

**Internal distribution code:**

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

**Datasheet for the decision  
of 18 July 2023**

**Case Number:** T 0502/21 - 3.5.05

**Application Number:** 11835374.7

**Publication Number:** 2633388

**IPC:** G06F3/14, G06T11/20

**Language of the proceedings:** EN

**Title of invention:**

METHOD AND SYSTEM FOR INTERACTIVE VISUALIZATION OF  
HIERARCHICAL TIME SERIES DATA

**Applicant:**

Inetco Systems Limited

**Headword:**

Overview and detailed information display/INETCO

**Relevant legal provisions:**

EPC Art. 56

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

**Keyword:**

Inventive step - (no)

Late-filed requests - admitted (no)



**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  
Fax +49 (0)89 2399-4465

Case Number: T 0502/21 - 3.5.05

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.05**  
**of 18 July 2023**

**Appellant:** Inetco Systems Limited  
(Applicant) 258- 4664 Lougheed Highway  
Burnaby, BC V5C 5T5 (CA)

**Representative:** CSY London  
Helios Court  
1 Bishop Square  
Hatfield  
Hertfordshire AL10 9NE (GB)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 21 December  
2020 refusing European patent application No.  
11835374.7 pursuant to Article 97(2) EPC.**

**Composition of the Board:**

**Chairman** N. H. Uhlmann  
**Members:** P. Cretaine  
E. Mille

## **Summary of Facts and Submissions**

I. This appeal is against the examining division's decision posted on 21 December 2020 refusing European patent application No. 11835374.7. The decision was a decision according to the state of the file referring to the examining division's communications dated 10 August 2020 and 19 July 2018. In these communications, the claims of the single request on file were objected to under Article 123(2) EPC and Article 56 EPC having regard to the disclosure of:

D4: "ADOBE INDESIGN CS3 USER GUIDE", 1 January 2007, 1-672

The following document was also cited in the above-mentioned communications:

D1: US 2012/158938

II. Notice of appeal was received on 24 February 2021, and the appeal fee was paid on the same date. The statement setting out the grounds of appeal was received on 28 April 2021. The appellant requested that the decision under appeal be set aside and a patent be granted based on the claims of a main request or a first or second auxiliary request filed with the statement setting out the grounds of appeal. Oral proceedings were requested if the main request was not allowed.

III. A summons to oral proceedings was issued on 21 July 2022. In a communication pursuant to Article 15(1) RPBA, sent on 6 April 2023, the board gave its

preliminary opinion that the main request did not meet the requirements of Article 56 EPC in view of D4 or D1. Furthermore, the board gave reasons why the first and second auxiliary requests should not be admitted into the appeal proceedings under Article 12(4) RPBA. The board also indicated that even if the first and second auxiliary requests were admitted, they would not meet the requirements of Article 56 EPC for the same reasons as the main request.

IV. By letter dated 4 May 2023, the appellant submitted a third auxiliary request and provided arguments for its allowability.

V. By letter dated 30 May 2023, the appellant announced that it would not be attending the scheduled oral proceedings.

VI. By a communication sent on 31 May 2023, the board notified the appellant that the oral proceedings had been cancelled.

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

"A method for generating a presentation of detailed information (1112) for an item (1041) within overview information (1111) for display on a display screen (340) of a data processing system (300) in real-time, comprising:  
displaying a first presentation (1000) of the overview information (1111) on the display screen (340), the overview information (1111) being presented over one or more lines (1011) of a grid (1010);  
using a graphical user interface (380) of the data processing system (300), receiving a signal selecting the item (1041) from the first presentation (1000);

using a processor (320) of the data processing system (300), generating a second presentation (1100) by: displacing the overview information (1111) at least partially away from a region (1110) in the first presentation (1000), the overview information (1111) remaining at least partially visible in the second presentation (1100) to provide context for the detailed information (1112) in the region (1110), and the one or more lines (1011) of the grid (1010) being displaced away from the region (1110) without distorting the lines (1011); and, inserting the detailed information (1112) for the item (1041) into the region (1110) by inserting one or more additional lines (1011) into the grid (1010) in the region (1110) and presenting the detailed information (1112) there over; and, displaying the second presentation (1100) on the display screen (340)."

Claim 1 of the first auxiliary request is identical to claim 1 of the main request.

Claim 1 of the second auxiliary request differs from claim 1 of the main request in that the wording "A method for generating a presentation of detailed information (1112) for an item (1041) within overview information (1111) for display on a display screen (340) of a data processing system (300) in real-time" at the beginning of the claim is replaced by the wording "A method for presenting detailed information (1112) for an item (1041) within overview information (1111) for display on a display screen (340) of a data processing system (300) in real-time, the data processing system being programmed to practice the method, the data processing system being suitable for generating presentations".

Claim 1 of the third auxiliary request differs from claim 1 of the main request in that the wording "wherein the one or more lines (1011) and the one or more additional lines (1011) are parallel vertical lines; wherein the overview information (1111) and the detailed information (1112) are presented as one or more symbols (1020, 1120); wherein size, colour, or position within the grid (1010) of the one or more symbols (1020, 1120) is determined by respective values (1050, 1150) of one or more statistics (1041, 1141) associated therewith; and wherein the displacing further comprises moving the one or more symbols (1020) upward or downward along the one or more lines (1011) to maintain the detailed information (1112, 1120) in view." is added at the end of the claim.

Each request contains a further independent claim (claim 15) directed to a corresponding system.

## **Reasons for the Decision**

### 1. Main request

Claim 1 is identical to claim 1 of the main request on which the decision is based.

The board holds that claim 1 does not meet the requirements of Article 56 EPC having regard to the disclosure of D4 or D1 for the reasons expressed below.

#### 1.1 D4 discloses a method for editing data tables consisting of columns and rows on a display using a

graphical user interface. D4 teaches that a new column can be inserted into the table by clicking on an existing column and dragging it to generate the new column next to the existing column or row (see pages 257 to 260).

The method of D4 represents a method for generating a presentation of information in real time using a graphical user interface. The information, i.e. the data content of the table, is presented in cells of the table organised in columns and rows. The appellant has argued that the information in a table generated by D4 was not presented "over one or more lines of a grid" as defined in claim 1. The columns and rows of a table in D4 are built by an arrangement of vertical and horizontal lines forming a grid of cells, each cell in the table being thus delimited by lines. This manner of presenting information in cells falls, in the board's view, under the broad and vague definition of "over one or more lines of a grid". Additionally, even if this wording were interpreted as meaning that each item of the information is placed on a line of a grid, this feature would be considered a common measure in the field of data display and does not appear to lead to any technical effect. The board thus agrees with the examining division that a table in D4 represents a first presentation within the meaning of claim 1.

Furthermore, the board agrees with the examining division that the creation of a new column in D4 by selecting a column in the table, i.e. selecting information present in this column, and inserting a new column after the selected column amounts to the selection of an item from the first presentation, the displacing of the information of the first presentation, the insertion of information in the new

column created, and results in the generation of a second presentation. The appellant argued that D4 did not disclose that the information of the first presentation remains partially visible in the second presentation. The board is not convinced by this argument since inserting a new column in the table of D4 only displaces the whole table by one column to the right, which leaves at least all the columns to the left present in the table and visible.

Additionally, the feature "the one or more lines of the grid being displaced away from the region without distorting the lines" does not appear to lead to any technical effect but, at most, to aesthetic effects.

Therefore, the subject-matter of claim 1 differs from the disclosure of D4 in the definition of the content of the information presented to the user in the first and second presentations. Claim 1 defines that the first presentation displays overview information to the user. This feature is clearly related to what is presented, as opposed to how it is presented, and thus should not be taken into account for the assessment of inventive step. Claim 1 further defines that detailed information for the selected item is displayed in the second presentation. This feature relates to the content of the detailed information itself and not to how it is presented in the second presentation. Even if argued that the new column in D4 comprises empty cells when it is generated, this can be considered a presentation of information to the user as well. Therefore, the distinguishing features relate only to the presentation of information and cannot contribute in any way to an inventive step of claim 1.

For these reasons, claim 1 does not meet the requirements of Article 56 EPC having regard to the disclosure of D4.

1.2 The appellant considered that D1 represented the closest prior art.

D1 discloses a method for controlling data visualisation. A summary window (e.g. reference 220 in Figure 2A) displays summary information on the data. The summary window allows a user to query details on data by selecting a point in the summary window (see from column 1, line 64 to column 2, line 16 and column 9, lines 49 to 54). The queried details are then displayed in a separate display window (reference 105 in Figure 2B). D1 further discloses that the data can be presented in the form of a grid (see column 4, lines 50 to 53).

D1 discloses the generation of the presentation of detailed information related to an item of overview information selected on a first presentation of items of overview information on a grid of a summary window. Figure 2A shows a display presentation in which both the summary window comprising the overview information and a display window comprising the detailed information are present on the display screen.

The difference between the subject-matter of claim 1 and the disclosure of D1 is that the detailed information is presented in lines inserted in the grid presenting the overview information. This way of presenting the detailed information can be seen as a mere alternative to the method of D1 since no clear technical benefits can be deduced. Since it is well known to insert a new column in a table or grid, as

illustrated by D4, the skilled person would consider applying this teaching to the method of D1 and thus arrive at the subject-matter of claim 1 without the exercise of inventive step (Article 56 EPC).

For these reasons, claim 1 does not meet the requirements of Article 56 EPC having regard to the disclosure of D1.

2. First and second auxiliary requests

These requests were filed for the first time with the statement setting out the grounds of appeal. In view of the primary object of the appeal proceedings to review the decision under appeal in a judicial manner, an appellant's case must be directed to the requests on which the decision under appeal was based (Article 12(2) RPBA). Any part of an appellant's case which does not meet this requirement is to be regarded as an amendment, unless the appellant demonstrates that it was admissibly raised and maintained in the proceedings leading to the decision under appeal. Any such amendment may be admitted only at the discretion of the board. The appellant must clearly identify each amendment and provide reasons for submitting it in the appeal proceedings (Article 12(4) RPBA).

In the case at hand, the contested decision is not based on the current first and second auxiliary requests. These request were not raised and maintained in the examination proceedings. Therefore, these requests represent amendments within the meaning of Article 12(2) and (4) RPBA.

The appellant solely argued that both requests met the requirements of Article 123(2) EPC. It did not explain why these requests overcame the inventive-step objection at the basis of the decision to refuse the application. In the case of the first auxiliary request, this is obviously not the case since claim 1 is identical to claim 1 of the main request. Furthermore, the appellant did not provide any reasons for submitting these auxiliary requests for the first time at the appeal stage.

Therefore, the board has decided not to admit the first and second auxiliary requests into the appeal proceedings under Article 12(4) RPBA.

3. Third auxiliary request

This request was filed in response to the board's communication. The appellant argued in substance that the amendments to claim 1 should further distinguish the invention from the disclosure of D4 and D1. However, the board notes that the inventive-step objection based on D4 raised by the board in its communication is quite similar to the inventive-step objection at the basis of the refusal of the main request by the examining division. Therefore, the board does not see any cogent reasons for the late filing of the third auxiliary request at this stage of the proceedings. As a consequence, the board has decided under Article 13(2) RPBA not to admit the third auxiliary request into the appeal proceedings.

4. Conclusion

The main request is not allowable under Article 56 EPC.

The first, second and third auxiliary requests are not admitted into the appeal proceedings.

**Order**

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

The appeal is dismissed.

The Registrar:

The Chairman:



L. Stridde

N. H. Uhlmann

Decision electronically authenticated