

jurisprudence of the boards of appeal such a feature cannot establish novelty and inventive step (T. 154/04, OJ 2008, 46, point 15 of the Reasons). Since the invention was concerned with the visualisation of data files Art. 52(2)(d) EPC was obviously relevant. If the new features of a claim concern the presentation of information itself (rather than its concrete implementation) a patent can only be granted if they also produce a technical effect. If they do not they cannot contribute to an inventive step. One example of such a case was T. 125/04 concerning a new kind of vector diagram. The deciding board stated that "in general, the task of designing diagrams is non-technical. This is so even if the diagrams arguably convey information in a way which a viewer may intuitively regard as particularly appealing, lucid or logical" (Catchword). Another example was decision T. 619/98, in which it was held that an action performed by a user in response to a message in the form of questions or suggestions concerning the technical functioning of an apparatus did not render the form of the information technical.

2.6.1 User Interfaces

User interfaces, in particular graphical user interfaces (GUIs), comprise features of presenting information and receiving input in response as part of human-computer interaction. Features defining user input are more likely to have a technical character than those solely concerning data output and display, because input requires compatibility with the predetermined protocol of a machine, whereas output may be largely dictated by the subjective preferences of a user (Guidelines G-II, 3.7.1 – March 2022 version).

There is well-established case law which considers a graphical user interfaces layout (GUI) as such to be non-technical, being a "presentation of information" (Art. 52(2)(d) EPC) (see T. 1143/06; T. 1741/08).

The issues of GUI layout and presentation of information in the assessment of inventive step is analysed in detail in the chapter I.D.9.2.10 "Assessment of features relating to a presentation of information".