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**Datasheet for the decision
of 23 May 2022**

Case Number: T 2830/19 - 3.5.05

Application Number: 13829058.0

Publication Number: 2912541

IPC: G06F3/0481, G06F3/0482,
G06Q10/10

Language of the proceedings: EN

Title of invention:

A METHOD FOR DISPLAYING AND NAVIGATING CALENDAR EVENTS IN A
COMPUTER SYSTEM HAVING A GRAPHICAL USER INTERFACE

Applicant:

Seuthe, Ulrich

Headword:

A METHOD FOR DISPLAYING AND NAVIGATING CALENDAR EVENTS /
Seuthe

Relevant legal provisions:

EPC Art. 56
RPBA Art. 12(4)

Keyword:

Inventive step - (no)
Late-filed request - request could have been filed in first
instance proceedings (yes)



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Case Number: T 2830/19 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 23 May 2022

Appellant: Seuthe, Ulrich
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Representative: Grosse Schumacher Knauer von Hirschhausen
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Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 3 May 2019
refusing European patent application No.
13829058.0 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair A. Ritzka
Members: N. H. Uhlmann
D. Prietzel-Funk

Summary of Facts and Submissions

- I. The applicant appealed against the decision of the examining division refusing the European patent application in suit.
- II. The examining division decided that the subject-matter of the independent claims of the main request and auxiliary requests 1 to 6 did not involve an inventive step. Moreover, it decided that auxiliary request 6 did not meet the requirements of Article 123(2) EPC.
- III. The examining division made reference, *inter alia*, to the following documents:
- D1 US 2010/157742
 - D2 US 2007/060205
 - D3 US 2007/120856
 - D4 US 2008/294994.
- IV. With the statement setting out the grounds of appeal the appellant submitted a main request and auxiliary requests 1 to 6. He stated that they corresponded to the requests underlying the contested decision but with some amendments.
- V. The board summoned the appellant to oral proceedings. In a communication under Article 15(1) RPBA 2020, the board set out its provisional opinion on the case.
- VI. The appellant did not submit any comments in writing.
- VII. The oral proceedings took place via videoconference.
- VIII. Final requests
- The appellant requested that the decision under appeal be set aside and that a patent be granted based on the

main request or one of auxiliary requests 1 to 6, all submitted with the statement setting out the grounds of appeal.

IX. Claim 1 of the main request is worded as follows:

"In a computer system having a graphical user interface including a display (4) and a user interface selection device,

a method of displaying and navigating calendar events, the method comprising:

selecting an initial calendar time period for display;

selecting initial time units (5);

displaying a band (1) looped around an axis (3) from a point of view located on the axis (3), or off the axis (3) with a direction of view towards the band (1), the point of view corresponding to a selectable point in time, the band (1) depicting the time units (5) and the calendar events on the side facing the axis (3) in chronological order; and using the user interface selection device to receive navigation commands moving the view point along the axis (3),

characterized in that the band (1) is looped around a cylinder surface and the view point is inside the cylinder,

wherein the calendar events close in time to the selected point in time are larger than those which are further away in time from the selected point in time;

wherein an event is displayed in response to a user input."

X. Claim 1 of auxiliary request 1 is based on claim 1 of the main request and specifies further that the navigational commands are rotating the band around the

axis (3), that the band is looped around **a single** axis and that the band is endless. Additionally, the wording "characterized in that" has been replaced by "wherein".

- XI. Claim 1 of auxiliary request 2 is based on claim 1 of the main request. The wording "characterized in that" has been replaced by "wherein".
- XII. Claim 1 of auxiliary request 3 is based on claim 1 of auxiliary request 2 and specifies further that the navigational commands are rotating the band around the axis (3) and that the band is endless and continuous and forms a cylindrical surface.
- XIII. Claim 1 of auxiliary request 4 is based on claim 1 of auxiliary request 3 and specifies further that the user interface selection device is a computer mouse (11) or a camera (12) capable of obtaining hand-based gestures of a user. Furthermore, the limitation that the band is continuous has been removed.
- XIV. Claim 1 of auxiliary request 5 is based on claim 1 of auxiliary request 2 and specifies further that the band is endless, that the navigational commands are rotating the band around the axis (3) and that the events are selectable by the user and a selection of an event opens a program associated with the type of the event.
- XV. Claim 1 of auxiliary request 6 is worded as follows:
- "A method for using a computer system having a graphical user interface including a display and a user interface selection device so as to enable a user to input, display and navigate stored calendar events, the method comprising:
- using said user interface selection device to select an initial calendar time period for display;

using said user interface selection device to select initial time units;

displaying on said display a band looped around an axis from a point of view located on the axis that is partially created from the stored calendar events to form a three-dimensional conical display onto the two-dimensional display that represents a conical time representative display

wherein images on the band are largest at a beginning of the band and the images decrease in size along a length of the band, the band depicting the time units and the calendar events based on said selections made using said user interface selection device, said band depicting the time units and the calendar events on the side facing the axis in chronological order,

the band is looped around a conical-shaped cylinder surface and the view point is from inside the cylinder, said band including visual indicators to differentiate portions of the band that include calendar events from portions of the band that are absent calendar events;

and using the user interface selection device to move the view point along the axis, rotating the band around the axis, and to select a particular calendar event on the band."

Reasons for the Decision

1. The present application pertains to a method for displaying and navigating calendar events. The events are visualised on a band which is looped around a cylinder surface.

2. Document D1 discloses a related method in which calendar events are depicted along a spiral-formed timeline.

Main request

3. Inventive step
 - 3.1 Document D1 forms a suitable starting point for an inventive-step analysis.
 - 3.2 The appellant argued that document D1 did not disclose the following features of claim 1:
 - (a) the band is looped around a cylinder surface and the view point is inside the cylinder;
 - (b) the point of view corresponding to a selectable point in time is located on the axis;
 - (c) using the user interface selection device to receive navigation commands moving the view point along the axis.
 - 3.3 The board agrees that document D1 does not disclose features (a) and (c).
 - 3.4 With regard to feature (b), the board notes that claim 1 does not require the point of view to be located on the axis. Claim 1 also states that the point of view is located "off the axis with a direction of view towards the band". On this basis, the board agrees that feature (b) is not disclosed in D1.
 - 3.5 The board notes that document D1 discloses in paragraph 92 that an event is displayed in response to a user input (event information of the tab 950-2 is displayed in response to a user selection) and that, in Figure 9A, the calendar events close in time to the selected point in time are larger than those which are further away in time from the selected point in time.

3.6 With regard to the technical effect of the distinguishing features, the appellant argued as follows:

The combination of features has the technical effect that information is more easily and intuitively retrievable from the database, as the user can walk into the database, look around, get visual clues regarding past or future events, and identify the direction into which a further search or walk is required to retrieve the database entry he is looking for.

3.7 The board does not agree that the distinguishing features lead to such effects consistently and over essentially the whole scope of the claimed method.

3.8 According to claim 1, the user can, at most, select a point in time ("selectable point in time") and move the point of view ("navigation commands moving the view point").

Neither the claimed axis nor the view point are visualised on the graphical user interface. Hence, the point in time corresponding to the view point is similarly not visualised. Furthermore, claim 1 and indeed also the complete application in suit do not describe in any detail which calendar events and which time units are depicted in which positions and in which size on the display in dependence on the selected point in time or the view point.

Hence, the claimed user interaction amounts to first of all selecting a point in time (not necessarily carried out by the user), at which some calendar events and some time units are depicted in chronological order. Secondly, upon moving of the view point by the user, some calendar events and some time units may be

depicted at different positions or in different sizes on the display.

Document D1 discloses similar user interaction - see Figures 5 and 9A and paragraphs 11, 70 to 81, and 88 to 90. First, a spiral-formed timeline 510 and point in time 550 are displayed. Along the timeline, time-based events 950-2 are depicted, in different sizes depending on the distance from the point in time. The user may change the point in time by dragging the element 550 (paragraph 81). Then, the spiral-formed timeline 510 will be scrolled (by winding or unwinding), as shown in Figure 6. Based on the scrolling of the timeline the positions and the sizes of the displayed events (Figure 9A) will change.

Given that D1 and the claimed method relate to similar user interactions, the distinguishing features cannot make the information retrieval easier or more intuitive.

Furthermore, the alleged walking into the database, looking around and identifying the direction in which a further search or walk is required are not related to the claimed features but, rather, to mental processes of the user. Obtaining visual clues regarding past or future events is also disclosed in document D1.

The appellant argued that the claimed arrangement led to intense submersion and better orientation of the user. However, these are not technical effects and, moreover, they are not achieved consistently.

The appellant submitted that less screen space was occupied due to the band being looped around a cylinder. The board disagrees. In actual fact, the more complex visualisation according to Figures 1 and 2 of

the application in suit occupies more space than the visualisation according to Figures 5 and 6 of D1.

Finally, claim 1 does not specify that information is retrieved from a database.

- 3.9 The board holds - in agreement with the decision under appeal - that the distinguishing features do not lead to any technical effect. Instead, they amount to a different presentation of calendar events, i.e. of non-technical information. The claimed presentation may be preferred by some users, but this depends on personal preference (Case Law of the Boards of Appeal, 9th edition 2019, chapter I.D.9.1.6 a) and b)).
- 3.10 For these reasons, the distinguishing features cannot contribute to an inventive step. Hence, the subject-matter of claim 1 does not involve an inventive step.

Auxiliary request 1

4. Inventive step

4.1 The appellant's arguments are based on the following further features:

- The band is looped around **a single** axis;
- The band is endless.

4.2 Document D1 discloses an embodiment with a single axis
- see claim 4.

4.3 The fact that the band is endless does not appear to lead to any technical effect. It is mentioned only as an alternative option in the description (page 5, lines 8 and 9).

The appellant argued that the endless band enabled the user to identify long-term trends in the distant

future. However, such an effect, even if arguably achieved, does not have a technical character.

4.4 Furthermore, a commonly known pixel-based display is generally unable to depict an endless band. Additionally, displaying a very long band would lead to very small calendar events.

4.5 For these reasons the subject-matter of claim 1 does not involve an inventive step.

Auxiliary request 2

5. Inventive step

The subject-matter of claim 1 does not involve an inventive step for the reasons given above with regard to the main request.

Auxiliary request 3

6. Admission

6.1 Claim 1 states further that the band is continuous.

6.2 A request comprising claim 1 was presented for the first time with the statement setting out the grounds of appeal.

6.3 The applicant submitted a number of requests after receiving the summons to the first-instance proceedings and a further auxiliary request during the oral proceedings. The appeal proceedings do not constitute an additional opportunity to have further requests examined. Furthermore, claim 1 of auxiliary request 3 does not specifically address any argument in the decision under appeal.

6.4 For these reasons, the board holds that the appellant could and should have submitted this request in the course of the first-instance proceedings if he wished

to have it examined and the ensuing decision reviewed by the competent board of appeal.

Consequently, auxiliary request 3 is not admitted pursuant to Article 12(4) RPBA 2007.

Auxiliary request 4

7. Inventive step

7.1 Claim 1 recites further that the user interface selection device is a computer mouse **or** a camera capable of obtaining hand-based gestures of a user.

7.2 A computer mouse as a selection device is widely known. Cameras capable of obtaining hand-based gestures of a user were known as well, as exemplified in document D4, paragraph 61. The board notes that D4 pertains, *inter alia*, to calendar display interfaces (abstract).

7.3 The appellant argued that D1 referred to keys and a keyboard. Hence, the skilled person would not have used the known computer mouse in the context of D1.

The board is not convinced. It is widely known that a computer mouse may be used in combination with a keyboard.

7.4 For these reasons the subject-matter of claim 1 does not involve an inventive step.

Auxiliary request 5

8. Inventive step

8.1 Claim 1 states further that the events are selectable by the user and that the selection of an event opens a program associated with the type of event.

8.2 D1 discloses different kinds of events, in particular communication events and calendar events (paragraph 49). In addition, according to paragraph 93, a user

selection of a tab 950-2 may launch a communication facility or a calendar facility. Hence, document D1 discloses these further features.

- 8.3 For these reasons the subject-matter of claim 1 does not involve an inventive step.

Auxiliary request 6

9. This request was refused under Articles 56 and 123(2) EPC. The claims have not been amended and the appellant provided no arguments as to why the decision should be reversed.

The board does not see any reason why it should deviate from the decision of the examining division, which is therefore confirmed.

10. Conclusion

None of the requests on file meets the requirements of the EPC. Thus, the appeal is not allowable.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chair:



K. Götz-Wein

A. Ritzka

Decision electronically authenticated