

In T.306/10 the board cited T.1741/08 and decided that the selection of an item for recommendation to a user did not qualify as a technical purpose. From a technical point of view the recommendations were irrelevant, because while making "good" or "bad" recommendations might lead to different user reactions and thereby, in the end, to different technical results, such results did not qualify as a technical effect of the recommendations, as they depended on subjective choices made by the user.

In T.1834/10 a web page is made more attractive to potential customers by presenting images in a lively manner, and the images to be presented are selected and displayed automatically so that the presentation can be changed rapidly. The board noted that however innovative an attractive content selection may be, it related to a presentation of information which was a priori non-technical (Art. 52(2)(d) EPC), even if it **lowers a user's cognitive burden** (T.1741/08) or prompts the user to start some technical action (**broken technical chain**, T.1741/08, T.1670/07). The desire to present a selection of images, to limit the selection to a predetermined number of images and to present the selected images in some **preferred layout** is a non-technical aim. The meaning of the display data does not convey any technical character to the presentation.

The board in T.49/04 decided otherwise, finding that technical aspects could not be ruled out in the design and use of a graphic interface. Furthermore, the presentation of natural language text on a display in a manner which improved readability, enabling users to perform their task more efficiently, related to how, i.e. by what physical **arrangement of the text**, cognitive content was conveyed to the reader and could thus be considered as contributing a technical solution to a technical problem.

In T.619/98 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. The board in T.1143/06 came to the same conclusion, holding that an action (possibly) performed by a user in response to a message concerning the technical functioning of an apparatus did not necessarily render technical the information conveyed. The board came to the conclusion that the information provided according to the relevant features could not credibly support a **continued and guided human-machine interaction** process. Thus, it could not assist the user in performing the technical task. It only addressed the human mental process of an "average user", however the latter was supposed to be defined based on **personal skills and preferences** (see e.g. T.407/11).

## ii) Features of the graphic design

In T.244/00 the board stated that the **graphic design of menus** was, as a rule, not a technical aspect of a menu-driven control system. Nor was the practical use of such menus genuinely a problem with which the skilled person, in his function as a technical expert, was confronted. For the purpose of the problem and solution approach, the problem had to be a technical problem which the skilled person in the particular technical field might have been asked to solve at the priority date. The board therefore concluded that, in the case at issue, the technical problem had to be formulated in a more limited way than on