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# Datasheet for the decision of 5 September 2023

**Case Number:** T 2983/19 - 3.4.03

**Application Number:** 06118173.1

**Publication Number:** 1884890

**IPC:** G06Q10/00

**Language of the proceedings:** EN

**Title of invention:**
Electronic device and method of messaging meeting invitees

**Applicant:**
BlackBerry Limited

**Relevant legal provisions:**
EPC Art. 52(1), 56
RPBA 2020 Art. 13(2)

**Keyword:**
Inventive step - main request, auxiliary requests 1 and 2 (no)
Amendment after summons - exceptional circumstances (no)

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**Case Number: T 2983/19 - 3.4.03**

# D E C I S I O N
# of Technical Board of Appeal 3.4.03
# of 5 September 2023

| | |
|---|---|
| **Appellant:** (Applicant) | BlackBerry Limited<br>2200 University Avenue East<br>Waterloo, ON N2K 0A7 (CA) |
| **Representative:** | MERH-IP Matias Erny Reichl Hoffmann<br>Patentanwälte PartG mbB<br>Paul-Heyse-Strasse 29<br>80336 München (DE) |
| **Decision under appeal:** | **Decision of the Examining Division of the European Patent Office posted on 28 June 2019 refusing European patent application No. 06118173.1 pursuant to Article 97(2) EPC.** |

**Composition of the Board:**

| | |
|---|---|
| **Chairman** | T. Häusser |
| **Members:** | M. Ley |
| | D. Prietzel-Funk |

## Summary of Facts and Submissions

I. The appeal is against the decision of the examining division to refuse European patent application No. 06 118 173.1 pursuant to Article 97(2) EPC.

II. The following documents were cited *inter alia* in the decision under appeal:

D1 US 2004/0088362 A1
D2 EP 1 655 693 A1
D3 US 2004/0143472 A1

III. The examining division decided that the subject-matter of the claims according to the main request and according to the first and second auxiliary requests lacked an inventive step (Article 56 EPC).

IV. The appellant requests that the decision be set aside and a European patent be granted based on the claims according to the main request or the first or the second auxiliary requests, all filed with the statement setting out the grounds of appeal, or based on the third to fifth auxiliary requests filed with the letter dated 7 August 2023, or that the case be remitted to the examining division for further prosecution.

V. Claim 1 according to the **main** request has the following wording (as labelled by the board):

A method of composing an email message at an electronic device (20) having a processor (36), a memory (38) maintaining a calendar application and a message application, an input device (32-34) and a display (24), the method comprising:

**(a)** providing a calendar user interface, the calendar user interface showing an existing calendared event;
**(b)** replacing (70), based on an input selecting (64-68) the existing calendared event, the calendar user interface on the display with details of the existing calendared event, the details including a subject of the existing calendared event, a location of the existing calendared event, times of the existing calendared event, and a list of indications of invitees to the existing calendared event, each of the indications comprising a textual representation of at least respective email address information of an invitee, each of the indications being selectable for composing a message to a selected invitee;
**(c)** receiving (72), after the displaying, a selection of the respective invitee associated with the existing calendared event from the input device;
**(d)** responsive to the selection of the selected invitee, providing (74) an updated user interface, the updated user interface comprising the details and a first selectable email command exclusive to the selected invitee, and a second selectable email command, each of the first selectable email command and the second selectable email command overlayed on the details;
**(e)** receiving (76) another input associated with one of the first email command and the second email command from the input device;
**(f)** replacing (78), based on the another input, the updated user interface on the display with an email composition interface on the display to the exclusion of both the calendar user interface and the updated user interface in response to the another input associated with the first email command or the second email command, the email composition interface

comprising a user-editable portion of an address field and a subject field,
**(f1)** when the another input is associated with the first email command, automatically populating the user-editable portion of the address field with at least email address information for the selected invitee, and
**(f2)** when the another input is associated with the second email command, automatically populating the user-editable portion of the address field with at least the email address information for the selected invitee and email address information for the remainder of the invitees of the list.

Claim 1 according to the **first** auxiliary request is directed to a method of composing an email message at ~~a~~ portable electronic device (20) having a processor (36), a memory (38) maintaining a calendar application and a message application, an input device (32-34), ~~and~~ a display (24), and a transmitter and receiver connected to said processor for wirelessly transmitting and receiving data; and wherein the calendar application permits users to invite individuals to meetings and to be invited by other individuals to meetings by sending and receiving invitations by electronic mail, and such invitations are prepared and sent from the portable electronic device or received at the portable electronic device via wireless communication, the method comprising steps (a) to (f), wherein steps (f1) and (f2) are both completed by a step of:

**(f3)** , and automatically populating the subject field with the subject of the existing calendared event from the details

Claim 1 according to the **second** auxiliary request corresponds to claim 1 of the first auxiliary request with the additional method features:

**(g)** wherein the processor conducts a comparison of the email address information for the selected invitee with an email address information in an Address Book of the portable electronic device, and,
**(g1)** when the email address information is not present in the Address Book of the portable electronic device, the email address information of the selected invitee is saved in the Address Book of the portable electronic device by selecting an Add Invitee option displayed on the display, and,
**(g2)** when the email address information is present in the Address Book of the portable electronic device, a View Invitee option is displayed rather than the Add Invitee option.

Claim 1 according to the **third** auxiliary request corresponds to claim 1 according to the main request with features (d) and (f) amended as follows:

**(d')** responsive to the selection of the selected invitee, providing (74) an updated user interface, the updated user interface comprising the details and a first selectable email command exclusive to the selected invitee, and a second selectable email command, each of the first selectable email command and the second selectable email command overlayed on the details, wherein providing the calendar user interface comprises executing the calendar application and the calendar user interface and the updated user interface are representative of the calendar application;

**(f')** replacing (78), based on the another input, the updated user interface on the display with an email composition interface on the display to the exclusion of both the calendar user interface and the updated user interface in response to the another input associated with the first email command or the second email command, wherein providing the email composition interface comprises executing the message application, the email composition interface comprising a user-editable portion of an address field and a subject field,

Claim 1 according to the **fourth** auxiliary request corresponds to claim 1 according to the first auxiliary request, wherein features (d) and (f) are replaced by features (d') and (f').

Claim 1 according to the **fifth** auxiliary request corresponds to the claim 1 according to the second auxiliary request and further specifies that the memory maintains an Address Book application, wherein features (d) and (f) are replaced by features (d') and (f') and feature (g3) is added after feature (g2):

**(g3)** wherein selecting the Add Invitee option and the View Invitee option causes the processor to execute the Address Book application.

VI. Appellant's arguments

The appellant argued that the method steps according to claim 1 of the main request and the first and second auxiliary requests contributed to the solution of a technical problem and were not rendered obvious in view of the prior art (see sections 2.2, 3.1 and 4.1 below). An inventive step should be acknowledged.

The third to fifth auxiliary requests should be admitted into the proceedings (see sections 5.2 and 5.4 below).

## Reasons for the Decision

1. The claimed invention

The present application relates generally to electronic devices with calendar and messaging applications for appointments and meetings and addresses the problem of automating the manual entry of email addresses in the appropriate user-editable portion of an address field of the email, e.g. especially in cases where an intended recipient is not included in the user's electronic address book. To enter manually email addresses can be cumbersome for the user and often leads to errors in addressing causing delivery failure of the email, see paragraph [0005] of the application as originally filed.

2. Main request

2.1 The examining division held that the subject-matter of the claims did not involve an inventive step over a notoriously known networked electronic device having a processor, a memory, an input device and a display, said device being able to execute and process information, to implement/automate methods executing machine readable instructions, to input information and to display information on a display.

The remaining features of claim 1 related to a non-technical scheme for information presentation and information selection.

The objective technical problem was regarded as how to implement the non-technical features in the notoriously known electronic information device. No further technical effect was achieved.

In particular, the examining division held that no effects of "less time consuming input transactions", using "less computer resources", "reduction of a computer power", reduction of "wear or a tear of the device", shortening of "processing time", reduction of "processing requirements for the processor", "interaction of these applications that credibly assist the user in performing a technical task (composing a message)", were apparent in terms of a reliable and anticipated outcome. Rather, a choice of what input form to provide (administrative decision) and when and how to associate an email with a calendar event (administrative decision) was made. The claims did not include additional features that were sufficient to amount to significantly more than a known electronic device able to receive information and to present information. The claims did not amount to an improvement to the functioning of the electronic device itself, either.

As already indicated in the present application (see pages 1 and 2), in preparation for scheduled meetings, it was common for users of an electronic device to send information to one or more of the attendees of the meeting. For example, one of the attendees may wish to circulate a message, an agenda, an update or brief prior to or following the meeting. Such messages could be sent electronically via email. All the steps for arranging a meeting could be carried out in form of manual activity or on a computer in an automated manner.

D1 was cited by the examining division to show that it was well-known in the art to adapt notoriously known networked computer devices for scheduling meetings between users in an automated manner.

The person skilled in the art of data processing having been made aware of the details of the non-technical process would consider the implementation of the non-technical method in a computer system to be part of its routine daily work and therefore the general practice of implementing such a non-technical method was part of its common general knowledge in the art.

2.2 The appellant disagreed and argued that the subject-matter of claim 1 of the main request involved an inventive step.

2.2.1 For the appellant, claim 1 of the main request defined a method for composing an email by using an electronic device, wherein the electronic device included a processor, memory, display and an input device, and was adapted to maintain two different applications, namely a calendar application and a message application.

The method allowed the user to operate the calendar via a calendar user interface, wherein upon selection of an existing calendar event, the user was provided with a different updated user interface, allowing the user to select between a first email command exclusive to the selected invitee, and a second email command.

In this way, the user could select to send an email to invitees associated with an existing calendared event directly from within the calendar user interface (of the calendar application). Depending on the selection of an email command, the user interface was changed to

provide an email composition interface (of the email application) with an automatically populated user-editable portion of the address field, i.e. populated with at least the address information of the selected invitee, if the first email command was selected, and additionally with email address information of the remainder of the invitees of the list, if the second email command was selected.

2.2.2 The above function required technical considerations about the interaction of two applications on the electronic device, regarding exchange of command input and data that were provided by the first (calendar) application/interface and used by the second (email) application/interface to control operation of the second application (composing a message to one versus all participants depending on the selected email command) and automatically populate data fields of the email composition interface with data obtained from the calendar application. Thus, a new extended functionality was provided by the interaction of these applications that credibly assisted the user in performing a technical task (composing a message by automatically filling out some of the message fields).

At the filing date of the application, electronic devices were provided with calendar applications and message applications with very limited functionality as separate applications that did not work together. Should a user desire to view a meeting in his calendar, it would have been required to open the calendar application and select the respective calendar event. However, if it desired to write a message to the participants of that particular calendar event, it would have had to separately open the message application, manually enter the email addresses of the

addressees, manually enter the subject and then send the message to the participants, see also paragraphs [0017] to [0021] and Figures 1 to 3 of the application.

The method according to claim 1 defined technical features for "linking the calendar application with the message application" so as to allow the user to select "mail commands" from within the calendar application, upon which the email composition interface of the message application was displayed and automatically populated with address information. In comparison with a conventional electronic device provided with calendar and message applications, the steps of providing first and second email commands and of automatically populating the user-editable portion of the address field with email address information simplified and improved the user experience of using the electronic device, and provided a technical solution to eliminate the requirement of manually transferring address information between the calendar application and the message application.

The claimed method was particularly directed at combining operations of a calendar application and a message application, allowing the user to open/access or even execute a second application under the user interface associated with a first application.

2.2.3 The user experience was improved by providing technical support for automating the transfer of address information between the different applications of the device, in a user selectable, reliable and efficient manner, which was much less time consuming and error prone than manually operating the two separate applications, and manually transferring the respective address information between the applications. A feature

defining a presentation of information could produce a technical effect if it credibly assisted the user in performing a technical task by means of a continued and/or guided human-machine interaction process. Such a technical effect was considered credibly achieved if the assistance to the user in performing the technical task was objectively, reliably and causally linked to the feature.

2.2.4 The claimed method went far beyond a simple automation of user input by providing a mechanism for linking two applications/interfaces so that data from one application could be automatically used in the other application for the completion of necessary data fields.

Hence, the claimed method steps had a technical character and made a technical contribution, and therefore could not be ignored.

2.2.5 D1 referred to a computer-implemented method and system for filtering electronic invitations based on its inherent characteristics and proposed to allow the user to customize rules and conditions for automatically filtering incoming and outgoing electronic calendar invitations, and update a calendar depending on the acceptance or rejection of the invitations. D1 did not disclose features (d) to (f2).

D2 was related to a method of checking a new entry in a calendar application including determining whether the date of the new entry falls within a first date range. The appellant pointed out that feature (c) was not disclosed in D2, as Figure 8 of D2 only displayed the invitee's email address without necessarily allowing its selection, said selection concerning input which

required compatibility with the predetermined protocol of a machine. Moreover, D2 aimed at avoiding scheduling new appointments or meetings that directly conflicted with or were located too close in time with previously scheduled appointments or meetings. Thus, D2 was directed at solving a completely different problem.

D3 referred to a system for integrating project events with personal calendar and scheduling clients.

2.2.6 Confronted to a device e.g. according to document D2, the appellant argued that the skilled person might consider a method comprising the steps of copying the email address information of an invitee or of invitees to the clipboard, switching to the home screen of the mobile device (as shown e.g. in Figure 1 of D2), open the message application to display an email composition interface and pasting said email address into the address field.

For the appellant, such a process was not encompassed by the wording of the claims.

For the case of manually typing the email address information of the invitee(s) to the user-editable address field of the email composition interface, the user had to provide a number of consecutive inputs to complete the email address information. For the case of copying and pasting the email address information of the invitee(s) to the user-editable address field of the email composition interface, the user was required to perform at least three actions, i.e., selecting the invitee(s), selecting the copy command associated with the selected invitee(s), and navigating to a destination field (e.g., the user-editable address field of the email composition interface) and then

selecting the paste command. For example, in D2, this would include initiating/starting the message application from the home screen by a user input.

In contrast, the claimed method specified to receive "a selection of the respective invitee associated with the existing calendared event from the input device" (step (c)), and to receive "another input associated with one of the first email command and the second email command from the input device" (step (e)), wherein the first and second email commands were "selectable" email commands (feature (d)) and the another input was received to perform a selection of the first or second email command. Hence, the claimed method thus includes two selection inputs, which did not correspond to "manually typing" or "copying and pasting" an email address information, which were excluded by the wording of the claims.

Moreover, the replacing of the updated user interface with an email composition interface (feature (f)) and the automatically populating steps according to features (f1) and (f2) were automatically triggered by the "another input" without any further input by the user. Steps (c) to (f1)/(f2) thus consisted in a "closed chain" of method steps. In other words, the claimed method was limited to two user inputs or consecutive selection actions/inputs as defined in steps (c) to (e).

The user was thus guided to compose an email message to be sent to the selected invitee(s) directly via the calendar application by merely conducting said two selection actions under the interface of the calendar application. The claimed method credibly assisted the user in performing a technical task by means of a

continued and/or guided human-machine interaction. The claimed method allowing to combine calendar and messaging applications in a portable electronic device effectively reduced the number of user interactions with the electronic device, which was not subject to the user's level of experience or subjective preferences.

The manner of presentation of information produced the technical effect of directing the user to email composition from the calendar application by a simple selection of an email command integrated within the calendar application, which enabled the user to perform the technical task of interactively managing the calendar and message applications more efficiently by automatically filling in the email addresses of the invitee(s) to improve the ergonomics of the operation and thus the usability of the electronic device. Said effect was objectively, reliably and causally linked to the steps (c) to (f2) of the claimed method and went beyond merely processing an administrative/business scheme by a notorious data processing system.

2.2.7 The objective technical problem was thus to improve the efficiency and usability of an electronic device having calendar and email functionalities.

Starting from a notoriously known networked electronic device (as the one known from D1 or D2), it was not obvious to implement method features (d) to (f2).

2.3 For the board, the subject-matter of claim 1 according to the main request does not involve an inventive step (Article 56 EPC).

2.3.1 It is undisputed that a networked electronic device having a processor, a memory, input means and a display and being able to execute and process information, to implement/automate methods executing machine readable instructions, to receive input information and to display information on a display, was notorious at the filing date of the present application.

It is also undisputed that said device was provided with calendar and message applications, see the statement setting out the grounds of appeal, page 7, first paragraph or paragraphs [0003] and [0004] of the application.

As indicated in the present application, paragraphs [0002] to [0006], in preparation of scheduled meetings, it is common for users of an electronic device to send information to one or more of the attendees of the meeting. For example, as pointed out by the examining division, one of the attendees may wish to circulate a message, an agenda, an update or brief prior to or following the meeting. Such messages can be sent electronically via email, as also pointed out in the statement setting out the grounds of appeal, page 7, first to third paragraphs.

A method of composing an email message at an electronic device having a processor, a memory maintaining a calendar application and a message application, an input device and a display, the method comprising the steps according to features (a) to (c), was already known at the priority date of the application and represents a suitable starting point for the assessment of inventive step.

2.3.2 In addition, D2 apparently confirms that features (a) to (c) are already known.

The board notes that document D2 discloses (in the wording of claim 1) a method of composing an email message at an electronic device (4, Figures 1 and 2, [0014] to [0019]) having a processor (20), a memory (44) maintaining a calendar application (46, [0003], [0004]) and a message application (46, [0003]), an input device (16) and a display (12), the method comprising:
providing a calendar user interface, the calendar user interface showing an existing calendared event ([0004], "This information ... may be ... displayed to the user in various known formats, such as in monthly, weekly or daily views");
replacing (Figure 8, [0026]), based on an input selecting the existing calendared event, the calendar user interface on the display with details of the existing calendared event, the details including a subject of the existing calendared event, a location of the existing calendared event, times of the existing calendared event, and a list of indications of invitees to the existing calendared event, each of the indications comprising a textual representation of at least respective email address information of an invitee ("mjones@xyzcompany.com", [0021], "... a field for entering invitees for a new meeting, preferably by entering an email address for each invitee"), each of the indications being selectable for composing a message to a selected invitee;
receiving (Figure 8), after the displaying, a selection of the respective invitee associated with the existing calendared event from the input device.

The board is of the view that the screen displayed in accordance with Figure 8 of D2 allows the selection of an invitee (e.g. mjones@xyzcompany.com). The broad wording of feature (c) does not require any specific program codes to be implement behind the user interface to associate the selection with further operation. At least the application as a whole is silent on any specific program codes.

2.3.3 Thus, features (d) to (f2) are not disclosed for the device discussed under section 2.3.1 above (or the device known from D2).

2.3.4 It could be reasonably argued that a method involving exactly two user selection inputs would provide the technical effect of improving the ergonomics of the email composition operation and thus the efficiency and usability of the device, see sections 2.2.6 and 2.2.7 above. However, the board is of the view that these effects are not necessarily achieved by the method according to present claim 1 of the main request.

2.3.5 Claim 1 is directed to a method "comprising" steps (c) to (f1)/(f2). Additional steps and, in particular, additional input steps performed by a user are not excluded, under the condition that these additional steps are not of a nature that would manifestly counteract the specified technical purpose of the steps recited in the claim. In other words, the method of claim 1 is not limited to a method including exactly two input selection steps.

In particular, the terms "based on the another input" and "in response to the another input" used for feature (d) encompass the case that the email composition interface is displayed only after a third user input,

for example steps performed by the user to execute the message application. In the board's view, the wording of features (e) and (f) does not necessarily imply that the "another input" triggers an automatic execution of the message application by the calendar application without any intervention by the user and with a data transfer between both applications. Hence both features do not require technical considerations about the interaction of two applications. A technical link between the calendar application and the message application is not defined in claim 1.

Moreover, the wording "automatically populating" of features (f1) and (f2) does not require that said "another input" triggers said steps of automatically populating the address field. A user input, e.g. a command for pasting an email address information into an address field, is not excluded.

Hence, features (c) to (f1)/(f2) do not consist in a "closed chain" of method steps.

2.3.6 The board is aware that the embodiment shown in the figures of the application and its related detailed description might possibly better support the appellant's narrower reading of claim 1. However, the appellant did not file any amended claims in accordance with the wording of the description.

2.3.7 Thus, the board notes that the claimed method does not eliminate or exclude a manual transfer of address information between the calendar and the message application e.g. by copying and pasting the email address information of one or more invitees. Therefore, the board does not accept that the claimed features provide an improvement in ergonomics or in the

efficient usability of the notorious electronic device having calendar and email functionalities.

2.3.8 Moreover, it is the user's own choice whether to copy and paste or even manually type the email address information of one or more invitees to the user-editable address field of an email composition interface or to make a selection in accordance with feature (d) and provide the "another input" in accordance with feature (e). It cannot be said that the claimed method credibly assists the user in "performing a technical task by means of a continued and/or guided human-machine interaction process" or that the claimed process is necessarily less time consuming or error prone.

2.3.9 As a consequence, features (d) to (f2) defining a presentation of information are not associated to the solution of any technical problem (within the electronic device or outside). The final purpose of features (d) through (f2) is apparently to send an email to one or more invitees for administrative reasons, e.g. for informing the participants of a meeting about the agenda.

Hence, said features and, in particular, the updated user interface with two selectable email commands, are provided to the skilled person as requirement specifications and can appear in the formulation of the technical problem, which might thus be formulated as to provide a method according to steps (d) to (f1)/(f2) for a notorious electronic device.

2.3.10 The board shares the examining division's view that it is obvious for the skilled person to implement a method according to claim 1 using normal programming skills.

For example, as also pointed out by the appellant (see section 2.2.6, first paragraph), it would be obvious to provide the first and second email commands such that the email address information of an invitee or of invitees is copied to the clipboard. Once the user has started the message application and following a paste command, said email address is information is automatically populating the user-editable address field. In view of the board's considerations above, this method would fall within the scope of claim 1 of the main request.

Hence, an inventive step (Article 52(1) EPC and Article 56 EPC) cannot be acknowledged.

3. First auxiliary request

3.1 The appellant essentially repeated the arguments provided for the main request and stated that the technical effect of the invention was particularly advantageous when a applied to a portable electronic device of 2006 with limited input and display possibilities. There was a synergetic effect of implementing the method features of claim 1 for use in a portable device.

A specific inventive merit of feature (f3) was not discussed by the appellant. The appellant only argued that it simplified and improved the user experience of using the electronic device.

3.2 It is undisputed that the device discussed in section 2.3.1 above includes a transmitter and receiver connected to said processor for wirelessly transmitting and receiving data, wherein the calendar application permits users to invite individuals to meetings and to

be invited by other individuals to meetings by sending and receiving invitations by electronic mail, see also paragraphs [0002] to [0006] of the application. Such invitations are prepared and sent from the portable electronic device or received at the portable electronic device via wireless communication.

Again, this is apparently confirmed by document D2, which discloses a transmitter and receiver connected to said processor for wirelessly transmitting and receiving data (Figure 1). D2 further discloses that the calendar application permits users to invite individuals to meetings and to be invited by other individuals to meetings by sending and receiving invitations by electronic mail (D2, [0004], [0005], [0020]), such invitations being prepared and sent from the portable electronic device or received at the portable electronic device via wireless communication.

The board is not in a position to identify features in claim 1 that particularly adapt the claimed method to a portable device.

With respect to feature (f3), for the reasons given before, the wording of claim 1 does not exclude further inputs by the user e.g. to provide the subject of an existing calendered event into the subject field of an email. It cannot reasonably be said that the user experience is necessarily simplified by feature (f3), which therefore does not contribute to the solution of any technical problem.

In other words, the additional features in claim 1 of the first auxiliary request apparently do not support the presence of an inventive step (Article 52(1) EPC and Article 56 EPC).

4. Second auxiliary request

4.1 The appellant argued that features (g), (g1) and (g2) further enhanced "the usability of the portable electronic device" and lowered "the processing requirements of the portable electronic device". According to claim 1 of the second auxiliary request, three components (calendar application, message application and address book) of the electronic device were linked. That the user could update or view entries in the address book without leaving or additionally executing any other application than the calendar application, was of particular technical relevance in the filing year 2006 as the portable electronic devices were more difficult to operate manually and generally had less memory, computational, and battery power. In addition, portable electronic devices at that time usually had separate software applications that did not provide any interaction between them and there was no exchange of data or functionality between applications such as claimed with the present application.

The solution according to the second auxiliary request could reduce the processing requirements of a portable electronic device, especially if it was desired to operate a large number of applications at more complicated levels, since an integrated interface was provided to allow the user to easily switch operations of specific functions between different applications, without the necessity of separately accessing any other application than the current one(s).

4.2 The board doubts whether the provision of additional method steps (g), (g1) and (g2) performed by the processor lower the processing requirements of a portable electronic device as discussed in section

2.3.1 above or the one known from D2. Additional processing steps normally increase the the processor's resources and the processing requirements.

As argued for the main request (see section 2.3.5 above), the wording of claim 1 does not necessarily require a link and a data transfer between the calendar application and the message application. In a similar manner, claim 1 of the second auxiliary request only defined that steps (g), (g1) and (g2) are performed by the processor. No interaction between the calendar application and the address book application is required. For example, claim 1 is silent in which user interface the options "Add Invitee" and "View Invitee" are displayed to the user. Again, it has to be emphasized that the scope of claim 1 is broader than the specific embodiment shown in Figures 3 to 11 of the application.

The board agrees with the examining division that features (g), (g1) and (g2) do not contribute to the solution of any technical problem, but apparently relate to an administrative process of organising a user's address book, this administrative process including the following steps:

- conducting a comparison of the email address information for the selected invitee with an email address information in an address book
- when the email address information is not present in the address book, the email address information of the selected invitee is saved in the address book by selecting an add invitee option
- when the email address information is present in the address book, a view invitee option is displayed rather than the add invitee option.

The objective technical problem presented to the skilled person is therefore to implement said administrative process.

The board notes that paragraph [0032] of the application states that the "coding of such software is well within the scope of a person of ordinary skill in the art". In other words, the skilled person using routine programming skills is able to implement the above administrative process on a known electronic device. In particular, it is obvious to perform said comparison by the processor and present the "add invitee option" or the "view invitee option" on the display.

Thus, an inventive step (Article 52(1) EPC and Article 56 EPC) based on features (g), (g1) and (g2) cannot be acknowledged.

5. Third to fifth auxiliary requests - admittance

5.1 The third to fifth auxiliary request were presented after the the notification of the summons to attend oral proceedings before the board and after the board's communication pursuant to Article 15(1) RPBA 2020.

According to Article 13(2) RPBA 2020, any amendment to a party’s appeal case made after notification of a summons to oral proceedings shall, in principle, not be taken into account unless there are exceptional circumstances, which have been justified with cogent reasons by the party concerned.

5.2 The appellant argued that the amendments made to the claims of the third of fifth auxiliary requests were for "clarifying the concept of the invention as defined

in the claims" of the higher-ranking requests, which did not "appear to introduce any new aspects that may give rise to new objections".

The features added to claim 1 of the third and fourth auxiliary requests were also found in claim 7 of the main request, said claim was under examination in the first instance. They reflected the concept of the invention introduced on the appellant's submissions on 17 May 2007. They clarified the interactions between the components of the electronic device, the calendar and message application being executed by the processor.

The features added to claim 1 of the fifth auxiliary requests concerned a concept mentioned in the appellant's submissions dated 13 May 2019 in response to the summons to attend oral proceedings. They merely reflected the previously submitted arguments and subject-matter relating to the address book application.

5.3 The board takes the view that the objections under Article 56 EPC of the impugned decision and discussed in the board's communication had already been raised in the summons to attend oral proceedings before the examining division and in a brief communication issued by the examining division prior to the oral proceedings, which the appellant decided not to attend.

The appellant therefore had several opportunities to react to these objections by filing amended claims for clarifying or better defining the invention.
Hence, the board cannot acknowledge exceptional circumstances that would justify the the filing of the

third to fifth auxiliary requests after notification of the summons to attend the oral proceedings.

5.4 During the oral proceedings, the appellant argued that the filing of the third to fifth auxiliary requests was justified because only the additional explanations given by the board during the oral proceedings allegedly allowed to understand the issues. This argument cannot be followed. As the filing of said auxiliary requests preceded the date of oral proceedings, it cannot be triggered by any additional arguments provided by the board during the oral proceedings.

6. Remittal to the examining division for further prosecution

The board is not aware of any special reasons for remitting the case to the examining division, and also the appellant did not address such reasons. As no admissible and allowable request is on file, the appeal must fail.

## Order

## For these reasons it is decided that:

The appeal is dismissed.

The Registrar: The Chairman:

S. Sánchez Chiquero T. Häusser

Decision electronically authenticated