

The examination is being carried out on the **following application documents**

Description, Pages

1, 4-54	as originally filed	
2, 3	filed in electronic form on	04-03-2020

Claims, Numbers

1-14	filed in electronic form on	26-05-2023
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Drawings, Sheets

1/15-15/15	as originally filed
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1 Reference is made to the following documents; the numbering will be adhered to in the rest of the procedure.

D1 US 6 442 251 B1 (MAES STEPHANE [US] ET AL) 27 August 2002 (2002-08-27)

D2 "N1 Quick Start Guide",
, 29 July 2004 (2004-07-29), XP055249230,
Retrieved from the Internet:
URL:http://www.instructionsmanuals.com/download/telefonos_movil/Neonode-N1-en.pdf
[retrieved on 2016-02-11]

D3 PLAISANT C ET AL: "TOUCHSCREEN TOGGLE DESIGN",
STRIKING A BALANCE. MONTEREY, MAY 3 - 7, 1992;
[PROCEEDINGS OF THE CONFERENCE ON HUMAN FACTORS
IN COMPUTING SYSTEMS], READING, ADDISON WESLEY, US,
vol. -, 3 May 1992 (1992-05-03), page 667/668, XP000426849,

D4 WO 2004/001560 A1 (NOKIA CORP [FI]; RYTIVAARA MARKKU
[FI] ET AL.) 31 December 2003 (2003-12-31)

2 Concerning the submissions made prior to the oral proceedings, the examining division is of the following **preliminary** opinion:

- 3 The objections raised earlier under Article 76(1) EPC are not overcome by the latest amendments.
- 4 In their letter the applicant indicates Figs. 7A-7D and paragraphs 91-93 of the earlier application as a basis of current claim 1.
- 5 The examining division thinks that claim 1 **generalizes** the concepts of these passages in an **unallowable** way, by omitting features consistently mentioned in the description and linked to the whole unlocking process.
- 6 The examiner explained that this concerns the following aspects:
- accept/reject buttons: no such buttons are defined in claim 1
 - according to the description the buttons are gradually shown with the unlocking action: no such gradual showing is defined in claim 1
 - according to the description, after unlocking, only buttons are shown and become usable, which is different from ("displaying an application interface associated with a phone application" - could be a photo of the caller or something else)
 - the event in the description is an incoming call, it is not merely "comprising" such event (leaves the option of other events as well)
- 7 The representative inquired whether adding the aspect of optional intensity transition of the buttons would overcome the Article 76(1) EPC objection. The examiner noted this seems to go towards the right direction. However, a proper assessment of Article 76(1) EPC could only be done on the concrete claim text.
- 8 The examining division has also explored whether amending claim 1 to match the embodiment of Figs. 7A-D would result in inventive subject-matter: the description comprises many features related to display of information, which prima facie would not make any technical contribution. In particular, transitioning the optical intensity of the buttons would appear to be a matter of display of information that makes no technical contribution (cf. T 2630/17, points 10-13 of the reasons). Thus, it is not apparent as to whether such amended claim would be inventive.
- 9 The examiner noted that if the applicant intends to file a new independent claim to overcome Article 76(1) EPC, a filing prior to the oral proceedings would be helpful for a more focused discussion during the oral proceedings.