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Bezeichnung der Erfindung: Information display system
Title of invention:
Titre de l'invention :

Klassifikation / Classification / Classement : H04N 5/68

ENTSCHEIDUNG / DECISION

vom / of / du 21 November 1989

Anmelder / Applicant / Demandeur :

Patentinhaber / Proprietor of the patent / Titulaire du brevet : Kreon Screen International B.V.

Einsprechender / Opponent / Opposant : N.V. Philips Gloeilampenfabrieken

Stichwort / Headword / Référence :

EPÜ / EPC / CBE Article 54

Schlagwort / Keyword / Mot clé : "Novelty - no"
"Other grounds raised by Opponent need not be considered"

Leitsatz / Headnote / Sommaire

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Case Number : T 540 /88 - 3.5.1

D E C I S I O N
of the Technical Board of Appeal 3.5.1
of 21 November 1989

Appellant : (Proprietor of the patent)
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Decision under appeal : **Decision of Opposition Division of the European Patent Office dated** 30 August 1988 **revoking European patent No.** 74 696 **pursuant to Article 102(1) EPC.**

Composition of the Board :

Chairman : P.K.J. van den Berg
Members : W.J.L. Wheeler
E. Persson

Summary of Facts and Submissions

I. The grant of the Appellant's European patent No. 74 696 on European patent application No. 82 201 125.0, which was filed on 10 September 1982 claiming priority of 10 September 1981 from a previous application in the Netherlands (NL 8104185), was published on 20 March 1985. As granted, the patent had 14 claims.

II. On 15 April 1985 the Respondent filed an admissible opposition, requesting revocation of the patent on the grounds that (a) its subject-matter was not patentable within the terms of Articles 52 and 56 EPC, and (b) it did not disclose the invention in a manner sufficiently clear and complete for it to be carried out by a person skilled in the art. As prior art the Respondent cited, inter alia, the following documents:

DE-A-2 919 047 (which will be referred to as D1)
Electronics, 31 March 1977, pages 108 to 112 (D2)
US-A-3 909 525 (D3)
DE-A-2 558 704 (D4).

III. In response to the opposition, the Appellant filed an amended Claim 1, received on 23 June 1987. An alternative version of Claim 1, as an auxiliary request, was filed during oral proceedings on 17 May 1988. In a decision announced at the oral proceedings and dispatched on 30 August 1988, the Opposition Division revoked the patent. The reason given was that the subject-matter of Claim 1 according to the main and the auxiliary request did not involve an inventive step, having regard to the prior art known from D1, D3 and D4.

IV. On 26 October 1988 the Appellant filed a notice of appeal against that decision, and paid the appeal fee. The notice of appeal contained an unconditional request for oral proceedings. A written statement setting out the grounds of appeal was filed on 27 December 1988, accompanied by two further versions of Claim 1, as second and third auxiliary requests, and additional Claims 15 and 16, respectively relating to an information display method and to use of the system according to any of Claims 1 to 13 as a Billboard video display system or large screen television.

V. In a communication pursuant to Article 11(2) of the Rules of Procedure of the Boards of Appeal, the Board objected to Claim 1 according to the second auxiliary request (which does not contain a communication channel having a data bus and a control bus) and to the new Claims 15 and 16 on the ground that they would contravene Article 123(3) EPC by extending the protection conferred. The Board also observed that Claim 14 appeared to be the broadest claim and that its subject-matter appeared to be known from D3.

VI. On 13 November 1989, the Appellant's representative sent a telecopy informing the Board that he would not attend the oral proceedings. The telecopy contained the following statement: "However, it is emphasized, that the applicant has not lost interest in the present patent and moreover feels entitled to said patent, possibly in an amended form."

Oral proceedings were held on 21 November 1989.

VII. Nobody appeared on behalf of the Appellant, and no written argument in reply to the Board's communication or any specific request to cancel or amend Claims 14, 15 and 16 has been received from the Appellant.

VIII. The Respondent argued in effect that the subject-matter of Claims 1 to 4 according to any of the requests did not involve an inventive step. D3 taught how to make a display panel comprising a plurality of CRTs and indicated that the image to be displayed had to be divided into a like plurality of sub-images, each of which was displayed on a respective CRT. D1 taught how to carry out the required video signal processing, as specified in Claim 1, and D2 showed that all the computer hardware necessary for doing this was known. The subject-matter of Claims 5 to 16 was also not patentable, the details of the display panel being known from D3.

IX. The Appellant requests that the decision of the Opposition Division be set aside and that the patent be maintained in amended form, on the basis of an amended Claim 1, Claims 2 to 14 of the patent as granted, and the additional Claims 15 and 16 filed with the Statement of Grounds. According to the main request, the amended Claim 1 would be the one filed on 23 June 1987. According to the first auxiliary request, the amended Claim 1 would be the one filed on 17 May 1988. According to the second and third auxiliary requests, the amended Claim 1 would be as filed with the Statement of Grounds received on 27 December 1988.

X. The Respondent requests dismissal of the appeal.

XI. Claim 1 of the main request is worded as follows:

"1. An information display system comprising a computer device having at least one input member for receiving video information and a procesor member connected to the input member for processing and/or controlling digital video information contained in and/or obtained from the video information received from the input member and/or

digital video information generated by the computer device itself in order to produce display data and control signals, a communication channel having a data bus and a control bus conneted to the processor means of the computer device for the transmission of the display data and the control signals, respectively, a memory device connected to the data bus for storing the display data received from the data bus, a memory control device connected to the control bus for controlling the storage of display data in and reading the stored display data from the memory device in response to control-signals received from the control bus, a digital to analogue converting device connected to the memory device for producing analogue display signals during reading the memory device, and a plurality of electronic display units each being capable of displaying a complete image, characterized in that the display data represent a complete image, and that the electronic display units are arranged side by side so that the respective display surfaces together constitute the display surface of at least one display panel for displaying said complete image enlarged."

Claim 1 of the first auxiliary request is worded as follows:

"1. An information display system comprising a computer device having at least one input member for receiving video information and a processor member connected to the input member for processing and/or controlling digital video information contained in and/or obtained from the video information received from the input member and/or digital video information generated by the computer device itself in order to produce display data and control signals, said display data representing a complete image, address signal generating means, a communication channel

having a data bus and a control bus connected to the processor means of the computer device for the transmission of the display data and the control signals, respectively, a memory device connected to the data bus for storing the display data received from the data bus, a memory control device connected to the control bus for controlling the storage of display data in and reading the stored display data from the memory device in response to control signals received from the control bus, a digital to analogue converting device connected to the memory device for producing analogue display signals during reading the memory device, and a plurality of electronic display units each being capable of displaying a complete image, **characterised** in that the memory device is connected with the digital to analogue converting means **directly**, that the communication channel further comprises an address bus and a **sync bus**, said address bus connecting the address signal generating means with the memory control device, and said sync bus connecting a source of sync signals with both the memory control device and each of the electronic display units, respectively, and that the electronic display units are arranged side by side so that the respective display surfaces together constitute the display surface of at least one display panel for enabling said display panel to display said complete image enlarged."

Claim 1 of the second auxiliary request is worded as follows:

"1. An information display system comprising a computer means having at least one input circuit means for receiving video information and a processor circuit means connected with said input circuit means for processing or controlling digital video information contained in or obtained from the video information received from the

input circuit means or digital video information generated by the computer means itself in order to produce display data and control and adress signals, at least two memory circuit means connected to the processor circuit means for storing the display data, at least two memory control circuits means connected to the processor circuit means and to the memory circuit means for controlling the storage of display data in and for reading the stored display data from the memory circuit means in response to the control and address signals received from the processor circuit means, digital/analogue circuit means connected to the memory circuit means for producing analogue display signals while the memory control circuit means are reading the stored display data, and at least one display panel consisting of a plurality of discrete electronic display units each having a display surface arranged side by side in a manner such that the respective display surfaces together constitute the display surface of the display panel, said electronic display units each being constructed and arranged to individually display a cpmlete image distinct in form from the images displayed by the other display units, said display units being scanned in synchronism whereby a composite image may be provided comprising a combination of the individual image portions of said discrete display units."

Claim 1 of the third auxiliary request is worded as follows:

"1. An information display system comprising a computer device having at least one input member for receiving video information and a processor member connected with said input member for processing or controlling digital video information contained in or obtained from the video information received from the input member or digital video information generated by the computer device itself

in order to produce display data, control signals and address signals; a communication channel having a data bus, a control bus and a address bus connected to the processor member of the computer device for the transmission of the display data, the control signals and the address signals, respectively; at least two memory means connected to the data bus for storing the display data received from the data bus; at least two memory control means connected to the control bus and the address bus for controlling the storage of display data in and for reading the stored display data from the memory means in response to control signals from the control bus; a digital/analog converting device connected to the memory means for producing analog display signals while the memory control means is reading the stored display data; and at least one display panel consisting of a plurality of discrete electronic display units arranged side by side in a manner such that respective display surfaces together constitute the display surface of the display panel, the electronic display units are each coupled to the digital/-analog converting device for being scanned in synchronism and for receiving individual display signals; said processor member comprising first means for processing video information and second means for generating address signals so that the at least two memory means are selectively connectable to a different one of the individual electronic display units whereby an image may be displayed on each display unit which is distinct in form from the images displayed by the other display units and comprising a recognizable portion of a composite picture and whereby the synchronous scanning of said display units is capable of providing a composite image which is the combination of the distinct individual images of said discrete display units."

Claim 14, which is common to all the requests, is worded as follows:

"14. A display panel adapted for use in a system as claimed in anyone of the Claims 5 to 13."

Claim 5, which is also common to all the requests, is worded as follows:

"5. An information display system as claimed in anyone of the preceding Claims in which each electronic display unit comprises a display tube characterized in that in front of the front plate of each display tube of the display panel a flat Fresnel lens is arranged so that the images of neighbouring display tubes are magnified so that the image displayed by the panel is free of discontinuities."

Reasons for the Decision

1. The appeal complies with Articles 106 to 108 and Rule 64 EPC and is, therefore, admissible.

2. Claim 14 of the opposed patent is the broadest claim. As dependent on Claim 5 and Claim 1 according to any of the Appellant's requests, its subject-matter comprises, in effect:

A display panel adapted for use in an information display system comprising a plurality of electronic display units, each being capable of displaying a complete image, arranged side by side so that the respective display surfaces together constitute the display surface of the display panel for displaying a complete image enlarged, in which each display unit comprises a display tube with a flat Fresnel lens placed in front of it, so that the images produced by the display tubes are magnified and the

complete image displayed by the panel is free of discontinuities.

The remaining features specified in Claim 1 according to any of the Appellant's requests do not relate to the display panel, per se.

3. In the opinion of the Board, the subject-matter of Claim 14 is not new, being known from D3.

3.1 D3 discloses a display panel (10,20) comprising a plurality of electronic display units (11-16, 21-26), each being capable of displaying a complete image, arranged side by side so that the respective display surfaces together constitute the display surface of the display panel for displaying a complete image enlarged. Each display unit comprises a display tube (cathode ray tubes 11-16) with a flat Fresnel lens (21-26) placed in front of it, so that the images produced by the display tubes are magnified and the complete image displayed by the panel is free of discontinuities.

3.2 It therefore appears that ground (a) in Article 100 EPC prejudices maintenance of the patent in suit in any of the amended forms specified in the Appellant's requests, all of which include Claim 14.

4. According to Article 113(2) EPC, the Board shall decide upon the opposed patent only in the text submitted to it, or agreed, by the proprietor of the patent. The phrase "possibly in an amended form" in Appellant's telecopy of 13 November 1989 cannot be regarded as a specific request to cancel Claim 14.

5. The appeal must therefore be dismissed. The Board need not decide whether the subject-matter of any of the other

claims according to any of the Appellant's requests is patentable, or the questions arising under Article 123(3).

Order

For these reasons, it is decided that:

The appeal is dismissed.

The Registrar: The Chairman:

S. Fabiani P.K.J. van den Berg

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