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SIGNED AND SENT ELECTRONICALLY

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Dear Sirs

European Patent Application No. 18195408.2
based on PCT/2006/061370
Unlocking A Device By Performing Gestures On An Unlock Image
Apple Inc.

This is a response to the notice of loss of rights pursuant to Rule 112(1) EPC. We hereby request further processing of this application. Payment of the fee for further processing from our deposit account has been authorised on the enclosed Form 1038.

The following submissions are provided in response to the opinion accompanying the European search report. We note that the indication that the applicant wishes to proceed with this application was provided on 8 November 2019.

Amendments and basis

We enclose a complete set of revised claims 1-13 on pages 55-56 intended to replace the claims currently on file. A reference copy of the revised claims is also enclosed, on which amendments are indicated with respect to the claims filed on 27 February 2019 in response to the Rule 63 EPC request.

We further enclose revised pages 2 and 3 of the description intended to replace those pages currently on file. A reference copy of these revised description pages is also enclosed, on which amendments with respect to the description on file are indicated.

Claim 1 has been amended to replace "receiving an event" with "detecting occurrence of an event". Basis for this amendment may be found for example in paragraph [0054] of the application as filed. Reference to the "received event" in claim 1 and the subsequent claims have been updated accordingly.

Claim 1 has further been amended to specify that the event is detected when the device is in a locked state. Basis for this amendment may be found for example in paragraph [0091] of the application as filed.

Claim 1 has also been amended to specify that the device is transitioned from a first user-interface state to a second user-interface state, with basis in paragraph [0091] of the application as filed.

Reference numerals have been included in the claims in accordance with Rule 43(7) EPC.

Cited documents D1 and D2 have been identified on revised page 2 of the description, in accordance with Rule 42(1)(b) EPC. The description has also been amended to correspond to the present claims.

The one-part form of claim has been maintained for claim 1. It is submitted that as the claim relates to a sequence of method steps, the two-part claim form would lead to a confusing and convoluted presentation of the claim. Instead, as provided for in the Guidelines at F IV 2.3.2, the discussion of the cited documents in the revised description is relied upon the meet the requirements of Rule 43(1) EPC.

Added matter (Article 76 EPC)

The examiner objected that claim 1 lacks basis in the parent application as filed.

In particular, the examiner alleged that there is no disclosure of "a user interface that includes information about the received event". However, clear basis for this feature is provided at least in paragraphs [0054] and [0091]. Paragraph [0054] discloses visual cues which "*may be textual graphical, or any combination thereof*" and which "*are displayed upon particular events occurring while the device is locked. The particular events that trigger display of the visual cues may include an incoming call, incoming message, or some other event that may require the user's attention*". Thus the visual cues provide information about occurring events. Paragraph [0091], which uses the example of an incoming phone call to illustrate how the device responds to occurring events when locked, discloses "a prompt...informing the user of the incoming call". Both of these disclosures clearly show that information about the event is displayed to the user. Therefore this feature does not add matter.

The examiner further alleged that there is no basis for a "first user interface state" and "second user interface state". However, paragraph [0091] explicitly discloses "*a transition from a first user interface state to a second user interface state*", providing clear basis for this feature of the claim.

The examiner also alleged that there is no basis for "detecting a gesture on the graphical, interactive user-interface object". However, paragraphs [0091]-[0093], and the associated drawings in figures 7A-7D, clearly show a gesture on the interactive object (i.e. the unlock image, in this specific example).

Thus each of the objected features has clear basis in the parent application as filed.

Clarity (Article 84 EPC)

The examiner objected that the phrase "receiving an event at the device" lacked clarity. Claim 1 has now been amended to specify "detecting occurrence of an event" instead of "receiving", overcoming the examiner's objection.

Novelty (Article 54 EPC)

The examiner objected that claim 1 lacked novelty over D1. Claim 1 has now been amended to specify that an occurrence (e.g. incoming phone call) is detected <u>while the device is locked</u>. D1 does not disclose this.

D1 discloses a method in which a user of a device, whilst actively on a call, can access a "Note" function, allowing the user to make notes about the call (e.g. D1, col. 4, lines 64-65). Thus D1 starts in an unlocked state, and so does not disclose detecting occurrence of an event while the device is locked, as required by amended claim 1.

Consequently, D1 also does not disclose, in response to detecting the occurrence in the locked state, displaying a user interface that includes information about the event and a graphical, interactive user-interface object for accessing functionality associated with the event. In particular, the "Note" button used by the examiner to allegedly disclose the user-interface object is only displayed when the call is active, not upon detection of the occurrence in the locked state.

Claim 1 is therefore novel over D1.

A similar argument applies for independent claims 12 and 13. The dependent claims are novel at least because of their dependency upon claim 1.

Inventive step (Article 56 EPC)

The examiner further alleged that claim 1 lacks an inventive step over D2.

The examiner particularly cited pages 14 and 15 of D2 in relation to claim 1. These pages instruct a user on how to select "Yes" or "No" to a given option by swiping across the screen on a device. In the particular example illustrated, a call is received, and the option "Answer" is displayed - to which the user can respond by swiping to select "Yes" or "No".

The examiner alleged that the text "Answer" is both information about the received event, and a graphical, interactive user-interface object for accessing functionality associated with the received event. However, the text "Answer" is not an interactive UI object. Rather, the device merely requires a left sweep over the screen (side-to-side) and lifting of the finger in order to answer the call. No specific interaction with the "Answer" text is taught. Thus D2 does not disclose an interactive UI object within the meaning of claim 1.

Moreover, there is no suggestion that the call is received, and the text "Answer" displayed, whilst the device is in a locked state, as required by amended claim 1.

Therefore D2 does not disclose at least "detecting occurrence of an event at the device when the device is in a locked state", and "in response to in response to detecting occurrence of the event, displaying on the touch-sensitive display a user interface that includes information about the event and a graphical, interactive user-interface object for accessing functionality associated with the event", as required by claim 1.

Together, these features provide a mechanism by which events (e.g. incoming phone calls or messages) can be detected and be notified to the user whilst the device is in the locked state. In response, the user can quickly and efficiently access functionality relating to the event by interacting with the UI object, rather than having to unlock the phone, and then separately access an associated application. Thus the distinguishing features of claim 1 provide for more efficient interaction between the user and device, whilst still providing the security of a locked state.

A technical problem to be solved is how to provide efficient user interaction with a device in a locked state.

Starting from D2, the skilled person would have no reason to consider implementing the solution of claim 1. D2 does not consider the occurrence of events whilst the device is locked. Instead, D2 merely teaches that when locked, the device can be unlocked using a right sweep, without any interactive UI object, and with no consideration of automatically granting functionality relating to an event (D2, page 9). The uninventive skilled person would not deviate from this teaching, and so would not arrive at a solution in which a UI object is used to transition the device into a second UI state in response to occurrence of an event in the locked state, as required by claim 1.

None of the other cited documents disclose the solution of claim 1, and so could not be combined with D1 to solve the technical problem. In particular, as noted above, D1 does not disclose detecting an event in a locked state, and in response displaying an interactive UI object.

Claim 1 is therefore inventive over the cited documents.

A similar argument applies for independent claims 12 and 13. The dependent claims are novel at least because of their dependency upon claim 1.

Concluding remarks

If there are any points which the examiner wishes to raise which could be dealt with over the telephone, I should be grateful if the examiner would contact me. In the unlikely event that the examiner contemplates refusing this application, I should appreciate the opportunity of an informal interview either by telephone or in person beforehand, and as a precaution, I hereby request Oral Proceedings in accordance with Article 116 EPC.

Any amendment is not to be construed as an abandonment of subject-matter.

Yours faithfully

M P Gillard
Professional Representative
WITHERS & ROGERS LLP