Appeal decision

Appeal No. 2015-953

Tokyo, Japan
Appellant   GREE, INC.

Tokyo, Japan
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The case of appeal against the examiner's decision of refusal of Japanese Patent Application No. 2011-171302, entitled "Animation reproduction system, server device, terminal device, reproduction method, information processing method, and program" (the application published on February 21, 2013, Japanese Unexamined Patent Application Publication No. 2013-37447) has resulted in the following appeal decision.

Conclusion
        The appeal of the case was groundless.

Reasons
1 History of the procedures
        The application was originally filed on August 4, 2011. The history of the procedures is as follows:

September 26, 2013   : amendment
as of July 7, 2014   : notification of reasons for refusal
September 11, 2014   : amendment
as of October 17, 2014   : decision of refusal
October 21, 2014   : delivery of copy of decision of refusal
January 16, 2015   : request for appeal against the examiner's decision of refusal
as of November 10, 2015   : notification of reasons for refusal (the body)
December 22, 2015   : amendment

2 The Invention

The invention (hereinafter referred to as "the Invention") relating to Claim 1 of the scope of claims is acknowledged as follows, described in Claim 1 of the scope of claims, according to the Description, Claims and Drawings corrected by a written amendment as of December 22, 2015.

Symbols (A)-(D) are added by the body for description, as follows. They are hereinafter referred to as a constituent component A, a constituent component B, and the like.

"[Claim 1]
(A) The animation reproduction system communicably connected to a server device and a terminal device over a network,
(D) the animation reproduction system including:
(B) the server device
(B-1) transmitting a reproduction program for reproducing an animation GIF file to the terminal device,
(B-2) and transmitting a character string file corresponding to the animation GIF file and formed of character strings to be treated by the reproduction program, upon receipt of a request including information specifying the animation GIF file from the terminal device;
(C) and the terminal device
(C-1) being configured not to reproduce the animation GIF file without the reproduction program,
(C-2) transmitting the request to the server device, in reproducing the animation GIF file if terminal device reproduces the animation GIF file,
(C-3) interpreting the character string file, by means of the reproduction program, upon receipt of the character string file from the server device, generating a plurality of image files on the basis of a result of interpretation, and reproducing the image files."

3 Cited invention and well-known art
(1) Descriptions of Cited document 1 and Cited invention 1
(1-1) Descriptions of Cited document 1

National Publication of International Patent Application No. 2008-513897 (hereinafter referred to as "Cited document 1") cited for the reasons for refusal of the body as of November 10, 2015 describes the following matters, as well as drawings, as

"Mobile messaging system and method".

A "[0003]

Traditionally, messaging multimedia (e.g., text, images, video, and audio) with mobile devices is cumbersome and in many cases impossible. For example, Short Message Service (SMS) is limited to the transmission of text messages of 160 characters or less. While Multimedia Messaging Service (MMS) allows for the transmission of text as well as other media, MMS lacks persistence, which is the storage of messages remotely from the sender(s) and recipient(s) after the messages have been delivered to the recipients. Particularly, after a message is delivered via MMS, the server responsible for the delivery does not retain a copy of the message for, for example, later reference or re-use of the multimedia content. Consequently, the ability for mobile users to collaborate with one another on an ongoing basis through the use of MMS is limited significantly. Moreover, conventional approaches for delivering multimedia to mobile devices via the Internet Protocol (IP) channel (e.g., via IP Multimedia Subsystem (IMS) or through a browser running on a mobile device) can be greatly improved in terms of both delivery time and networking reliability."

B "[0022]

Embodiments of the invention relate to a device- and network-agnostic multimedia messaging environment that provides a seamless experience for an end user, irrespective of whether the user is messaging from a mobile, desktop, set-top, or other device. Within this environment, devices can message one another across different networks and/or protocols such as, for example, the Web (HTTP), SMTP/POP/IMAP, SIP, CDMA and GSM (GPRS, EDGE).

[0023]

FIG. 1 shows an embodiment of a system 100 that includes server(s) 102 (each comprising one or more server interfaces 104 and memory 106) and user equipment 108 such as, for example, one or more mobile devices such as cellular phones and personal digital assistants (PDAs), and/or non-mobile devices such as desktop computers. System 100 also includes gateways 110, rendering engine(s) 112, HTTP/e-mail servers 114, load balancer(s) 116, and third-party gateways 118. For example, embodiments of the present invention may allow a user of a mobile or non-mobile device to view presence information for a mobile user in order to determine the launch status of a mobile user (e.g., online, offline, busy, away, typing, idle, etc.), and to engage the mobile user in a communication involving multiple media such as text, images, audio,

and video. Messages communicated between user equipment 108 (and optionally meta-information associated with the messages) are persisted (stored) by server 104 as documents (or portions thereof) in memory 106 for, for example, later reference and/or re-use of multimedia content in future messages. When the documents in the system 100 are nml-based documents, system 100 at its various components may be labeled with the "netomat" modifier (e.g., netomat server 102).

[0024]

Mobile and non-mobile devices may be networked to system 100 through the use of either a client or clientless approach. (snip)"

C "[0069]

(Inline Compressed ASCII Encoded Binary Assets)

As mobile networks expand, so does the need for faster, more efficient, and user-friendly ways of delivering formatted multimedia presentations to devices characterized by small screens and subject to unreliable network connectivity and low bandwidth. The existing method of exchanging multimedia in messages across mobile and fixed networks requires an exponentially higher number of client/server calls/responses when compared to the invention, thus placing higher demand on networks and exposing transmission sessions to network failures and users to longer wait times.

[0070]

Conventional mobile applications, such as phone browsers, require the following steps to load a multimedia file such as HTML or XHTML that contains images. First, the HTML file must be loaded in response to a request from the user for the HTML file. Then, each embedded image in the HTML file must be loaded, where each embedded image requires a separate user request. Similar strategies are employed by MMS and other messaging systems. Multiple calls for information may result in errors due to one or more calls not being received by the server or due to transmission errors in the content received by the mobile device.

[0071]

In an embodiment, unlike conventional systems, system 100 efficiently delivers multimedia content to mobile devices 108 by eliminating multiple calls and reducing message size. Particularly, a single call from a mobile device 108 causes the server 102 to transmit an nml file containing ASCII encoded and compressed multimedia assets (e.g., compressed and encoded by the server 102). When compressed, ASCII encoded and compressed files are 12 percent to 30 percent smaller. An additional 10 percent advantage is achieved by reducing the overhead required for every TCP/IP connection

(i.e., by reducing the number of calls/responses). The ability to deliver a message containing multiple assets in one message results in faster delivery and delivers a significantly improved user experience. System 100 is uniquely suited for the mobile environment , where there is a need to reduce exposure to network unreliability and poor connections. System 100 also conserves the resources of the server 102 by limiting the number of calls to which the server must respond. For example, FIG. 5 is a screen shot of a mobile device display screen, in which seven images 502-514 (and associated text) are transmitted to the mobile device in response to a single call to the server 102 (FIG. 1).

[0072]

FIG. 6 is a graph showing the delivery time required to deliver content including five images (size 50 k total) as inline compressed ASCII encoded binary assets to a mobile device having a multimedia client application installed thereon (and in which the message is an nml-message) versus the delivery time required to send the same content to an HTML browser of a mobile device (without the inline compression of ASCII encoded binary assets). More particularly, for delivery over a 28.8 kbps line, the compressed ASCII encoded binary assets were delivered in 48.4 seconds, whereas delivery of the same content to an HTML browser required 66.5 seconds.

[0073]

The following shows illustrative code for an nml file that includes three images. In this example, the inline messages are compressed with standard data compression algorithms including a combination of the LZ77 algorithm and Huffman coding and encoded as Base64. An inline image (e.g., 1272 bytes) is smaller than the original image in the JPG format (e.g., 1564 bytes).

[0074]

[Formula 3]

```
<?xml version="1.0" encoding="ISO-8859-1"?>
<nml>
<img enc="base64" id="mzw:::userpic" src="user/profile/photo_smallthumb.jpg" x="0"
y="0">
```

/9j/4AAQSkZJRgABAQAAAQABAAD/2wBDAAYEBQYFBAYGBQYHBwYIChAKCgkJ
ChQODwwQFxQYGBcU

FhYaHSUfGhsjHBYWICwgIyYnKSopGR8tMC0oMCUoKSj/2wBDAQcHBwoIChMKCh
MoGhYaKCgoKCgo

KCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCj/wAA
RCAAYACADASIA

AhEBAxEB/8QAHwAAAQUBAQEBAQEAAAAAAAAAAECAwQFBgcICQoL/8QAtR
AAAgEDAwIEAwUFBAQA

AAF9AQIDAAQRBRIhMUEGE1FhByJxFDKBkaEII0KxwRVS0fAkM2JyggkKFhcYGRol
JicoKSo0NTY3

ODk6Q0RFRkdISUpTVFVWV1hZWmNkZWZnaGlqc3R1dnd4eXqDhIWGh4iJipKTlJWW
l5iZmqKjpKWm

[0075]

[Formula 4]

p6ipqrKztLW2t7i5usLDxMXGx8jJytLT1NXW19jZ2uHi4+Tl5ufo6erx8vP09fb3+Pn6/8QA
HwEA
AwEBAQEBAQEBAQAAAAAAAAECAwQFBgcICQoL/8QAtREAAgECBAQDBAcFBA
QAAQJ3AAECAxEEBSEx
BhJBUQdhcRMiMoEIFEKRobHBCSMzUvAVYnLRChYkNOEl8RcYGRomJygpKjU2Nzg
5OkNERUZHSElK
U1RVVldYWVpjZGVmZ2hpanN0dXZ3eHl6goOEhYaHiImKkpOUlZaXmJmaoqOkpaanq
KmqsrO0tba3
uLm6wsPExcbHyMnK0tPU1dbX2Nna4uPk5ebn6Onq8vP09fb3+Pn6/9oADAMBAAIRAxE
APwD58u7C
6upHeCOeQKOSnPPoB3rv/DfgfwxNaIPEuq3Ud4RnbbFFVPY5DZ+owKqJo8Nkkk9vf7tq8
q0eS3Pq
D7+IYime7u50EG0DLIWcAMAPU4/zxXA5tqyO2NOK3Ra8XeHLLRp0ewuVu7FvlSR1A
ZTjgHsfr7Hg
VyOqKGhQLyM5xmuotop77RLoXCPBBDIsquehGCDjt3rDMbbf3UcsiEnay9CP85raKsY1
Ensei6B4
HZvD15qGoXrx3scXnR2cagNt/vMeencAccZIrlrxbgSjIIKthQ4B5z0wevTpRRSlBXLhNpH
U+HdI
fXdO1PS7qWazlEbFZnO5IypCmNlGcAlgN3Y9j0rk5tG1Pwprw07UJInUSeU/lybo+cfNnH
HBB/Oi
iuunBPQ6Mbh4wpKotz//2Q==
</img>

<img enc="base64" id="mzw:::userpic" src="user2/profile/photo_smallthumb.jpg" x="0"
y="0">
/9j/4AAQSkZJRgABAQAAAQABAAD/2wBDAAYEBQYFBAYGBQYHBwYIChAKCgkJ
ChQODwwQFxQYGBcU
FhYaHSUfGhsjHBYWICwgIyYnKSopGR8tMC0oMCUoKSj/2wBDAQcHBwoIChMKCh
MoGhYaKCgoKCgo
KCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCj/wAA
RCAAYACADASIA
AhEBAxEB/8QAHwAAAQUBAQEBAQEAAAAAAAAAECAwQFBgcICQoL/8QAtR
AAAgEDAwIEAwUFBAQA
AAAgEDAwIEAwUFBAQA

[0076]
[Formula 5]

AAF9AQIDAAQRBRIhMUEGE1FhByJxFDKBkaEII0KxwRVS0fAkM2JyggkKFhcYGRol
JicoKSo0NTY3

ODk6Q0RFRkdISUpTVFVWV1hZWmNkZWZnaGlqc3R1dnd4eXqDhIWGh4iJipKTlJWW
15iZmqKjpKWm

p6ipqrKztLW2t7i5usLDxMXGx8jJytLT1NXW19jZ2uHi4+Tl5ufo6erx8vP09fb3+Pn6/8QA
HwEA

AwEBAQEBAQEBAQAAAAAAAAECAwQFBgcICQoL/8QAtREAAgECBAQDBAcFBA
QAAQJ3AAECAxEEBSEx

BhJBUQdhcRMiMoEIFEKRobHBCSMzUvAVYnLRChYkNOEl8RcYGRomJygpKjU2Nzg
5OkNERUZHSEIK

U1RVVldYWVpjZGVmZ2hpanN0dXZ3eHl6goOEhYaHiImKkpOUlZaXmJmaoqOkpaanq
KmqsrO0tba3

uLm6wsPExcbHyMnK0tPU1dbX2Nna4uPk5ebn6Onq8vP09fb3+Pn6/9oADAMBAAIRAxE
APwD58u7C

6upHeCOeQKOSnPPoB3rv/DfgfwxNaIPEuq3Ud4RnbbFFVPY5DZ+owKqJo8Nkkk9vf7tq8
q0eS3Pq

D7+1Yime7u50EG0DLIWcAMAPU4/zxXA5tqyO2NOK3Ra8XeHLLRp0ewuVu7FvlSR1A
ZTjgHsfr7Hg

VyOqKGhQLyM5xmuotop77RLoXCPBBDIsquehGCDjt3rDMbbf3UcsiEnay9CP85raKsY1
Ensei6B4

HZvD15qGoXrx3scXnR2cagNt/vMeencAccZIrlrxbgSjIIKthQ4B5z0wevTpRRSlBXLhNpH
U+HdI

fXdO1PS7qWazlEbFZnO5IypCmNlGcAIgN3Y9j0rk5tG1Pwprw07UJInUSeU/lybo+cfNnH
HBB/Oi

iuunBPQ6Mbh4wpKotz//2Q==
</img>

<img enc="base64" id="mzw:::userpic" src="user3/profile/photo_smallthumb.jpg" x="0"
y="0">

/9j/4AAQSkZJRgABAQAAAQABAAD/2wBDAAYEBQYFBAYGBQYHBwYIChAKCgkJ
ChQODwwQFxQYGBcU

FhYaHSUfGhsjHBYWICwgIyYnKSopGR8tMC0oMCUoKSj/2wBDAQcHBwoIChMKCh
MoGhYaKCgoKCgo

[0077]

[Formula 6]

KCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCgoKCj/wAA
RCAAYACADASIA
AhEBAxEB/8QAHwAAAQUBAQEBAQEAAAAAAAAAAAECAwQFBgcICQoL/8QAtR
AAAgEDAwIEAwUFBAQA
AAF9AQIDAAQRBRIhMUEGE1FhByJxFDKBkaEII0KxwRVS0fAkM2JyggkKFhcYGRol
JicoKSo0NTY3
ODk6Q0RFRkdISUpTVFVWV1hZWmNkZWZnaGlqc3R1dnd4eXqDhIWGh4iJipKTlJWW
l5iZmqKjpKWm
p6ipqrKztLW2t7i5usLDxMXGx8jJytLT1NXW19jZ2uHi4+Tl5ufo6erx8vP09fb3+Pn6/8QA
HwEA
AwEBAQEBAQEBAQEBAAAAAAAAAAECAwQFBgcICQoL/8QAtREAAgECBAQDBAcFBA
QAAQJ3AAECAxEEBSEx
BhJBUQdhcRMiMoEIFEKRobHBCSMzUvAVYnLRChYkNOEl8RcYGRomJygpKjU2Nzg
5OkNERUZHSElK
U1RVVldYWVpjZGVmZ2hpanN0dXZ3eHl6goOEhYaHiImKkpOUlZaXmJmaoqOkpaanq
KmqsrO0tba3
uLm6wsPExcbHyMnK0tPU1dbX2Nna4uPk5ebn6Onq8vP09fb3+Pn6/9oADAMBAAIRAxE
APwD58u7C
6upHeCOeQKOSnPPoB3rv/DfgfwxNaIPEuq3Ud4RnbbFFVPY5DZ+owKqJo8Nkkk9vf7tq8
q0eS3Pq
D7+lYime7u50EG0DLIWcAMAPU4/zxXA5tqyO2NOK3Ra8XeHLLRp0ewuVu7FvlSR1A
ZTjgHsfr7Hg
VyOqKGhQLyM5xmuotop77RLoXCPBBDIsquehGCDjt3rDMbbf3UcsiEnay9CP85raKsY1
Ensei6B4
HZvD15qGoXrx3scXnR2cagNt/vMeencAccZIrlrxbgSjIIKthQ4B5z0wevTpRRSlBXLhNpH
U+HdI
fXdO1PS7qWazlEbFZnO5IypCmNlGcAlgN3Y9j0rk5tG1Pwprw07UJInUSeU/lybo+cfNnH
HBB/Oi
iuunBPQ6Mbh4wpKotz//2Q==

</img>

</nml>

(snip)"

(1-2) Cited invention 1

In consideration of the descriptions A-C in the above (1-1), related drawings, and technical common sense in this field, the descriptions in Cited document 1 is examined.

(A) The above B and C describe that the system for delivering multimedia content to mobile devices, in order to solve the problem in A, includes a server and mobile devices, and that the mobile devices are connected to the system over a network.

The above C describes that the multimedia content including a plurality of images is transmitted to the mobile devices, to be displayed or reproduced.

According to the above descriptions, it can be said that Cited document 1 describes "the system including the server and the mobile devices communicably connected to each other over a network, the mobile devices reproducing the multimedia content including a plurality of images".

(B) The above C describes that the multimedia content including the images is transmitted to the mobile devices when called by the mobile devices, as a user request.

The above C describes that a character string file formed by encoding the multimedia content as Base64, as indicated in [0074]-[0077] described in C, is transmitted from the server to the mobile devices, and that the multimedia content including the images is transmitted to the mobile devices to be displayed.

According to the above descriptions, it can be said that Cited document 1 describes that "the server" "transmits to the mobile device a character string file encoded as Base64 and corresponding to multimedia content including the images, in response to a request for the multimedia content including the images from the mobile device", and that "the mobile device" "makes the request to the server, in reproducing multimedia content including the images".

(C) As examined in (B), the above C describes that a character string file, corresponding to multimedia content including images, as described in [0074]-[0077] described in the above C, is transmitted from the server to the mobile devices.

As examined in (A), the above C describes that multimedia content including the images is transmitted to the mobile device, to be displayed or reproduced.

Therefore, according to the above descriptions and details, it can be said that

Cited document 1 describes that the mobile device "receives the character string file from the server, and reproduces the images".

(D) As described in (A), the above C describes the system for delivering multimedia content to mobile devices. The above C also describes that multimedia content including a plurality of images is displayed or reproduced on the mobile devices.

According to the above descriptions, it can be said that Cited document 1 describes a "system for reproducing multimedia content including a plurality of images".

(E) Summary

According to the above, in Cited document 1, the following invention (hereinafter referred to as "Cited invention 1") is disclosed. Symbols (a)-(d) are added to the cited invention by the body for description, as follows. They are referred to as a constituent component a, a constituent component b, or the like.

(Cited Invention 1)
"(a) The system communicably connected to a server and mobile devices over a network, the mobile device reproducing multimedia content including a plurality of images,
(b) the server
(b-1) transmitting, to the mobile device, a character string file encoded as Base64, and corresponding to multimedia content including the images, in response to a request for the multimedia content including the images from the mobile device,
(c) the mobile device
(c-1) making the request to the server, in reproducing multimedia content including the images,
(c-2) receiving the character string file from the server, and reproducing the images,
(d) the system being configured to reproduce multimedia content including a plurality of images."

(2) Descriptions of Cited documents 2, 3 and well-known art
(2-1) Descriptions of Cited document 2

Japanese Unexamined Patent Application Publication No. 2004-139602 (hereinafter referred to as "Cited document 2") cited for the reasons for refusal of the body as of November 10, 2015 describes the following matters, as well as drawings.

A "[0039]

　　　　Here, though in the present embodiment, the illustration inserted in the body of the e-mail is described as being formed of text data, the invention is not limited to this but, rather, still image data such as JPEG, dynamic image data such as MPEG or AVI, pseudo still image data such as motion-JPEG or GIF animation or data prepared in a vector format may be inserted as an illustration. In this case, the illustration insertion means 6 encodes the illustration in a file encode system, such as BASE64 or uuencode, used for an attached file of e-mail and, at the same time, the document preparation and editing means 2 prepares the document in an HTML format. The illustration becomes an attached file of the e-mail and the display position of the attached image is designated in the body of the document by HTML so that the receiver of the e-mail can see the document in the condition where the illustration is inserted at the position designated on the e-mail preparation screen 25. In specifying the position of displaying the illustration in HTML, a description system called cascading style sheet (CSS) can be used. (snip)"

B "[0045]

　　　　Here, though in the present embodiment the illustration inserted into the body of the e-mail is described as being formed of text data, the invention is not limited to this but, rather, still image data such as JPEG, dynamic image data such as MPEG or AVI, pseudo still image data such as motion-JPEG or GIF animation or data prepared in a vector format may be inserted as an illustration. In this case, the illustration insertion means 6 encodes the illustration in a file encode system, such as BASE64 or uuencode, used for an attached file of e-mail and, at the same time, the document preparation and editing means 2 prepares the document in an HTML format. The illustration becomes an attached file of the e-mail and the display position of the attached image is designated in the body of the document by HTML so that the receiver of the e-mail can see the document in the condition where the illustration is inserted at the position designated on the e-mail preparation screen 25. In the same manner as in the case where the above described text data are used as an illustration, the document and the illustration on the e-mail preparation screen 25 are displayed on the same screen at both the sender and receiver ends. (snip)"

(2-2) Descriptions of Cited document 3

　　　　Japanese Unexamined Patent Application Publication No. 2002-297521 (hereinafter referred to as "Cited document 3") cited for the reasons for refusal of the body as of November 10, 2015 describes the following matters, as well as drawings.

A "[0475] A description will be given on transmission of an e-mail 151 for displaying animation.

[0476] When an icon named animation mail shown in FIG. 32 is tapped, a script launcher 520 of a PDA 1 reads an animation mail script 534 from a script database 521. The script launcher 520 of the PDA 1 supplies the read animation mail script 534 to a parsing section 505.

[0477] The parsing section 505 of the PDA 1 converts a predetermined character string in the animation mail script 534 to an intermediate code, to supply a script with the intermediate code converted from the predetermined character string, to a script interpreter 506.

[0478] The script interpreter 506 of the PDA 1 acquires data for displaying the text and animation, by executing the script with the intermediate code converted from the predetermined character string, supplied from the parsing section 505. The script interpreter 506 supplies the acquired data for displaying the text and animation, to an encoder 518, via an interface 504.

[0479] The encoder 518 encodes the data for displaying animation, with Base64 or the like, to supply the encoded data to a mail generation section 519. The encoder 518 supplies the text to the mail generation section 519."

B "[0489] FIGS. 53 and 54 describe processing of displaying animation by means of the PDA 1 having received the e-mail 151.

[0490] Upon receipt of the e-mail 151 storing the script for displaying animation, a mail transmission receiving program 104 of the PDA 1 displays a dialog box shown in FIG. 53 on a display section 21.

[0491] When a button named "YES" in the dialog box is tapped, the mail transmission receiving program 104 opens the e-mail 151, and displays the text shown in FIG. 54 on the display section 21, for example.

[0492] When the received e-mail 151 is opened, the mail transmission receiving program 104 of the PDA 1 supplies the e-mail 151 to a mail parsing section 502 via the mail transmission receiving program purg-in-interface 501.

[0493] The mail parsing section 502 of the PDA 1 extracts a script and data from the e-mail 151, and supplies the extracted script and data to a decoder 503.

[0494] The decoder 503 decodes the data encoded with Base64 or the like, and supplies the decoded data to the script interpreter 506, via the interface 504.

[0495] The decoder 503 supplies the script to the parsing section 505, via the interface

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504.

[0496] The parsing section 505 of the PDA 1 converts a predetermined character string in the script supplied from the decoder 503 to an intermediate code, and supplies a script with the intermediate code converted from the predetermined character string, to the script interpreter 506.

[0497] The script interpreter 506 of the PDA 1 executes the script with the intermediate code converted from the predetermined character string, supplied from the parsing section 505, on the basis of the decoded data, and issues a request to a resource access manager 508 to display animation. The resource access manager 508 issues a request to an I/O module 510 to display animation, via a platform resource access interface 509, in response to the request from the script interpreter 506.

[0498] The I/O module 510 of the PDA 1 causes the display section 21 to display animation together with the text, for example, as shown in FIG. 54.

[0499] The PDA 1 can display animation, on the basis of the received e-mail 151."

C "[0507] A description will be given on displaying animation by means of the PDA 1 having received the e-mail 151, in reference to a flow chart in FIG. 56.

[0508] In step S921, the mail transmission receiving program 104 determines whether or not the e-mail 151 is to be displayed, returns to step S921 when determined that the e-mail 151 is not to be displayed, and repeats determination processing.

[0509] In step S921, when a determination is made that the e-mail 151 is to be displayed, processing proceeds to step S922. The mail parsing section 502 extracts data and a script from the e-mail 151 supplied from the mail transmission receiving program 104.

[0510] The mail parsing section 502 supplies the extracted data to the decoder 503. The decoder 503 decodes the extracted data encoded with Base64 or the like. The decoder 503 supplies the decoded data to the script interpreter 506.

[0511] The mail parsing section 502 supplies the extracted script to the parsing section 505, via the decoder 503 and the interface 504. The parsing section 505 converts a predetermined character string in the script to an intermediate code, and supplies the script with the intermediate code converted from the predetermined character string, to the script interpreter 506.

[0512] In step S923, the script interpreter 506 executes the script with the intermediate code converted from the predetermined character string, on the basis of the data supplied from the decoder 503.

[0513] In step S924, the script interpreter 506 causes the display section 21 to display animation, on the basis of the data for displaying animation, and processing ends.

[0514] The PDA 1 can display animation, on the basis of the e-mail 151. The PDA 1 concerning the invention displays animation when the received e-mail 151 is opened, without acquiring a program for displaying animation or opening an attached file of the e-mail."

(2-3) Well-known art described in Cited documents 2, 3

According to the descriptions in the above (2-1) and (2-2), related drawings, and technical common sense in this field, Cited document 2 describes that GIF animation to be inserted to the text of e-mail is encoded with Base64, to be transmitted, and that a receiving side displays the GIF animation, while Cited document 3 describes that data for displaying animation are encoded with Base64 in transmitting e-mail for displaying the animation, and that the data encoded with Base64 are decoded, to display the animation, upon receipt of e-mail storing a script for displaying the animation.

According to the descriptions, it can be said that Cited documents 2, 3 describe the following well-known art.

(Well-known art)
"Animation encoded with Base64 is reproduced on a receiving device"

As described above, in the descriptions A and B in the above (2-1) in Cited document 2, GIF animation is exemplified as the animation.

(3) Descriptions of Cited document 4 and Cited invention 2
(3-1) Descriptions of Cited document 4

Japanese Unexamined Patent Application Publication No. 2003-333538 (hereinafter referred to as "Cited document 4") cited for the reasons for refusal of the body as of November 10, 2015 describes the following matters, as well as drawings, as "Animation picture reproducing apparatus, animation picture reproducing program, animation picture reproducing system, and color image encryption decoding system".

A "[0003]
[Problem to be solved by the invention] It has been difficult for a compact device with system-saving resources, such as cell phone, to practically reproduce a video by use of video data compressed in the above method, due to restrictions of CPU power, a memory mounted thereon, graphic processing LSI, communication speed, or the like. Thus, it is required to reduce the amount of data, to reduce the load of programs, to

reduce the latency experienced by a user during download, to prevent throughput or the amount of data from being increased due to encryption, or to respond to differences in performance of various compact devices, in order to reproduce a video practically on a compact device."

B "[0026] In a video reproducing system for reproducing a video by downloading video data and a video reproducing program for reproducing it from a server (110) to a client (120), the server (110) transmits the video data and the video reproducing program to the client, in transmitting the video data to the client (120) having no video reproducing program, and the server transmits only the video data to the client (120), in transmitting the video data to the client (120) having the video reproducing program. The client (120) holds the video reproducing program received from the server (110) in program storage means (12), and reproduces the video data received from the server (110) by use of the video reproducing program stored in the program storage means (12).

[0027] The video data and the video reproducing program are separated from each other. The video reproducing program is transmitted as necessary from the server (110) to the client (120), thereby reducing the amount of data to be transmitted.

[0028] The client (120) receives the video data, and collects performance information of the client (120) for reproducing the received video data, to be transmitted to the server (110). The server (110) distributes video data corresponding to the performance information received from the client (120), to the client (120). As for a compact device, such as cell phone, there is a large difference in graphic display performance between manufacturers and models. A video reproducing apparatus mounted on the compact device, as a client (120), notifies the server (110) about the performance of LSI and CPU mounted on the compact device, or the performance of a display device, so that the server (110) can dynamically select and transmit display information optimal for each device."

C "[0048] When it is difficult to develop the video data in real time on a decoder section 13, the decoder section 13 develops the video data to a video in advance, before reproducing the video, and transmits a sequence of single still images to a memory section 12. The number of still images to be stored in the memory section 12 and an image size are adjusted in accordance with processing power of the device or available memory capacity. In reproducing the video, multiple still images stored in the memory section 12 are combined to form one still image on a display screen, at a high speed, repeatedly. Therefore, the video is apparently reproduced."

(3-2) Cited invention 2

In consideration of the descriptions in the above (3-1), related drawings, and technical common sense in this field, the descriptions in Cited document 4 are examined.

A-C in the above (3-1) describe a video reproducing system that downloads video data from a server to a client, the client reproducing the video or displaying still images repeatedly, to reproduce the video apparently. The video reproducing system transmits video data and a video reproducing program to a client, in transmitting the video data to the client having no video reproducing program, and transmits only the video data to the client, in transmitting the video data to the client having the video reproducing program.

The video can be considered as a "content relating to an image". The video reproducing program is considered to be transmitted from the server to the client "when the client has no program for reproducing it".

Therefore, it can be said that Cited document 4 describes the following invention (hereinafter referred to as "Cited invention 2").

(Cited invention 2)
"When a client for reproducing a content relating to an image has no program for reproducing it, a server for transmitting the content relating to an image transmits the program for reproducing it to the client"

4 Comparison
The Invention is compared with Cited invention 1.

(1) Comparison between the constituent components A, B, and C of the Invention and the constituent components a, b, and c of Cited invention 1
The "server" and "mobile device" in Cited invention 1 correspond to the "server device" and "terminal device" in the Invention, respectively.
The "multimedia content including a plurality of images" to be reproduced in Cited invention 1 and "animation" to be reproduced in the Invention are common in terms of a "content relating to an image".
Thus, Cited invention 1 and the Invention are common in the point that "a system configured by communicably connecting a server device and a terminal device

over a network, to reproduce a content relating to an image", while the cited invention is different from the Invention in the point that the content relating to an image is "multimedia content including a plurality of images" and not "animation". "The server" in the constituent component b of Cited invention 1 corresponds to "the server device" in the constituent component B of the Invention. "The mobile device" in the constituent component c of Cited invention 1 corresponds to "the terminal device" in the constituent component C of the Invention.

(2) Regarding a constituent component B-1 of the Invention

The server device of the Invention, in a constituent component B-1, is specified to "transmit a reproduction program for reproducing an animation GIF file, to the terminal device", while Cited invention 1 does not have such a configuration.

(3) Comparison between the constituent component B-2 in the Invention and the constituent component b-1 in Cited invention 1

As examined in (1), the "mobile terminal" in Cited invention 1 corresponds to the "terminal device" of the Invention.

The "multimedia content including the images" in Cited invention 1 and the "animation GIF file" in the Invention are common in the point of relating to the "content relating to an image".

Regarding "the request" for the content relating to an image, in Cited invention 1, the request is made for receiving a delivery of content desired by a user, and it is obvious that the request must include information specifying content at least. It is also obvious that the request is transmitted from a mobile device for receiving a delivery of content and must be received by a server for distributing the content. Therefore, it can be said that "the request" in Cited invention 1 means that the server device "receives" a "request including information specifying" the content.

The "character string file encoded as Base64" in Cited invention 1 is formed of character strings described in [0074]-[0077] in (1-1) F, and corresponds to the "character string file formed of character strings" in the Invention.

Cited invention 1 and the Invention are common in the point of "transmitting, to a terminal device, a character string file corresponding to content relating to an image and formed of character strings, upon receipt of a request including information specifying the content relating to an image, from the terminal device, while they are different in the point that Cited invention 1 does not specify that the content relating to an image is not formed as an "animation GIF file" and that the character string file

formed of the character strings "can be treated" by "the reproduction program" relating to the constituent component B-1.

(4) Regarding the constituent component C-1 of the Invention

The terminal device of the Invention, in a constituent component C-1, is specified "not to reproduce the animation GIF file without" "the reproduction program" relating to the constituent component B-1, while Cited invention 1 does not have such a configuration. The Invention and Cited invention 1 are different from each other in the above point.

(5) Comparison between the constituent component C-2 in the Invention and the constituent component c-1 in Cited invention 1

As examined in (3), the "multimedia content including the images" in Cited invention 1 and the "animation GIF file" in the Invention are common in the point of relating to the "content relating to an image".

As examined in (3), it can be said that "making" "the request" in Cited invention 1 corresponds to "transmitting" "the request" in the Invention.

As examined in (1), the "server" in Cited invention corresponds to the "server device" in the Invention.

Thus, Cited invention 1 and the Invention are common in the point of "transmitting the request to the server device, in reproducing a content relating to an image", while Cited invention 1 is different from the Invention in the point that the "content relating to an image" is not formed as an "animation GIF file".

(6) Comparison between the constituent component C-3 in the Invention and the constituent component c-2 in Cited invention 1

As examined in (1), the "server" in Cited invention 1 corresponds to the "server device" in the Invention. According to the consideration in (3), the "character string file" in Cited invention 1 corresponds to the "character string file" in the Invention.

Reproducing "a plurality of images" in Cited invention 1 and reproducing "a plurality of image files" in the Invention are common in the point of reproducing "a plurality of images".

Thus, Cited invention 1 and the Invention are common in the point of "receiving the character string file from the server device, and reproducing a plurality of images". Cited invention 1 is different from the Invention in the point of including no description about interpreting the character string file, by means of "the reproduction program"

relating to the constituent component B-1, as for processing from receiving the program to reproducing the program, and generating a plurality of image files on the basis of a result of interpretation.

(7) Comparison between the constituent component D in the Invention and the constituent component d in Cited invention 1

As examined in (1), the "system for reproducing multimedia content including a plurality of images" in Cited invention 1 and the "animation reproduction system" in the Invention are common in the point of being a "system for reproducing a content relating to an image", while they are different in the point that the content relating to an image in Cited invention 1 is not "animation".

(8) Summary

On the basis of the results of compassion shown in the above (1)-(7), corresponding features and different features between the Invention and Cited invention 1 are summarized as follows.

(Corresponding features)
"A system including a server device and a terminal device communicably connected to each other over a network, and reproducing a content relating to an image,

the server device

transmitting a character string file formed of character strings, corresponding to the content relating to an image, to the terminal device, on receipt of a request including information specifying the content relating to an image from the terminal device,

the terminal device

transmitting the request to the server device, in reproducing the content relating to the image,
receiving the character string file from the server device, and reproducing a plurality of images."

(Different feature 1)
The content relating to an image is the "animation GIF file" in the Invention, while being the "multimedia content including a plurality of images" in Cited invention 1. "Animation" formed of "a plurality of image files" "generated as a result of interpreting a character string file" is reproduced in the Invention, while "multimedia content including a plurality of images" is reproduced in Cited invention 1.

(Different feature 2)

In receiving the character string file and reproducing a plurality of images, the "reproduction program" in the Invention for treating the character string has been transmitted from the server device to the terminal device, and is used for reproduction, while the images are reproduced simply in Cited invention 1.

(Different feature 3)

In the Invention, the terminal device "cannot reproduce" the animation GIF file "without the reproduction program", while in Cited invention 1, it is unclear whether a content cannot be reproduced without a reproduction program.

5 Judgment by the body
(1) Regarding the above (different feature 1)

Cited invention 1 is a system for transmitting a content including a plurality of images from a server to a terminal device. The images are transmitted as a character string.

As a technology in transmitting e-mail between terminal devices, it was well-known before the application that animation encoded with Base64 is reproduced on a receiving device, as shown in the above 3 (2-3) as a well-known art.

According to the reference to "video" in [0003] and [0023] in Cited document 1, in a system processing an image, such as Cited invention 1, a person skilled in the art could naturally intend to treat a video as well as a still image.

The well-known art is a technology of processing animation, i.e. a video, and is in common with Cited Invention 1 in the point of encoding image data into text data as Base64 in transmitting the image data, for transmitting an image, and transmitting and receiving the image as a character string. It can be said that there is a motivation to apply the well-known art to Cited invention 1.

An image is transmitted from a server in Cited invention 1, while from a terminal device in the well-known art, however, the server and the terminal device are general as a device for transmitting content. It can be said that a person skilled in the art could try to apply a technology of transmission from the terminal device to a technology of transmission from the server, in the process of exerting normal creativity. There is no circumstance of technically preventing the application, between Cited invention 1 and the well-known art.

It had been well-known before the application that animation is reproduced by use of an animation GIF file (Cited document 2 illustrates a GIF animation as the animation). As shown in [0023] of Japanese Unexamined Patent Application Publication No. 2009-255638 or [0129], [0130] and FIG. 30 of Japanese Unexamined Patent Application Publication No. 2003-061040, it is well-known that the animation GIF file is formed of a plurality of GIF files which are displayed sequentially.

According to the above, a person skilled in the art could have easily arrived that the above well-known art is applied to Cited invention 1, in consideration of well-known matters on the animation GIF file, and that the "animation" is reproduced by "generating a plurality of image files" corresponding to the GIF files from a character string and "reproducing" them, in reference to a configuration of the "animation GIF file" in employing the "animation GIF file" to reproduce a plurality of images, on the "multimedia content including a plurality of images" in Cited invention 1.

(2) Regarding the above (different feature 2) and (different feature 3)

Cited invention 1 performs specific reproduction operation that reproduces a plurality of images from a character string file encoded with Base64, in a mobile device. It is obvious that the mobile device requires performance for the specific reproduction to ensure that such a reproduction process is performed. However, a person skilled in the art could suppose that some mobile devices do not necessarily include a program for the specific reproduction. It is an obvious problem for the person skilled in the art to implement the reproduction reliably when the mobile device does not include the program for the specific reproduction.

As shown in 3 (3-2), Cited document 2 discloses Cited invention 2 that "when a client for reproducing a content relating to an image has no program for reproducing it, a server for transmitting the content relating to an image transmits a program for reproducing it, to the client. The "client" in Cited invention 2 corresponds to the "mobile device" in Cited invention 1. It can be said that Cited invention 2 is a well-known invention for solving the obvious problem.

Thus, a person skilled in the art could have easily conceived of content reproduction configured to apply Cited invention 2 so as to reliably reproduce content in Cited invention 1, to transmit the reproduction program from the server to the mobile device when the mobile device has no reproduction program, and to reproduce a plurality of images from a character string file on the mobile device by use of the

reproduction program (different feature 2). Result of applying the Cited invention 2 to the Cited invention 1, the content reproduction can be enabled by transmitting the reproduction program when the mobile device has no reproduction program. Therefore, it is only a condition to be supposed, that reproduction is disabled in the mobile device having no reproduction program (different feature 3).

(3) Functions and effects of the Invention can be predicted by a person skilled in the art from Cited inventions 1, 2 and well-known art, as well.

(4) The Invention could have been easily invented by the person skilled in the art, on the basis of Cited inventions 1, 2 and well-known art.

6. Closing

      As described above, the Invention could be easily provided by a person skilled in the art according to Cited Inventions 1, 2 and the well-known arts, and thus, the Invention cannot obtain a patent in accordance with the provisions of Article 29 (2) of the Patent Act.

      Thus, the present application should be rejected without examining other claims.

      Therefore, the appeal decision shall be made as described in the conclusion.

February 15, 2016

          Chief administrative judge: FUJII, Hiroshi
          Administrative judge: BEKKI, Kazuo
          Administrative judge: WATANABE, Satoshi