T 2041/11 - 3.5.03

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.03**  
**of 22 April 2015**

**Appellant:** Samsung Electronics Co., Ltd.  
(Applicant) 129, Samsung-ro  
Yeongtong-gu  
Suwon-si, Gyeonggi-do, 443-742 (KR)

**Representative:** Nederlandsch Octrooibureau  
P.O. Box 29720  
2502 LS The Hague (NL)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 13 April 2011  
refusing European patent application No.  
06007043.0 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** B. Noll  
**Members:** T. Snell  
M.-B. Tardo-Dino

## **Summary of Facts and Submissions**

- I. This appeal is against the decision of the examining division refusing European patent application No. 06007043.0 (publication No. EP 1 734 730 A1).

The refusal was based on the ground of lack of inventive step pursuant to Article 52(1) EPC in combination with Article 56 EPC, inter alia based on the disclosure of the following document:

D1: BLUETOOTH SPECIFICATION Version 1.1 (22 February 2001), Part K:12 - "File Transfer Profile", pages 366 to 396.

- II. The applicant filed a notice of appeal against the above decision. In the statement of grounds, the appellant requested that the decision under appeal be set aside and a patent granted on the basis of the claims filed during the examining procedure on 11 January 2011, i.e. the claims refused by the examining division.

Oral proceedings were conditionally requested.

- III. In a communication accompanying a summons to oral proceedings, the board gave a preliminary opinion that, inter alia, the subject-matter of claim 1 did not involve an inventive step when starting out from document D1 as closest prior art (Article 56 EPC).

- IV. With a letter dated 24 March 2015 filed in response to the board's communication, the appellant filed new claims.

- V. Oral proceedings took place on 22 April 2015.

At the oral proceedings, the appellant requested that the decision under appeal be set aside and a patent granted on the basis of the claims as filed with the letter dated 24 March 2015.

After due deliberation, the chairman announced the board's decision.

VI. Claim 1 of the request reads as follows:

"A device in a wireless terminal for displaying files during Bluetooth communication between the wireless terminal and another wireless terminal, the device comprising:  
a controller (110) for setting at least one file selected from files stored in a folder selected from folders of the wireless terminal as a shared file for the Bluetooth communication, transmitting only the at least one file set as a shared file to the another wireless terminal, upon receipt of a file request from the another wireless terminal, and when at least one file is received from the another wireless terminal upon a file request from the wireless terminal, displaying an icon indicating that the at least one received file is a shared file; and  
a display unit (160) for displaying the at least one file received from the another wireless terminal and the at least one file transmitted to the another wireless [sic] as shared files."

### **Reasons for the Decision**

1. *General remarks on the subject-matter of the present application*

The present application concerns a wireless terminal able to exchange "shared files" via Bluetooth communication with another wireless terminal. An exemplary embodiment described in the description relates to transferring photos between two wireless terminals. The appellant explained the invention in the following terms, referring in particular to Figs. 3, 4A and 4B and paragraphs [0030] to [0034] of the description (reference is made to the application as published): In one wireless terminal (wireless terminal B, see Fig. 3), individual photos can be set by the user as "shared" and displayed together with a status icon "S" (410, Fig, 4A), indicating a shared file. A user of the second wireless terminal (wireless terminal A, Fig. 3) can view the photos stored in terminal B, marked with the icon "S". Terminal A can request the transfer of one or more photos marked as shared (step 306 in Fig. 3). The photos received by terminal A are displayed with the status icon indicating that they are shared files. Terminal B can receive shared photos from Terminal A in the same way.

2. *The prior art*

2.1 Document D1 is a Bluetooth specification for file transfer. D1 discloses file transfer between two Bluetooth devices, i.e. two wireless devices, whereby one acts as a client and the other as a server (cf. page 375, Fig. 2.1). The client is able to view the file structure of the server ("Folder browsing") which is described in D1, section 4.2 (page 381). Here, the following is stated: "*A folder browsing session may begin with the Client connecting to the Server and pulling the contents of the Server's root folder ... The Server may choose to expose different root folders to different users and/or devices*". The client is

further able to request files to be transferred from the server Bluetooth device to the client Bluetooth device ("Object transfer", i.e. a "GET" operation) which is described in D1, section 4.3 (page 383). Here, the following is stated: "*... objects are transferred from the Server to the Client using OBEX GET. Transferring files requires a single ... GET operation per file. ... Transferring folders requires transferring all the items stored in a folder, including other folders.*". Further, it is stated in D1 (cf. section 2.3, last paragraph) that "A device adhering to this profile must support Client capability, Server capability or both" (board's underlining). Consequently, a wireless device in Bluetooth communication can both view and pull files from another device by performing the role of a client, as well as expose and transmit files to the other device by performing the role of a server.

2.2 Thus, a server may expose different root folders based on the user or device initiating the OBEX connection, i.e. the client. Such a root folder in the board's view is inherently a shared folder containing shared files. It follows therefore that in D1 the server exposes and transmits on request shared files, i.e. files to which the client has access. Furthermore, the client can request the transfer ("GET") of whole folders or single files.

2.3 Considering the example of transferring photos in relation to D1: the appellant at the oral proceedings understood D1 in the sense that pictures for sharing would first have to be moved to a separate folder; then, the whole folder would be transferred. The board agrees that a special root folder needs to be created for a particular user, and files moved or copied to it.

However, it is clear from D1 (see above, point 2.2) that not only folders but also individual files can be transferred on request by the client (cf. also D1, page 392, section "5.7.1 Pulling Files").

3. *Claim interpretation*

Claim 1 includes the feature "a controller (110) for setting at least one file selected from files stored in a folder selected from folders of the wireless terminal as a shared file" (board's underlining).

The appellant considered that this wording reflected the process of the user "marking a file" as shared on the display of the transmitting wireless terminal.

The board however considers that there is no need to give the wording such a narrow interpretation. According to case law (see e.g. T 1408/04, point 1 of the reasons), features of a claim should be given their normal meaning in the art, unless the description specifically gives the term a special meaning, which is not the case here. Considering the procedure for creating a root folder for a particular user/client referred to above in connection with D1, as explained above, the board takes the view that the root folder contains files made available for sharing with that user, i.e., implicitly, shared files. The moving or copying of files to this folder from another folder of the wireless terminal implicitly "sets" the files as shared files. Consequently, this procedure falls within the scope of the wording used in claim 1 "setting at least one file selected from files stored in a folder selected from folders of the wireless terminal as a shared file".

4. *Claim 1 - inventive step in relation to D1*

4.1 Claim 1 can be divided into two parts, based on whether files are to be transmitted from or received by the claimed device. In the terms of D1, when files are transmitted, the device is acting as a server, and when files are received, the device is acting as a client.

4.2 Using the wording of claim 1, D1 discloses, in respect of the features concerned with *file transmission*:

"A device in a wireless terminal for displaying files during Bluetooth communication between the wireless terminal ("server") and another wireless terminal ("client"), the device comprising:  
a controller (implicit) for setting at least one file selected from files stored in a folder selected from folders of the wireless terminal as a shared file for the Bluetooth communication (cf. point 3 above), transmitting only the at least one file set as a shared file to the another wireless terminal, upon receipt of a file request from the another wireless terminal (cf. points 2.1 and 2.2 above);  
a display unit for displaying the at least one file transmitted to the another [sic] wireless [terminal] (NB: the board regards it as implicit that the wireless terminals display files for transmission and files received).

4.3 Using the wording of claim 1, D1 discloses, in respect of features concerned with *file reception*:

"A device in a wireless terminal for displaying files during Bluetooth communication between the wireless terminal ("client") and another wireless terminal ("server"), the device comprising:



a display unit for displaying the at least one file received from the another wireless terminal as shared files" (implicit, see comment above).

4.4 The subject-matter of claim 1 differs from the disclosure of D1 in the following features:

(i) "a display unit for displaying the at least one file transmitted to the another [sic] wireless [terminal] as shared files"; and

(ii) "a controller for, when at least one file is received from the another [sic] wireless terminal upon a file request from the wireless terminal, displaying an icon indicating that the at least one received file is a shared file".

4.5 In the board's view, with respect to the transfer of a file carried out in accordance with D1, it is implicit that some form of identification of the transferred file, e.g. the file name, would be displayed on the display of the wireless devices. This applies to both transmitted and received files. The question to answer is whether the inclusion in the displayed information of, rather than just a name, "an icon indicating that the at least one received file is a shared file" or "an indication that the at least one transmitted file ... is a shared file" contributes to solving a technical problem or is merely concerned with aspects related to the non-technical field of presentations of information. In the board's view, the latter is the case, as will be explained below.

4.6 The appellant argued that this feature provided the technical effect that received files could be easily

manipulated in the wireless terminal as shared files. The board however notes that claim 1 includes no feature concerned with manipulation of the received files. This argument is therefore not convincing.

- 4.7 As regards the information displayed at the wireless terminal, the board notes that the file name itself could be designed in order to provide an indication that the files are shared files. For example, the root folder in the server in D1 could be given the name "photos for Bob" and the files could be named as "photos for Bob-1, photos for Bob-2", etc, Bob being the user of the client. Such choices of file name however are clearly aimed at improved cognitive recognition and not related to technical considerations. Analogously, an "icon" indicating that the file is a shared file is a piece of information which might be helpful to the users of the server and the client, but which does not in itself solve any problem of a technical nature, in particular because this information is not used by any feature of the claimed device.
- 4.8 Using the Board's standard approach for dealing with claims comprising a mixture of technical and non-technical features (cf. T 641/00, "COMVIK", OJ 2003, 352), non-technical features are not taken into account when assessing inventive step. The only technical aspect relating to distinguishing features (i) and (ii) which could contribute to inventive step is the programming of the controller to display a certain type of information. However, such programming requires no inventive skill; nor did the appellant argue otherwise.
- 4.9 The only other argument raised by the appellant at the oral proceedings was that the features of claim 1

resulted in a combinatorial effect. In particular, the skilled person would require an inventive step to display shared files both of wireless terminal A and wireless terminal B.

However, in the board's view, the displaying of shared files of both terminals does not result in a combinatorial effect but rather relates to the effect produced by juxtaposition of the separate roles of server and client, this juxtaposition of roles being disclosed in D1, as mentioned above (cf. point 2). Consequently, this argument is not convincing.

4.10 The board concludes that the subject-matter of claim 1 does not involve an inventive step (Articles 52(1) and 56 EPC).

5. *Conclusion*

As claim 1 of the only request on file is not allowable, it follows that the appeal must be dismissed.

**Order**

**For these reasons it is decided that:**

The appeal is dismissed.

The Registrar:

The Chairman:



G. Rauh

B. Noll

Decision electronically authenticated