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

Description, Pages

2-40	as originally filed			
1, 1a	received on	05-10-2010	with letter of	05-10-2010

Claims, Numbers

1-11	received on	05-10-2010	with letter of	05-10-2010

Drawings, Sheets

1/15-15/15	as originally filed

1 Reference is made to the following document(s); the numbering will be adhered to in the rest of the procedure:

D1 WO 2004/001560 A1 (NOKIA CORP [FI]; RYTIVAARA MARKKU [FI]; MUSTONEN MIKA [FI]; TOKKONEN T) 31 December 2003 (2003-12-31)

D2 US 5 821 933 A (KELLER NEAL MARTIN [US]; PICKOVER CLIFFORD ALAN [US]) 13 October 1998 (1998-10-13)

D3 "ACCESS/CONTROL ICONS (ICON KEYS)", IBM TECHNICAL DISCLOSURE BULLETIN, IBM CORP. NEW YORK, US, vol. 38, no. 4, 1 April 1995 (1995-04-01), pages 407-409, XP000516196, ISSN: 0018-8689

D4 US 5 907 327 A (OGURA TSUYOSHI [JP]; ITOH AKIHISA [JP]) 25 May 1999 (1999-05-25)

D5 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

1.1 Document (D5) has been found during the examination procedure. A copy of the document is annexed to this communication.

2 The applicant's reasoning received on 05-10-2010 has been considered carefully. However, the Examining Division is not minded to issue an intention to grant a patent for the reasons given below:

3 The present application does not meet the requirements of Article 52(1) EPC, as the subject-matter of independent claim(s) 1, 7 and 11 does not involve an inventive step in the sense of Article 56 EPC, for the following reasons:

3.1 The current application is directed to a computer-implemented arrangement addressing the technical problem of how to provide a more user-friendly and efficient method of deactivating a touch screen lock.

3.2 Document (D5) discloses a computer-implemented method for preventing unintentional unlocking of a**n** ~~portable~~ electronic device, the device including a touch-sensitive display ("common problem ... deciding what to do to change the state of the device ... signal to the user the ... activity necessary to perform the desired action", page 667, left column, paragraph 2, and "control of these systems ... touchscreen interface", page 667, right column, paragraph 2),

the method comprising: detecting a contact with the touch-sensitive display at a first predefined location corresponding to a single **lock or** unlock image while the portable electronic device is in a**n ON** ~~locked~~ state, wherein the single **lock or** unlock image is a graphical, interactive user-interface object with which a user interacts in order to **lock or** unlock the device; moving the single **lock or** unlock image on the touch-sensitive display in accordance with movement of the contact while continuous contact with the touch screen is maintained
(figure 2, and "touchscreen used returns a continuous flow of coordinates allowing the dragging of objects, the identification of sliding motion and the use of a lift-off strategy for selection", page 667, right column, paragraph 3);

~~un~~locking the ~~portable~~ electronic device if the moving of the single **lock or** unlock image on the touch-sensitive display results in movement of the single **lock or** unlock image from the first predefined location to a predefined ~~un~~lock region on the touch-sensitive display
("slider toggle ... other side", page 668, left column paragraph 1, lines 20-25);

and maintaining the ~~portable~~ electronic device in the **ON** ~~locked~~ state if the moving of the single **lock or** unlock image on the touch-sensitive display does not result in movement of the single **lock or** unlock image from the first predefined location to the predefined ~~un~~lock region on the touch-sensitive display
("if the finger is released before reaching the other side the pointer springs back to its previous position", page 668, left column paragraph 1, lines 26-27).

3.3 The remaining features of independent claim 1 comprise (a) common, but necessary, elements to establish the environment within which the alleged invention may be practised, and (b) the natural consequence(s) of embodying the features cited above in an apparatus or method within said environment.

In particular, the skilled person would understand that each of the following comments refers to a well-known feature or normal practice in the field of information and communications technology:

3.3.1 an example of a **portable** electronic device including a touch-sensitive display, the HTC XDA, was shipped to customers in 2002,

3.3.2 the recognition of the problem to signal to the user the activity necessary to perform the desired action (page 667, left column paragraph 2) and its solution (page 668, left column paragraph 1) discloses an arrangement for preventing unintentional locking and unlocking,

3.3.3 whereas D5 focuses on the transition from the ON (unlocked) state to the OFF (locked) state, the same principles, techniques and features apply when the device is in a **locked** state, and **unlocking** the electronic device is desired,

3.3.4 employing (a) separate images for locking and unlocking, or (b) a single **lock or** unlock image being a graphical, interactive user-interface object with which a user interacts in order to **lock or** unlock the device is a design choice, and

3.3.5 providing particular visual clues, differing in style from those of D5, would be an additional design choice.

3.4 Therefore, the exploitation of the features noted above and their associated technical effects are described in document (D5) as providing means to solve the problem posed above (see, for example, the passages in the previous paragraph), thus providing the same advantages as the arrangement of the present application. The skilled person would therefore regard it as part of normal design practice to select, in an obvious manner, from these implementational options.

3.5 The same reasoning as stated with respect to claim 1 applies, mutatis mutandis, to the subject-matter of corresponding independent claim(s) 7 and 11, also considered not inventive in the sense of Article 56 EPC.

4 Dependent claim(s) 2-6 and 8-10 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the EPC in respect of inventive step (Article 56 EPC), the subject-matter therein relating to well-known equivalents, straightforward refinements and/or mere design choices, see the document(s) and the corresponding passages cited in the search report.

5 Although it is not apparent which part of the application could serve as a basis for a new, allowable claim, the applicant may nevertheless regard particular matter as patentable and worthy of pursuit. In that case, claims should be filed taking account of Rule 43(1) EPC and the following requirements:

5.1 The application may not be amended such that it contains subject-matter extending beyond the content of the application as filed (Article 123(2) EPC).

This also applies to previously undisclosed combinations of claimed features.

5.2 The applicant should specify in an accompanying letter the difference between the independent claim(s) and the prior art, **the technical problem to be solved** by said difference, and why the proposed solution would not be obvious to the skilled person.

5.3 The applicant should also respect the basic principle that two patents cannot be granted to the same applicant for one invention (see the Guidelines, G-IV, 5.4).

In the case of a divisional application, the parent and the divisional application may not claim the same subject-matter (see the Guidelines, C-IX, 1.6). This means not only that they must not contain claims of substantially identical scope, but also that one application must not claim the subject-matter claimed in the other, even in different words. The applicant should ensure that the difference between the claimed subject-matter of the present application is clearly distinguishable from that of the parent application as granted.

5.4 In order to facilitate the examination of the conformity of the amended application with the requirements of Article 123(2) EPC, the applicant should clearly identify any amendments, whether by addition, replacement or deletion, and indicate the passages of the **application as filed** on which these amendments are based (see the Guidelines, H-III, 2.1).

An incremental comparison with text filed more recently would not suffice.

5.5 Any information concerning the subject-matter of the invention, for example further details of its advantages or of the problem it solves, and for which there is no basis in the application as filed, should be confined to the letter of reply and not be incorporated into the application (Article 123(2) EPC).