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**Datasheet for the decision
of 31 January 2025**

Case Number: T 0625/23 - 3.5.05

Application Number: 16877525.2

Publication Number: 3396513

IPC: G06F3/0488

Language of the proceedings: EN

Title of invention:

Method and device for switching screen interface, and terminal

Applicant:

Gree Electric Appliances, Inc. of Zhuhai

Headword:

Displaying additional application icons/GREE

Relevant legal provisions:

RPBA 2020 Art. 12(8), 13(2)

Keyword:

Admittance of claim requests filed after Art. 15(1) RPBA
communication - main and auxiliary request (no): no
exceptional circumstances + no *prima facie* allowability



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

Case Number: T 0625/23 - 3.5.05

D E C I S I O N
of Technical Board of Appeal 3.5.05
of 31 January 2025

Appellant: Gree Electric Appliances, Inc. of Zhuhai
(Applicant) West Jinji Road
Qianshan
Zhuhai, Guangdong 519070 (CN)

Representative: V.O.
P.O. Box 87930
Carnegieplein 5
2508 DH Den Haag (NL)

Decision under appeal: **Decision of the Examining Division of the
European Patent Office posted on 28 November
2022 refusing European patent application
No. 16877525.2 pursuant to Article 97(2) EPC.**

Composition of the Board:

Chair K. Bengi-Akyürek
Members: N. H. Uhlmann
C. Almberg

Summary of Facts and Submissions

- I. The appellant appealed against the examining division's decision to refuse the present European patent application. The examining division held that the sole claim request then on file did not comply with Articles 123(2), 84 and 56 EPC.
- II. With its statement setting out the grounds of appeal, the appellant submitted claims according to a main request and an auxiliary request.
- III. The board summoned the appellant to oral proceedings. In a communication pursuant to Article 15(1) RPBA, it gave its negative preliminary opinion on the case.
- IV. With letter dated 6 December 2024, the appellant submitted an amended main request and an amended auxiliary request together with counter-arguments.
- V. By letter dated 7 January 2025, the appellant indicated that it would not be attending the arranged oral proceedings before the board.
- VI. The oral proceedings were then cancelled.
- VII. The appellant's final requests are that the decision under appeal be set aside and that a patent be granted according to a **main request**, or as an alternative, according to an **auxiliary request**, both as filed with the letter dated 6 December 2024.

VIII. Claim 1 of the **main request** reads as follows (board's emphasis):

"A method for screen interface switching, comprising:
detecting a first actual pressing period of pressing any point in a screen operation area by a user's finger;

in a case that the first actual pressing period is greater than or equal to a first preset pressing period, starting an interface switching mode at a current interface, wherein starting an interface switching mode at a current interface comprises:

generating a set of application icons in the screen operation area where the user's finger can touch for the user to select; and

based on the set of application icons, enabling the current interface to skip to a corresponding application interface in one step by clicking an application icon needing to be selected;

in a case that the interface switching mode has been started, detecting a second actual pressing period of pressing a screen by the user's finger; and

in a case that the second actual pressing period is greater than or equal to a second preset pressing period, expanding the set of application icons.*[sic]*

wherein expanding the set of application icons comprises:

extending and displaying additional application icons in an extending direction of the set of application icons, to display the additional application icons in the screen operation area through a finger of user sliding up and down along an arc within a range controlled by one hand in an up-down sliding direction of the set of application icons, wherein the extending direction refers to a direction extending from one end of the set of application icons

to a direction away from the set of application icons, the up-down sliding direction of the set of application icons refers to a direction of toggling up and down along an arc within a range controllable by one hand;

wherein at least one of the set of application icons and the another set of application icons is a sector application icon set, and at least one is configured to automatically sort application icons according to the user's use habits; and in a case that the set of application icons and the another set of application icons are sector application icon sets, the radius of the another set of application icons is greater than the radius of the set of application icons; wherein the sector application icon set refers to an application icon set displayed in a sector display area of an interface of a terminal;

detecting whether the user's finger presses any point in the screen operation area; and

wherein expanding the set of application icons further comprises:

expanding another set of application icons on the periphery of the set of application icons, to switch displaying of the set of application icons and the another set of application icons in the screen operation area through the user sliding back and forth along the extending direction."

IX. Claim 1 of the **auxiliary request** reads as follows (board's emphasis):

"A method for screen interface switching, comprising:

detecting a first actual pressing period of pressing any point in a screen operation area by a user's finger;

in a case that the first actual pressing period is greater than or equal to a first preset pressing period, starting an interface switching mode at a current interface, wherein starting an interface switching mode at a current interface comprises: generating a set of application icons in the screen operation area where the user's finger can touch for the user to select; and

based on the set of application icons, enabling the current interface to skip to a corresponding application interface in one step by clicking an application icon needing to be selected;

in a case that the interface switching mode has been started, detecting a second actual pressing period of pressing a screen by the user's finger; and

in a case that the second actual pressing period is greater than or equal to a second preset pressing period, expanding the set of application icons. *[sic]*

wherein expanding the set of application icons comprises:

toggling a sector display area for displaying the application icon set up and down along an arc within a range controllable by one hand in an up-down sliding direction, to cyclically toggle more application icons for a user to click and switch; or

when a quick interface switching mode is started, displaying a circle of sector icon sets, and in a case that a preset number of seconds is pressed again in the quick interface switching mode, generating, by a terminal, an icon set slightly greater than an original sector icon set in radius outside an original sector icon set, and the sector display area is within a range controllable by one hand of the user."

Reasons for the Decision

1. The present application pertains to a method for switching application icons on a touch screen. When a user touches the screen for a long period of time, a set of icons is generated on the screen, in an area within the reach of a user's finger. When a further "long touch" is performed, a mode is entered in which additional icons can be displayed, when the user slides up and down on the screen. Additionally, a further set of icons can be displayed on the screen.

2. Decision in written proceedings (Article 12(8) RPBA)

By its notice of non-attendance at the arranged oral proceedings before the board (see point V above), the appellant effectively withdrew its request for oral proceedings, waived its opportunity to discuss the newly filed claim requests with the board, and made evident that oral proceedings would not be expedient. Hence, this decision was handed down in written proceedings (cf. Article 12(8) RPBA).

3. Main request and auxiliary request - admittance

3.1 The main request and the auxiliary request were filed for the first time in response to the board's communication under Article 15(1) RPBA. Hence, their admittance into the appeal proceedings are at the board's discretion under all relevant parts of Articles 12 and 13 RPBA, in particular Article 13(2) RPBA. According to the latter provision, any amendment to a party's appeal case made at such a late stage of the appeal proceedings "shall, in principle, not be taken into account unless there are exceptional

circumstances, which have been justified with cogent reasons by the party".

- 3.2 The **main request** appears to be based on the previous main request submitted with the statement of grounds of appeal. Its independent claims have been modified by the addition of features from the description and by the removal of some features.
- 3.3 Claim 1 of the **auxiliary request** was modified by the removal of more than half of its text and the addition of a number of features stemming from the description of the application.
- 3.4 The appellant did not submit any reasons for filing these amendments so late in the appeal proceedings (cf. Article 12(4), 3rd sentence, and Article 13(1), 2nd and 3rd sentences, RPBA). Nor did the appellant justify with "cogent reasons" the presence of any "exceptional circumstances" within the meaning of Article 13(2) RPBA.
- 3.5 In this regard, it is also noted that, in its communication under Article 15(1) RPBA, the board essentially confirmed the findings in the decision under appeal. Furthermore, the board raised an additional objection under Article 84 EPC in that communication (see points 8.2 and 8.6).
- 3.6 Yet, claim 1 of the **main request** does not *prima facie* overcome this objection (cf. Article 13(1), fourth sentence, RPBA). In addition, the appellant's arguments in this regard, being largely based on the description

and the drawings of the application, are not convincing.

Claim 1 of the **auxiliary request** *prima facie* gives rise to new objections, since there is no basis apparent for the added wording "toggling a sector display area" (Article 123(2) EPC), and since the relative term "slightly greater" introduced in claim 1 is not clear (Article 84 EPC).

- 3.7 The board therefore sees neither procedural nor *prima facie* substantive reasons why these new claim requests should be admitted into the appeal proceedings. Hence, it exercised its discretion not to admit the main request and the auxiliary request into the appeal proceedings.
4. As there is no admissible claim request on file, it follows that the appeal must be dismissed.

Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar:

The Chair:



B. Brückner

K. Bengi-Akyürek

Decision electronically authenticated