

**Internal distribution code:**

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

**Datasheet for the decision  
of 28 January 2026**

**Case Number:** T 1108/24 - 3.5.07

**Application Number:** 14736166.1

**Publication Number:** 3008625

**IPC:** G06F17/24

**Language of the proceedings:** EN

**Title of invention:**

Seamless grid and canvas integration in a spreadsheet application

**Applicant:**

Microsoft Technology Licensing, LLC

**Headword:**

Seamless integration in spreadsheet/MICROSOFT TECHNOLOGY LICENSING, LLC

**Relevant legal provisions:**

EPC Art. 56

EPC R. 103(1)(a)

RPBA 2020 Art. 12(4)

**Keyword:**

Amendment to appeal case - procedural efficiency - taken into account (yes)

Inventive step - main request (no) - auxiliary request (no)

Reimbursement of appeal fee - (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

Case Number: T 1108/24 - 3.5.07

**D E C I S I O N**  
**of Technical Board of Appeal 3.5.07**  
**of 28 January 2026**

**Appellant:** Microsoft Technology Licensing, LLC  
(Applicant) One Microsoft Way  
Redmond, WA 98052-6399 (US)

**Representative:** Grünecker Patent- und Rechtsanwälte  
PartG mbB  
Leopoldstraße 4  
80802 München (DE)

**Decision under appeal:** **Decision of the Examining Division of the  
European Patent Office posted on 25 March 2024  
refusing European patent application  
No. 14736166.1 pursuant to Article 97(2) EPC**

**Composition of the Board:**

**Chairwoman** C. Barel-Faucheux  
**Members:** P. San-Bento Furtado  
E. Mille

## **Summary of Facts and Submissions**

- I. The appeal lies from the decision of the examining division to refuse European patent application No. 14736166.1, which was filed as international application No. PCT/US2014/041258, claiming the priority date of 15 June 2013.
  
- II. The following prior-art document was cited in the decision under appeal:  
D1: US 2005/0044496 A1, 24 February 2005.
  
- III. The examining division decided that the independent claims of the main request added subject-matter beyond the content of the application as filed, and that the subject-matter of the independent claims of the auxiliary request lacked inventive step over document D1.
  
- IV. In the statement of grounds of appeal, the appellant submitted an amended main request, and maintained the auxiliary request considered in the decision under appeal. The appellant also requested reimbursement of the appeal fee due to an alleged (substantial) procedural violation.
  
- V. The summons to oral proceedings was notified. In a subsequent communication pursuant to Article 15(1) RPBA, the board introduced the following prior-art document into the proceedings:  
D2: Richmond College IT & AV Services: "Microsoft Excel 97 - Introductory Course, Course Notes",  
retrieved from URL:<http://www.richmond.ac.uk/>

downloads/itav/training/97INTRXL.pdf> before 21 December 2010.

The board expressed its preliminary opinion that the main request should not be admitted into the proceedings and that, in both requests, the subject-matter of claim 1 was not inventive over document D2, either alone or in combination with document D1. In view of the preliminary finding that the appeal was not allowable, reimbursement of the appeal fee on the basis of Rule 103(1)(a) EPC did not appear to be possible.

VI. In response to the board's communication, the appellant withdrew the request for oral proceedings and requested a decision based on the file as it stood. The board then cancelled the oral proceedings.

VII. The appellant's final requests were that the contested decision be set aside and that a patent be granted on the basis of the main request filed with the grounds of appeal or the auxiliary request considered in the decision under appeal. The appellant also requested reimbursement of the appeal fee due to an alleged procedural violation.

VIII. Claim 1 of the main request reads as follows (itemisation added by the board):

"A computer-implemented method of managing data in an electronic spreadsheet, comprising:

f1 displaying a data object (230) in a grid-structured spreadsheet (210), the data object (230) being positioned in one or more cells of the grid-structured spreadsheet (210);

- f2 receiving a pulling of the data object (230) out of the grid-structured spreadsheet (210) such that the pulled data object (230) is removed from the one or more cells in which it is positioned, leaving these one or more cells empty;
- f3 depositing the pulled data object (230) on the grid-structured spreadsheet (210) such that it is not positioned in one or more cells and such that the deposited pulled data object (230) may be moved freely on the grid-structured spreadsheet (210) without being positioned in any one or more cells of the grid-structured spreadsheet (210),
- f4 wherein data relationships and computational function relationships between moved data objects (230) and corresponding data and computational functions contained in or associated with the original spreadsheet from which the data objects (230) are extracted are maintained through structured references,
  - f4.1 wherein a naming construct is utilized wherein each data object (230) moved from the grid-structured spreadsheet (210) is assigned a name or other identification to allow all other data items and/or data objects in the grid-structured spreadsheet (210) to reference the named object via its name or other identification."

IX. Claim 1 of the auxiliary request differs from claim 1 of the main request in that, apart from minor editorial amendments, the text ", leaving these one or more cells empty" has been deleted, and in that the following features have been added at the end of the claim (itemisation added by the board):

f5 "receiving a selection for pushing the pulled data object (230) back into the grid-structured spreadsheet (210); and

f6 inserting the pulled data object (230) back into the grid-structured spreadsheet (210) such that the pulled data object (230) is positioned at any position in one or more cells of the grid-structured spreadsheet (210),

f6.1 wherein the position at which the pulled data object (230) is inserted is different from its original position and wherein data (225) positioned at the position at which the pulled data object (230) is inserted is moved to a new position and identified by a structured reference".

## **Reasons for the Decision**

### *Application*

1. The present application concerns a computer-implemented method and a system for seamless grid and canvas integration in a spreadsheet application. According to the described invention, one or more data objects may be pulled from a grid-structured spreadsheet application document and may be allowed to "float" on the grid-structured spreadsheet. Data and computational

references between the floating data object and the underlying grid are maintained (see paragraph [0006] of the description as filed).

*Main request*

2. *Admissibility of the main request*

2.1 Claim 1 of the main request differs from claim 1 of the refused main request in that the text "with unchanged references" has been deleted at the end of feature f2. The appellant intends this amendment to address the objection relating to added subject-matter that was made in the decision under appeal.

2.2 The main request constitutes an amendment within the meaning of Article 12(4) RPBA and thus may be admitted only at the discretion of the board.

2.3 The amendment introduced by the main request is a minor one, and admitting the main request is procedurally more efficient. It results in virtually no additional examination, because the novelty analysis of claim 1 of the main request is in any case needed in the inventive-step analysis of the auxiliary request and it avoids a lengthy analysis of the reasons for not admitting the request (see the board's communication, point 8).

2.4 Exercising its discretion under Article 12(4) RPBA, the board thus decides to admit the main request into the proceedings, for reasons of procedural efficiency.

3. *Document D2 as prior art*

3.1 Document D2 is no longer available online, but it was cited in a supplementary European search report of

21 December 2010 (see last page of document D2 annexed to the board's communication under Article 15(1) RPBA), which is before the priority date of the present application of 15 June 2013, and used in the corresponding examination procedure of European patent application No. EP 04 776 617.5. In view of this, document D2 constitutes prior art in the present case. This was outlined in the board's preliminary opinion and not contested by the appellant, which chose not to submit any further arguments in response to the board's communication.

4. *Inventive step*

4.1 Document D2 concerns the well-known spreadsheet program Microsoft Excel, which supports named ranges of cells (page 36). A named range corresponds to a "data object" within the meaning of claim 1 and is displayed in one or more cells of a grid-structured spreadsheet, as described in feature f1.

4.2 A selected range of cells in an Excel spreadsheet can be "pulled" and removed from the cells in which it is positioned, leaving the cells empty (see document D2, page 16). In the board's opinion, it is implicit from document D2 that this functionality applies also to named ranges and thus corresponds to feature f2 of claim 1.

4.3 The selected and pulled range of cells is temporarily held in the clipboard (D2, page 16). When a range of cells is moved, Excel "adjusts cell addresses and range addresses in formulas if necessary" to maintain the references to moved cells. For example, if two columns to the left of column B are inserted, the formula +B10\*100 will change to +D10\*100 (D2, page 17, last paragraph; page 18, last paragraph; page 20). This

corresponds to maintaining the "data relationships and computational function relationships" between the moved cells and corresponding data and computational functions in the original spreadsheet, as specified in feature f4 of claim 1. The name of the named range can be used as described in feature f4.1 (D2, page 38).

4.4 Therefore, the subject-matter of claim 1 of the main request differs from the disclosure of document D2 in that it includes feature f3:

- the pulled data object is "deposited" on the grid-structured spreadsheet such that it is not positioned in one or more cells and such that the deposited pulled data object may be moved freely on the grid-structured spreadsheet without being positioned in any one or more cells of the grid-structured spreadsheet.

4.5 The board does not have to decide whether feature f3 makes a technical contribution.

In any case, the distinguishing feature f3 is a minor and obvious modification to the Excel spreadsheet program of D2, especially in view of the fact that "floating" data objects were already known at the priority date of the present application and are disclosed in documents D2 and D1.

In the Excel spreadsheet program of D2, a data object such as a graph can be displayed on top of a grid-structured spreadsheet, where it may be "moved by pointing anywhere within the chart and dragging it to a new position" (page 45, see for example point 4 and "Editing an Embedded Chart"). This corresponds to moving it "freely on the grid-structured spreadsheet without being positioned in any one or more cells", as

specified in feature f3, except that D2 does not disclose the same functionality with cells.

The idea of having "floating" fields and tables is known from document D1, which discloses a system that integrates spreadsheet functionality into text and tables within a document. The system of D1 supports the insertion of discrete individual fields, referred to as "free floating fields", and "spreadsheet table[s]" inline with normal textual content for instance in a hypertext markup language (HTML) document. Once rendered, the free floating fields present content that resembles normal text. Complex formulas and reference values can be included in a free floating field or spreadsheet table and can be automatically recalculated when a value changes (paragraphs [0018], [0019], [0034], [0035] and [0067]).

The appellant argued that document D1 suggested "practically no feature of claim 1", and in particular that it did not disclose pulling and depositing a pulled data object on the grid-structured spreadsheet in the way described in feature f3. The board agrees with the appellant that document D1 does not disclose "depositing" the data object on the grid-structured spreadsheet. However, as explained above, document D1 discloses "depositing" floating objects, including **"floating spreadsheet objects"** containing cells, on text documents. Document D2 discloses depositing objects, such as graphs, floating on grid-structured spreadsheets.

It would thus have been an obvious option for the skilled person to extend the floating-object functionality of D2 to spreadsheet objects, as also known from document D1. In other words, it would have been an obvious option to modify the method of D2 to

"deposit" the moved range of cells or the clipboard content as a floating spreadsheet object on the grid-structured spreadsheet, as specified in feature f3. The skilled person would thus arrive at the claimed invention in this straightforward manner.

- 4.6 It follows that claim 1 of the main request lacks inventive step (Article 56 EPC).

*Auxiliary request*

5. *Inventive step*

- 5.1 The subject-matter of features f6 and f6.1 has, at least in part, already been discussed under points 4.2, 4.3 and 4.5 above. Document D2 discloses moving or copying a range of cells from one position to another in a spreadsheet by different means, including a drag-and-drop interaction. It also discloses copying a range of cells to a "temporary parking place" (page 16). When the range of cells is inserted, the data at the insertion position is moved to a new position (D2: page 17, last paragraph; page 18, last paragraph; page 20). This functionality of Excel described in D2 corresponds to features f6 and f6.1, except that the pulled data object is not a floating spreadsheet object as specified in f3.

- 5.2 Therefore, the method of claim 1 of the auxiliary request differs from the method of D2 in that it includes features f3 and f5 (and, implicitly, the pulled data object in f6 and f6.1 is the pulled object positioned as specified in f3).

- 5.3 For the reasons given in respect of the main request, the skilled person would consider adding to the method of D2 a step of depositing the copied range of cells or

the clipboard content as a floating object on the spreadsheet of D2.

When modifying the system of document D2 to support such a floating spreadsheet object in the manner discussed for the main request, the skilled person would, as a matter of routine, also extend the drag-and-drop functionality of D2 to let the user move the cells of the floating spreadsheet object back to the spreadsheet (as in feature f5). This is all the more the case given that such a drag-and-drop user interaction is notoriously known and is also used in the system of D2 for moving floating objects such as graphs (pages 16 and 17).

When implementing the drag-and-drop functionality to let the user move the floating cells back into the grid-structured spreadsheet in D2, the skilled person would, as a matter of routine, implement the insertion as already supported by D2 for a range of cells, i.e. the data previously positioned at the insertion position is shifted or moved to a new position before or during the insertion (as in feature f5).

- 5.4 Therefore, the subject-matter of claim 1 of the auxiliary request is not inventive either (Article 56 EPC).

*Procedural request*

6. The appellant requested reimbursement of the appeal fee in view of alleged procedural violations.
- 6.1 In accordance with Rule 103(1)(a) EPC, the appeal fee shall be reimbursed in full where the board deems an appeal to be allowable, if such reimbursement is

equitable by reason of a substantial procedural violation.

6.2 In the present case, none of the requests on file is allowable, and the appeal is to be dismissed.

6.3 Since the appeal is not allowable, reimbursement of the appeal fee on the basis of Rule 103(1)(a) EPC is not possible. The request for reimbursement of the appeal fee is thus refused. The question of whether any of the allegations corresponds to a substantial procedural violation does not have to be addressed by the board.

## Order

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

The appeal is dismissed.

The Registrar:

The Chairwoman:



S. Lichtenvort

C. Barel-Faucheux

Decision electronically authenticated