



Guidelines for Examination: EPO's Revised Procedures for User Interfaces

The EPO has published its yearly update to the Guidelines for Examination, which came into force on 1 November 2017. The updated Guidelines for Examination can be found [here](#), with a list of the amendments made compared to the current version available [here](#).

The EPO's guidelines for user interfaces have been substantially re-written and are now much more detailed. Below we focus on evaluating features relating to how a user can provide input. The new guidelines for the evaluation of features related to output of data (presentation of information) are provided [here](#).

Key points from the new guidelines for user interfaces are discussed below.

The new guidelines state that 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. Features concerning the graphic design of a menu (such as its look and feel) which are determined by aesthetic considerations, subjective user preferences or administrative rules do not contribute to the technical character of a menu-based user interface.

Features which specify a mechanism enabling user input, such as entering text, making a selection or submitting a command, are normally considered to make a technical contribution. On the other hand, supporting user input by providing information facilitating only the user's mental decision-making process during this task is not considered to make a technical contribution.

While assisting a user in entering text in a computer system by providing a predictive input mechanism is per se a technical function, rules used to generate such suggestions which reflect purely linguistic considerations do not make a technical contribution.

Where the actual achievement of effects, such as simplifying the user's actions or providing more user-convenient input functions, depends exclusively on subjective user abilities or preferences, such effects may not form the basis of an objective technical problem to be solved.

Manners of providing input, such as gestures or keystrokes, that merely reflect subjective user preferences, conventions or game rules and from which a physical ergonomic advantage cannot be objectively established, do not make a technical contribution. However, performance-oriented improvements to the detection of input, such as allowing faster or more accurate gesture recognition or reducing the processing load of the device when performing recognition, do make a technical contribution.

Although the new guidelines do improve the clarity of the EPO's procedures with regard to assessing user interfaces, it is important to note that in this area of law there will always be a certain amount of subjectivity. It is not therefore possible to predict an Examiner's opinion with full certainty. Our recommendation is that, so far as possible, a detailed description of all technical effects arising from a user interface is included in the patent application.

A link to the new guidelines on user interfaces is provided [here](#).

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