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**Datasheet for the decision  
of 4 March 2025**

**Case Number:** T 1806/21 - 3.5.07

**Application Number:** 16905835.1

**Publication Number:** 3460675

**IPC:** G06F16/957

**Language of the proceedings:** EN

**Title of invention:**

Method and device for acquiring web content

**Applicant:**

Honor Device Co., Ltd.

**Headword:**

Acquiring web content/HONOR DEVICE

**Relevant legal provisions:**

EPC 1973 Art. 84

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

**Keyword:**

Claims - clarity - main request, fifth to eighth auxiliary requests (no)

Amendment to appeal case - first to fourth auxiliary requests - taken into account (no)

Amendment after summons - fifth to eighth auxiliary requests - exceptional circumstances (yes)



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Case Number: T 1806/21 - 3.5.07

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.07**  
**of 4 March 2025**

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(Applicant)

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**Decision under appeal:**

**Decision of the Examining Division of the  
European Patent Office posted on 6 May 2021  
refusing European patent application  
No. 16905835.1 pursuant to Article 97(2) EPC**

**Composition of the Board:**

**Chair** J. Geschwind  
**Members:** P. San-Bento Furtado  
M. Jaedicke

## **Summary of Facts and Submissions**

- I. The appeal lies from the decision of the examining division to refuse European patent application No. 16905835.1 for lack of an enabling disclosure and lack of clarity of the main request and an auxiliary request, both filed on 9 November 2020.
- II. The decision under appeal was given in writing, the reasons for the decision corresponding to those provided in the minutes of the telephone consultation that took place on 24 November 2020. The minutes were sent out on 25 November 2020. On 4 December 2020 the applicant informed the examining division that it would not attend the oral proceedings scheduled for 10 December 2020. The examining division then cancelled the oral proceedings.
- III. In the decision under appeal, the following document was cited:  
D1: US 2012/0224214 A1, published on 6 September 2012.
- IV. In the statement of grounds of appeal, the appellant requested that the decision under appeal be set aside and that a patent be granted on the basis of the main request considered in the appealed decision or one of the first to fourth auxiliary requests submitted with the grounds of appeal.
- V. In a communication accompanying a summons to oral proceedings, the Board introduced the following prior-art document into the proceedings:  
D2: T. Luo et al.: "Attacks on WebView in the Android System", Proceedings of the 27th Annual Computer Security Applications Conference, ASAC'11,

Orlando, Florida, pages 343 to 352; 5 to 9  
December 2011.

The board expressed the preliminary view that the main request did not fulfil the requirements of Articles 83 and 84 EPC and that there were strong reasons for not admitting the first to fourth auxiliary requests.

- VI. With a letter of reply, the appellant filed new claims according to the fifth to eighth auxiliary requests. The appellant announced that it did not intend to attend the oral proceedings.
- VII. The board cancelled the oral proceedings.
- VIII. The appellant's final request was that the contested decision be set aside and that a patent be granted on the basis of the main request or one of the first to eighth auxiliary requests.
- IX. Claim 1 reads as follows (itemisation added by the board):

"A method for obtaining web content, wherein the method comprises:

- (a) determining (S101) a web view control corresponding to web content displayed on a first display interface, wherein
- (a1) the first display interface is an interface displayed on a display screen of an intelligent terminal when an application runs on the intelligent terminal, wherein
- (a2) a control is a component having a user interface and
- (a3) a web view control is a control that can directly load web content;

- (b) determining (S103) that an operating system of the intelligent terminal invokes a web content loading complete function, wherein
  - (b1) the web content loading complete function is registered with the operating system, and
  - (b2) the operating system invokes the web content loading complete function after determining that the web content displayed by the web view control is loaded completely;
- (c) obtaining (S104) the web content after determining that the operating system invokes the web content loading complete function; and
- (d) sending (S 105) the obtained web content to the operating system;
- (e) wherein the determining (S101) a web view control corresponding to web content displayed on a first display interface comprises:
  - (e1) determining (S101a) that the operating system invokes a redraw notification interface, wherein the operating system invokes the redraw notification interface when a current display interface changes, and the current display interface is an interface currently displayed on the display screen of the intelligent terminal; and
  - (e2) after determining that the operating system invokes the redraw notification interface, determining controls corresponding to content displayed on the first display interface according to coordinates of the controls on the display screen of the intelligent terminal; and after the determining the controls corresponding to content displayed on the first display interface, traversing (S101b) the controls corresponding to content displayed on the first

display interface after the change, so as to determine the web view control corresponding to the web content displayed on the first display interface.

- X. Claim 1 of the first auxiliary request differs from claim 1 of the main request in that the following text of claim 4 of the main request has been added at the end of claim 1:

"wherein a preset script language is injected into the web view control, and the obtaining the web content comprises:

executing the script language to obtain the web content".

- XI. Claim 1 of the second auxiliary request differs from claim 1 of the main request in that the term "web view control" has been replaced with "single web view control" in the text of (a), (a3) and (e2) and the corresponding indefinite article "a" in (a3) has been replaced with the definite article "the".

- XII. Claim 1 of the third auxiliary request adds the amendment of claim 1 of the first auxiliary request to claim 1 of the second auxiliary request.

- XIII. Claim 1 of the fourth auxiliary request differs from claim 1 of the third auxiliary request in that the text "A method for obtaining web content" at the beginning of the claim has been replaced with the following text:

"An intelligent terminal, including multiple applications, a content collection module (11), an intelligent analysis module (12), an intelligent

scenario determining module (13), an intelligent sensor (14), a geographical location obtaining module (15), a user history database (16), an intelligent recommendation module (17), an intelligent reminding module (18), and a presentation module (19),

wherein when a user uses each application, the content collection module (11) is configured to collect data generated when the user uses each application, and sends the data to the intelligent analysis module (12) for analytical processing, the intelligent analysis module (12) is configured to save the data to the user history database (16) after performing analytical processing on the data; and

when the user uses an application, the intelligent terminal is configured to perform unified analysis on statuses of the application, the user history database (16), and the intelligent sensor (14), a geographical location of the intelligent terminal that is obtained by the geographical location obtaining module (15), to obtain actual usage of the intelligent terminal by the user; and, with reference to user preferences, the intelligent terminal is configured to present, to the user by using the intelligent recommendation module (17), the intelligent reminding module (18), or the presentation module (19), some content that complies with the user preferences;

wherein the content collection module (11) is configured to perform a method for obtaining web content".

XIV. Claim 1 of the fifth auxiliary request differs from claim 1 of the main request in that the text "A method for obtaining web content" has been replaced with:

"A method for obtaining web content, wherein the method is performed by an obtaining apparatus that is a

component, a firmware or an independent functional module".

- XV. Claim 1 of the sixth auxiliary request differs from claim 1 of the fifth auxiliary request in that the text "stored in the obtaining apparatus" has been added after "invokes a web content loading complete function" and after "invokes a redraw notification interface".
- XVI. Claim 1 of the seventh auxiliary request adds the amendment of claim 1 of the first auxiliary request to claim 1 of the sixth auxiliary request.
- XVII. Claim 1 of the eighth auxiliary request is identical to claim 1 of the sixth auxiliary request. The eighth auxiliary request differs from the sixth auxiliary request in that part of dependent claim 4 and dependent claim 8 have been deleted.

### **Reasons for the Decision**

1. According to Rule 115(2) EPC, if a party duly summoned to oral proceedings before the European Patent Office does not appear as summoned, the proceedings may continue without that party. Article 15(3) RPBA stipulates that a board is not obliged to delay any step in the proceedings, including its decision, by reason only of the absence at the oral proceedings of a party duly summoned who may then be treated as relying only on its written case.

In the present case, the appellant announced that it intended not to attend the oral proceedings. In view of this, the board cancelled the oral proceedings, to which the appellant did not react. The appellant thus chose not to make use of the opportunity to comment at

oral proceedings on any of the objections but to rely on its arguments as set out in its written submissions. In view of this, the decision is given in writing.

### **Application**

2. The application concerns a method and an apparatus for obtaining web content displayed when an application runs. Using the invention, the operating system of an intelligent terminal can obtain web content displayed on a display interface on the intelligent terminal's screen when an application runs in the intelligent terminal (see the original translated description, paragraphs [0005], [0009] and [0049], Figure 1).
  - 2.1 According to paragraph [0050], many applications use a "hybrid framework" in which an application on the intelligent terminal uses a web view and presents a display interface using HTML. In this scenario, in order to obtain the data generated when the user runs the application, the intelligent terminal needs to obtain web content displayed on a **"display interface"** on a display screen of the intelligent terminal when the user uses the application.
  - 2.2 The application can be e.g. a shopping, news or communications application (paragraph [0057]). Figure 3 illustrates a display interface of an intelligent terminal when a news application runs (paragraph [0063]).

A display interface may include "controls", e.g. a text control, a picture control or a button control. According to paragraph [0062], the control "is a control of data and methods" and "may have its own attributes and methods", the attributes being "used for simple access to control data" and the methods being

"some simple and visible functions of the control". A **"web view control"** is a control that can directly load web content. When a text, picture or button control is triggered, the application may re-create a new display interface to display corresponding web content on the display interface by using the web view control. This is the case, for example, when the user selects a news message in Area C in the application illustrated in Figure 3 (paragraphs [0062] and [0063]).

- 2.3 According to paragraph [0058], when the intelligent terminal receives a message of an application running on the foreground, the intelligent terminal may directly display the message on the interface of the application, namely the "current display interface" of the intelligent terminal. Paragraph [0081] defines the **"current display interface"** as "the interface currently displayed on the display screen of the intelligent terminal". When the current display interface is updated, the operating system of the intelligent terminal invokes the **"redraw notification interface"** (paragraph [0012], [0081]).
- 2.4 The method for obtaining web content is performed by an **"obtaining apparatus"**, for example, the "content collection module 11" of the intelligent terminal shown in Figure 1 (paragraph [0053]). An embodiment of the method according to the invention, which includes steps S101 to S105, is disclosed in Figures 2 and 4.
- 2.5 In step S101, the obtaining apparatus determines a web view control corresponding to web content displayed on a "first display interface". This can be done by performing the two sub-steps of determining that an operating system of the intelligent terminal invokes a redraw notification interface (when the current display interface changes) and then **"traversing controls"**

corresponding to content displayed on the first display interface after the change (paragraphs [0079] to [0083], Figure 4, sub-steps S101a and S101b).

The obtaining apparatus "learns" that the redraw notification interface is invoked by the operating system (for example, by means of an event callback mechanism). It may traverse the controls corresponding to the content displayed on the first display interface after the change, so as to determine, from the controls, the web view control corresponding to the web content displayed on the first display interface (paragraphs [0083], [0084]).

- 2.6 In step S102 of the method of obtaining web content, the obtaining apparatus registers a **"web content loading complete function"** with the operating system of the intelligent terminal. The web content loading complete function is stored in the obtaining apparatus and, once registered, is invoked by the operating system after determining that the web content displayed by the web view control is loaded completely (paragraphs [0064] to [0070]). Determining that the web content displayed by the web view control is loaded completely may be done by an event callback mechanism which sends an event to the operating system when loading web content is completed (paragraphs [0011] and [0072]).

Paragraph [0097] describes the following exemplary declaration of a web content loading complete function:  
public void onPageFinished(Web View view, String url).

- 2.7 In step S103 the obtaining apparatus determines that the operating system invoked the web loading complete function (paragraph [0067]).

2.8 In steps S104 and S105, the obtaining apparatus obtains the web content displayed by the web view control and sends the obtained web content to the operating system of the intelligent terminal (paragraphs [0073] to [0076]). Obtaining the web content may be done by injecting a "preset script language" into the web view control, as described in paragraphs [0102] to [0109] with reference to Figure 9.

*Main request*

3. *Clarity - claim 1*

3.1 In its communication under Article 15(1) RPBA the board expressed its preliminary opinion that it was unclear from claim 1 of the main request which systems or components performed the steps of the claimed method. According to the description, the method was performed by an "obtaining apparatus" of the intelligent terminal, such as the collection module 11 of Figure 1. The board noted also that the term "obtaining apparatus" was unclear (point 8.2 of the communication). The board was further of the opinion that claim 1 omitted other essential features of the technical context in which the method was performed. The description seemed to state that the "redraw notification interface" and the "web content loading" were "stored" in the "obtaining apparatus" which performed the claimed method (point 8.4 of the communication).

3.1.1 In its reply to the board's objections the appellant argued that claim 1 specified the claimed method by "its specific measures and steps". While it was agreed that in certain cases it could be decisive which exact

entities performed the steps, that did not apply to the present case.

The appellant contended that the invention lay in the contents and sequence of the steps, not in which entities performed them. The board's broad statement that identifying such entities would be "essential to understand how the claimed method works" could not be followed. First of all, "how" something works appeared to relate to Article 83 EPC rather than Article 84 EPC. Adding the feature "obtaining apparatus" to claim 1 would not add any particularly meaningful information, much less any "essential information" which would only then enable the skilled person to "understand how the claimed method works".

The claim could be considered broad but not unclear. The borders of the possibly broad scope of protection with respect to "which entities perform the method steps" could be clearly determined by the skilled person: any entity that was generally configured to perform the respective method steps fell within the scope of protection.

The appellant further argued that the skilled person was well aware of a number of alternatives for capturing events other than storing the functions "redraw notification interface" and the "web content loading" directly in a certain apparatus or module. The functions could be registered with the operating system, as specified in claim 5.

- 3.1.2 The board agrees with the appellant that claim 1 is broad and that any entity generally configured to perform the claimed method steps falls within the scope

of protection. But that renders claim 1 of the main request of the case in hand unclear.

For example, the application referred to in feature (a1) of claim 1 which displays the web content in the first display interface can be configured to perform the claimed method. But this application has direct access to the web content and does not need to perform steps (a) to (e2) to obtain the web content, essentially the steps of determining that the operating system invokes a redraw notification interface, determining controls corresponding to content displayed on the first display interface according to coordinates, traversing the controls to determine the web view control corresponding to the web content displayed on the first display interface, determining that the operating system invokes a web content loading complete function, obtaining the web content and sending it to the operating system. A module of the operating system could also be configured to perform the claimed method steps but then it is unclear why a step is needed to determine that a redraw notification interface has been invoked by the operating system.

In view of this, it is unclear which purpose the method of claim 1 has or which problem it solves.

Steps (a) to (e2) are needed because the entity performing the method has to overcome existing constraints that prevent it from having direct access to the web content. However, these constraints are not specified either explicitly or implicitly in claim 1. The constraints would be made clear if claim 1 restricted the entity which performs the method to entities facing such constraints in the technical context of the invention in which the method is performed, for example by specifying the entity in

terms of its relation to the applications, operating system or other components of the intelligent terminal.

However, claim 1 does not specify which entity or entities, or which class or type of entities, perform the method steps and does not describe the details of the technical context which would help the skilled person understand what the purpose of steps (a) to (e2) is or why these steps are needed.

- 3.2 Therefore, the main request does not fulfil the requirements of Article 84 EPC.

*First to fourth auxiliary requests*

4. Claim 1 of the first auxiliary request adds to claim 1 of the main request the subject-matter of claim 4 of the main request, namely the features specifying that "a preset script language is injected into the web view control" and that the script is executed to obtain the web content.
5. Claim 1 of the second auxiliary request restricts the web view controls of claim 1 of the main request to a single web view control.
6. Claim 1 of the third auxiliary request adds the features of claim 4 of the main request to claim 1 of the second auxiliary request.
7. Claim 1 of the fourth auxiliary request adds to claim 1 of the third auxiliary request features describing the intelligent terminal in detail.

8. *Admissibility*

8.1 The first to fourth auxiliary requests are amendments to the appeal case which under Article 12(4) RPBA may be admitted only at the board's discretion.

8.2 The appellant argued that the first to fourth auxiliary requests should be admitted into the proceedings. The clarity objection of the decision under appeal had not been raised in the examining division's communication accompanying the summons to oral proceedings and there had not been sufficient time to respond, in coordination with the owner of the application, to the new reasoning of the examining division provided in the telephone consultation. The minutes of the telephone consultation were deemed delivered after the appellant's announcement that it would not attend the oral proceedings. Furthermore, in the decision under appeal the examining division had stated that "the provided arguments merely result in a different reasoning regarding Art. 83 EPC".

8.3 In reply to the summons to oral proceedings in examination, the appellant submitted on 9 November 2020 the main request and the auxiliary request on which the decision under appeal was based. In the telephone consultation of 24 November 2020, the examining division informed the appellant of the objections against these two requests, which correspond to those of the decision under appeal. The board recognises that the objections raised in the telephone consultation were not caused by the amendments introduced by the two requests.

However, the telephone consultation, during which the appellant was orally informed of the objections, took place on 24 November 2020. Since the appellant did not

contest the content of the minutes of the telephone consultation, the board has to assume that the minutes truthfully reflect what was communicated to the representative orally on 24 November 2020, two weeks before the date scheduled for oral proceedings, 10 December 2020. The appellant has thus been informed two weeks in advance of the planned oral proceedings of the objections under Articles 83 and 84 EPC against the new requests and nevertheless chose not to attend the oral proceedings, where it could have presented further arguments or submitted new requests.

In addition, the board notes that whether the minutes of the telephone consultation were deemed delivered after the appellant's announcement that it would not attend the oral proceedings is not decisive. The appellant did not allege that the minutes of the consultation were indeed received after the announcement of non-attendance and the point in time of the announcement was in any case the appellant's decision.

Therefore, the appellant's arguments do not convince the board that an exception should be made to the board's discretion under Article 12(4) RPBA not to admit the first to fourth auxiliary requests.

- 8.4 The board further notes that claim 1 of each of the first to third auxiliary requests introduces minor amendments specifying a preset script injected into the web view control to obtain the web content and limiting the claimed invention to a single web view control. These amendments do not *prima facie* overcome the objection for lack of clarity raised above for claim 1 of the main request.

8.5 Claim 1 of the fourth auxiliary request introduces major complex amendments, including a change of the claim category, into the proceedings.

8.6 For the reasons given in points 8.3 to 8.5, the board decides to use its discretion under Article 12(4) RPBA and does not admit the first to fourth auxiliary requests into the appeal proceedings.

#### Fifth to eighth auxiliary requests

9. Claim 1 of the fifth auxiliary request differs from claim 1 of the main request in that it specifies that the claimed method is performed by an obtaining apparatus that is a component, a firmware or an independent functional module.

10. Claim 1 of the sixth auxiliary request adds to claim 1 of the fifth auxiliary request that the web content loading complete function is stored in the obtaining apparatus.

11. Claim 1 of the seventh auxiliary request adds the amendment of claim 1 of the first auxiliary request to claim 1 of the sixth auxiliary request.

12. Claim 1 of the eighth auxiliary request is identical to claim 1 of the sixth auxiliary request.

13. *Admissibility*

13.1 Claim 1 of each of the fifth to eighth auxiliary requests was amended in an attempt to overcome objections raised for the first time by the board in the appeal proceedings. These constitute exceptional circumstances justifying admittance under

Article 13(2) RPBA. Therefore, the fifth to eighth auxiliary requests are admitted into the proceedings.

14. *Clarity*

14.1 Claim 1 of the fifth auxiliary request further specifies that the method is "performed by an obtaining apparatus that is a component, a firmware or an independent functional module". The appellant argued that this amendment addressed the board's objection that the claim did not specify which entity performed the method. The skilled person with a mindset to make technical sense of the claim would interpret the "apparatus" in an informal or metaphorical sense as providing functions or modules working together to achieve the overall obtaining goal. This was especially valid in view of the added definition of the "obtaining apparatus" as a "component, firmware or an independent functional module".

14.1.1 The board maintains its opinion expressed in its communication under Article 15(1) RPBA that the term "obtaining apparatus" is unclear. In addition, the definition of the obtaining apparatus as a "component, firmware or an independent functional module" does not add any significant information. A component or a module is very general and the expression "independent functional module" does not specify from which parts of the system the module is functionally independent. The feature added by claim 1 of the fifth auxiliary request does not clarify what the "obtaining apparatus" performing the method is and does not overcome the objection raised against the main request. Any module, for example in an application or in the operating system, could be considered an "obtaining apparatus" performing the claimed method. The feature added by claim 1 of the fifth auxiliary request does not clarify

which constraints the "obtaining apparatus" has and why steps (a) to (e2) are required in order to obtain the web content.

Moreover, the relationship between the "obtaining apparatus" and the intelligent terminal is unclear. In particular, it is not clear whether or not the "obtaining apparatus" and the intelligent terminal are separate devices or whether the "obtaining apparatus" could be just a "functional module" of the intelligent terminal (see also paragraph [0053] of the description).

14.1.2 Therefore, the fifth auxiliary request does not fulfil the requirements of Article 84 EPC.

14.2 The features added by claim 1 of the sixth to eighth auxiliary requests, specifying that the web content loading complete function and redraw notification interface are stored in the obtaining apparatus, and, in the seventh auxiliary request, that a preset script language is injected into the web view control and executed to obtain the web control, do not contribute to clarify why steps (a) to (e2) are necessary for a generic "obtaining apparatus" to be able to obtain web content displayed in a first display interface on a display screen of an intelligent terminal. These features do not overcome the clarity objection raised for the main request and the fifth auxiliary request.

Therefore, the sixth to eighth auxiliary requests do not fulfil the requirements of Article 84 EPC.

### *Conclusion*

15. Since none of the admitted requests on file is allowable the appeal is to be dismissed.

**Order**

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

The appeal is dismissed.

The Registrar:

The Chair:



S. Lichtenvort

J. Geschwind

Decision electronically authenticated