

thus an invention within the meaning of Art. 52(1) EPC 1973. Since patentability was excluded only to the extent to which the patent application related to excluded subject-matter or activities as such, it appeared to be the intention of the EPC to permit patenting in those cases in which the invention involved a contribution to the art in a field not excluded from patentability. In the case in point this condition was not satisfied: once the **steps of the method for performing the mental acts** in question had been defined, the implementation of the technical means to be used in those steps involved no more than the straightforward application of conventional techniques and had therefore to be considered obvious to a person skilled in the art. If a claim for an apparatus (here, a word processing system) for carrying out a method did not specify any technical features beyond those already comprised in a claim pertaining to said method and furthermore did not define the apparatus in terms of its physical structure, but only in functional terms corresponding to the steps of that method, the board stated that the claimed apparatus did not contribute anything more to the art than the method, in spite of the fact that the claim was formulated in a different category. In such cases, if the method was excluded from patentability, so was the apparatus (see also T 71/91, T 121/85).

In T 110/90 (OJ 1994, 557) the invention was for a method of transforming a first editable document form prepared using a batch word processing system into a second editable document form for use on an interactive or batch word processing system. Following T 163/85 (OJ 1990, 379) the board found that control items (e.g. printer control items) included in a text represented in the form of digital data were characteristic of the word-processing system in which they occurred in that they were characteristic of the technical internal working of that system. Such control items therefore represented technical features of the word-processing system in which they occurred. Consequently, transforming control items which represented technical features belonging to one word-processing system into those belonging to another word-processing system constituted a method of a technical nature.

T 95/86 related to an invention that involved text editing on a computer display. The board stated that the activity of editing a text is principally concerned with linguistic and layout features of a text. The method as such aims at solving a problem which is essentially of a non-technical nature. The board, therefore, found that the activity of text editing as such must be considered as falling within the category of schemes, rules and methods for performing mental acts and therefore as excluded from patentability under Art. 52(2)(c) and (3) EPC (following T 186/86).

2.6. Presentations of information

Presentation of information in the sense of Art. 52(2)(d) EPC is understood as the conveying of information to a user. It concerns both the cognitive content of the information presented and the manner of its presentation (T 1143/06, T 1741/08). However, it does not extend to the technical means used for generating such presentations of information. Furthermore, conveying information to a user is to be distinguished from technical representations of information directed to a technical system which will process, store or transmit that information. Features of data encoding schemes, data structures and electronic communication protocols which represent functional data as opposed to