Datasheet for the decision
of 4 July 2008

Case Number: T 0124/05 - 3.5.05
Application Number: 01119850.4
Publication Number: 1204018
IPC: G06F 3/023
Language of the proceedings: EN

Title of invention:
Method and apparatus for inputting characters in a mobile terminal

Patentee:
SAMSUNG ELECTRONICS CO., LTD.

Opponent:
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Headword:
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Relevant legal provisions:
EPC Art. 52(1)

Relevant legal provisions (EPC 1973):
EPC Art. 54(1) and (2), 56

Keyword:
"Lack of novelty (main request)"
"Lack of inventive step (auxiliary request)"

Decisions cited:
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Catchword:
-
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DECISION
of the Technical Board of Appeal 3.5.05
of 4 July 2008

Appellant: SAMSUNG ELECTRONICS CO., LTD.
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Suwon-City, Kyungki-do (KR)

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Decision under appeal: Decision of the Examining Division of the European Patent Office posted 06 September 2004 refusing European application No. 01119850.4 pursuant to Article 97(1) EPC 1973.

Composition of the Board:
Chairman: D. H. Rees
Members: M. Höhn
P. Schmitz
Summary of Facts and Submissions

I. This is an appeal against the decision of the examining division given in oral proceedings on 21 June 2004, with written reasons dated 06 September 2004 to refuse application number 01119850.4. According to the decision the independent claims of the sole request lacked novelty with respect to the disclosure of document D1: US 5991396.

II. Notice of appeal was filed and the appeal fee paid on 15 November 2004. A statement of grounds of appeal including a new additional set of claims was filed with a letter dated 14 and received 17 January 2005.

III. The appellant (applicant) requested that the decision under appeal be set aside and a patent be granted based on claims 1 to 11 underlying the appealed decision (main request) or claims 1 to 9 of the auxiliary set submitted with the statement of grounds of appeal (auxiliary request). A further auxiliary request for oral proceedings was made.

IV. With a communication dated 11 March 2008 the Board summoned the appellant for oral proceedings to be held on 01 July 2008 in accordance with the appellant's auxiliary request. The board expressed the preliminary opinion that the subject-matter of independent claim 1 according to the main request was anticipated by D1 and the subject-matter of independent claim 1 according to the auxiliary request was considered obvious in the light of the disclosure of the same document.
V. With a letter dated 03 June 2008 and received 04 June 2008 the appellant requested a decision according to the state of the file and withdrew the request for oral proceedings. The appellant did not present any comments on the Board's preliminary opinion expressed in the communication dated 11 March 2008.

VI. With a fax letter dated 23 June 2008 the appellant was informed that the oral proceedings to be held on 01 July 2008 were cancelled.

VII. Independent claim 1 of the main request reads as follows:

"1. A method for inputting characters in a mobile terminal which includes a display, a key input unit and a storage unit for storing a number of characters, the method comprising:
storing a number of characters which are arranged in a predetermined order in the storage unit in mutual association with respect to each of a number of keys in the key input unit; and
displaying at least one character from the number of characters stored in association with the pressed key for a predetermined time interval;
characterized in that
the characters are flickered in the display to show that the input is not completed."

Independent claim 10 of the main request reads as follows:
"10. An apparatus for inputting characters in a mobile terminal, comprising:

a key input unit having a number of keys;
a storage unit for storing a number of characters in mutual association which are arranged in predetermined order with respect to each of the keys of said key input unit;
a display unit for displaying a character associated with a key inputted by the key input unit; and
a controller, for searching corresponding characters from the storage unit and sequentially displaying the corresponding characters in a current cursor position of the display unit according to a time interval when pressing of the key is started by a user, and maintaining the displayed corresponding character in the display unit and displacing the current cursor position to a next position when the user terminates pressing of the key,
characterized in that
the controller is adapted to control the display unit to flicker the characters to show that the input is not completed."

Independent claim 1 of the auxiliary request reads as follows:

"1. A method for inputting characters in a mobile terminal which includes a display (16), a key input unit (17) for generating a key input signal consecutively, while a user keeps pressing a key and a storage unit (18) for storing a number of characters arranged in a predetermined order in mutual association
with respect to each of a number of keys in the key input unit, the method comprising:
confirming (S110) if the key input signal is generated from the key input unit;
if the key input signal is generated, searching a number of characters corresponding to the inputted key from the storage unit and while the pressed key is kept, displaying (S120) the characters at the current cursor position in sequence, each for a predetermined time interval, wherein the characters are flickered in the display to show that the input is not completed; and when pressing of the key is terminated, maintaining (S140) the character displayed at the current cursor position."

Reasons for the Decision

1. Main request

1.1 In the appealed decision the examining division argued that D1 anticipated the subject-matter of claim 1 (see section 2 of the appealed decision). The appellant apparently accepts that D1 discloses all the features of the preamble of claim 1 as no counterarguments have been presented. The board agrees - see in particular figure 5, col. 2, l. 19-31; col. 3, l. 62 to col. 4, l. 13 and col. 5, l. 17-32.

1.2 The application does not give any technical definition of the term "flickering" used in the characterising portion of claim 1. The board considers that the skilled person would understand this expression to cover every frequent change in intensity of
illumination, including "blinking". Hence "blinking" is a particular embodiment of "flickering", which feature of independent claim 1 is therefore also anticipated by D1 (see col. 5, l. 28-30).

1.3 The appellant argues that according to D1 blinking of a character indicates the current cursor position (D1, col. 5, l. 29-30) whereas the invention teaches to flicker the character in order to show that the input is not completed.

However, the board considers that if the character is still blinking in D1 this inherently also indicates that the input is not yet completed, but another character can be input. Only when the character no longer blinks, the cursor having moved to the next position, is the input completed.

Hence, the board considers the subject-matter of independent claim 1 not new over D1 (Article 52(1) EPC, Article 54(1) and (2) EPC 1973).

1.4 Independent claim 10 comprises the further feature of sequentially displaying the corresponding characters in a current cursor position of the display unit according to a time interval when pressing of a key is started by the user, and maintaining the displayed corresponding character in the display unit and displacing the current cursor position to a next position when the user terminates pressing of the key.

D1 shows that a cursor is moved to another position if the key is not further actuated (see col. 2, l. 26-30) and also scrolling through a group of characters by
having a key continuously actuated (see col. 2, l. 65 to col. 3, l. 10). Claim 10 is therefore also not new over D1.

2. **Auxiliary request**

2.1 D1 discloses maintaining the character displayed at the current cursor position (see D1, col. 2, l. 28-30). Contrary to the appellant's arguments, D1 also mentions the alternative generation of a key input signal while a user keeps pressing a key (see D1, col. 2, l. 65 to col. 3, l. 19, in particular col. 2, l. 67 "...having a key continuously actuated..." and col. 3, l. 6 and 7 "...control the selection process by keeping a key actuated...") for the same purpose as in the invention, i.e. in order to speed up selection (D1, col. 3, l. 13-14).

3. In the light of this hint in D1, the board considers the subject-matter of amended claim 1 obvious (Article 52(1) EPC and Article 56 EPC 1973).

4. The board further notes that the appellant has not attempted to rebut the board's arguments, given in its communication, which led to the view that the subject-matter of the independent claims of all the requests either lacked novelty or did not involve an inventive step.

5. Since there is no allowable request the appeal must be dismissed.
Order

For these reasons it is decided that:

The appeal is dismissed.

The Registrar

The Chairman

K. Götz

D. H. Rees