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14/779,010	09/21/2015	Liang Zhang	042933/468896	9352

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MOLINA, HUGO	

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte LIANG ZHANG

Appeal 2019-006441
Application 14/779,010
Technology Center 2100

Before DENISE M. POTHIER, JENNIFER S. BISK, and LINZY T. McCARTNEY, *Administrative Patent Judges.*

McCARTNEY, *Administrative Patent Judge.*

DECISION ON APPEAL

Appellant[1] seeks review under 35 U.S.C. § 134(a) of the Examiner's final rejection of claims 1, 3, 5–8, 10, and 12–15. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

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[1] Appellant identifies the real party in interest as Nokia Technologies Oy. Appeal Brief 2, filed February 25, 2019 (Appeal Br.).

BACKGROUND

This patent application concerns "selecting a user interface view for displaying by an apparatus." Specification ¶ 1, filed September 21, 2015 (Spec.). Claim 1 illustrates the claimed subject matter:

> 1. A method comprising:
>
> receiving an indication of a lock signal at a first point in time;
>
> receiving an indication of an unlock signal at a second point in time;
>
> upon receiving the indication of the unlock signal, determining a lock period based on the first point in time and the second point in time, wherein the lock period comprises a time period between the lock signal at the first point in time and the unlock signal at the second point in time; and
>
> in dependence on the determined lock period, selecting a user interface view for displaying upon unlocking a device in an instance in which the determined lock period is greater than a pre-defined threshold value and selecting a second user interface view for displaying upon unlocking the device in an instance in which the determined lock period is less than the pre-defined threshold value, wherein the unlocking is performed in response to the received indication of the unlock signal.

Appeal Br. 32.

REJECTIONS[2]

Claims	35 U.S.C. §	References
1, 8, 15	102	Kim[3]
3, 5, 6, 10, 12, 13	103	Kim, Park[4]
7, 14	103	Kim, Park, Gamaley[5]

DISCUSSION

Section 102 Rejection

Claim 1 recites a method that

> upon receiving the indication of the unlock signal, determin[es] a lock period based on the first point in time and the second point in time, wherein the lock period comprises a time period between the lock signal at the first point in time and the unlock signal at the second point in time; and
>
> in dependence on *the determined lock period*, select[s] a user interface view for displaying upon unlocking a device in an instance in which the determined lock period is greater than a pre-defined threshold value and select[s] a second user interface view for displaying upon unlocking the device in an instance in which the determined lock period is less than the pre-defined threshold value, *wherein the unlocking is performed in response to the received indication of the unlock signal* [the selecting limitation].

Appeal Br. 32 (emphases added). Appellant argues that the Examiner has not shown that Kim discloses the selecting limitation. *See* Appeal Br. 8–12. Appellant asserts that this limitation requires selecting a user interface for

[2] In the Final Office Action, the Examiner rejected claims 1, 3, 5–8, 10, and 12–15 under § 101. Final Office Action 2–7, mailed October 5, 2018 (Final Act.). The Examiner withdrew this rejection in the Examiner's Answer. Examiner's Answer 46–47, mailed May 10, 2019 (Ans.).
[3] Kim et al. (US 2011/0294467 A1; December 1, 2011).
[4] Park et al. (US 2013/0093707 A1; April 18, 2013).
[5] Gamaley et al. (US 2009/0241031 A1; September 24, 2009).

display "in response to the received indication of the unlock signal," whereas Kim discloses changing a "growing form of an image" displayed on a mobile device *while the device is locked*. *See* Appeal Br. 8–10. Appellant contends that Kim "is silent" about what the device displays after it receives an "unlock function." Appeal Br. 9–10 (emphasis omitted). Appellant also argues that Kim cannot "determine the lock period . . . during the display and progression of the" growing form of the image because the mobile device has yet to receive the unlock signal. *See* Appeal Br. 10.

We agree with Appellant. Kim teaches placing a mobile device into a "touch-lock" state during which the device displays a so-called "growing form of an image" to show how long the device has been in the touch-lock state. *See* Kim ¶¶ 76–78. For example, Kim teaches displaying an image of a tree and changing the image from one form of the tree to another at specified times so that the tree appears to grow as time passes while the device is in the touch-lock state. *See* Kim ¶¶ 76–78, Fig. 6. Kim also teaches releasing the touch-lock state. *See* Kim ¶¶ 76–78. The Examiner found that the process of entering the touch-lock state, displaying a growing form of an image while in this state, and exiting the touch-lock state discloses the disputed limitation. *See* Final Office Action 8–9, mailed October 5, 2018 (citing Kim ¶¶ 51, 78, Fig. 6); Examiner's Answer 17–21, mailed May 10, 2019 (citing Kim ¶¶ 76–78, Fig. 6).

As argued by Appellant, Kim does not teach changing the growing form of an image from one form of the image to another at certain times "in response to the received indication of the unlock signal" as required by the selecting limitation. Kim teaches that once the mobile device receives an unlock signal, the mobile device stops displaying the growing form of the

image. *See, e.g.*, Kim ¶¶ 77 ("When an information reception event occurs during the display of the growing form of an image on the display unit 141, the touch-lock idle screen processing unit 165 stops displaying it . . . ."), 89 (disclosing that "when an input signal for releasing the touch-lock state occurs, the controller 160 returns to and proceeds with" displaying an idle screen or performing a user function), Fig. 7 (showing a flow chart of an exemplary touch-lock operating method). And although Kim teaches displaying a new image (for example, an idle screen or a screen for a user function) after receiving the unlock signal, *see* Kim ¶¶ 51, 89, Fig. 7, Kim does not disclose doing so by comparing a determined lock period to a threshold as required by the disputed limitation. We thus agree with Appellant that the Examiner erred.

On this record, we do not sustain the Examiner's anticipation rejection of claim 1. Because the Examiner's anticipation rejection of independent claims 8 and 15 suffers from the same deficiency, we also do not sustain this rejection.

Section 103 Rejections

The Examiner's obviousness rejections of dependent claims 3, 5–7, 10, and 12–14 do not remedy the deficiencies in the rejection of their respective independent claims. We therefore do not sustain the Examiner's obviousness rejections of these claims.

CONCLUSION

This table summarizes our decision for claims 1, 3, 5–8, 10, and 12–15, the claims before us on appeal:

Claims Rejected	35 U.S.C. §	References	Affirmed	Reversed
1, 8, 15	102	Kim		1, 8, 15
3, 5, 6, 10, 12, 13	103	Kim, Park		3, 5, 6, 10, 12, 13
7, 14	103	Kim, Park, Gamaley		7, 14
Overall Outcome				1, 3, 5–8, 10, 12–15

REVERSED