

Appeal decision

Appeal No. 2015-1783

USA

Appellant QUALCOMM INCORPORATED

Tokyo, Japan

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The case of appeal against the examiner's decision of refusal of Japanese Patent Application No. 2013-505165, entitled "Apparatus and methods for dynamically correlating virtual keyboard dimensions to user finger size" (international publication on October 20, 2011, International Publication No. WO2011/130594; national publication of the translated version on June 17, 2013, National Publication of International Patent Application No. 2013-524390) has resulted in the following appeal decision:

Conclusion

The appeal of the case was groundless.

Reason

1. History of the procedures

The application was originally filed on April 15, 2011 as an international filing date (priority claim under the Paris Convention, April 16, 2010, the US) and an examiner's decision of refusal was issued on September 25, 2014 (dispatch date: 29th of the same month). Against this, a request for appeal was filed on January 29, 2015 and a written amendment was submitted at the same time.

2. The Invention

The invention relating to Claim 1 of the present application (hereinafter referred to as "the Invention") is acknowledged as follows, as described in the scope

of claims of the written amendment dated on January 29, 2015:

"A method for providing a user interface on a computing device equipped with a touchscreen display and a digital camera configured to be able to image a user's face when the user is viewing the touchscreen display, comprising the steps of:

obtaining a digital image of eyes of the user of the computing device with the digital camera;

determining a position of the user's gaze on the basis of the obtained digital image;

determining whether the user's gaze is directed to a portion of the touchscreen display;

and enlarging a clickable text when it is determined that the user's gaze is directed to a portion including the clickable text on the touchscreen display."

3. Cited Document and Well-Known Example

(1) Cited Document and Cited Invention

Japanese Unexamined Patent Application Publication No. 2009-251658 (hereinafter, referred to as "the Cited Document"), which was cited in the reasons for refusal stated in the examiner's decision and published before the priority date of the application includes the following description with drawings. (The underlines have been added by the body. The same shall apply hereinafter.)

A Claim 13

"[Claim 13]

A method of controlling a portable electronic device having a function for listing multiple menu items on the display screen includes the steps of:

detecting the movement of the body including the display screen; detecting, when the amount of the detected movement is equal to or less than a prescribed value, the gaze of a user who observes the menu screen, and specifying the position of the gaze of the user in the display screen; performing enlarged display of a part of the menu items in the display screen by arranging the part in the enlargement frame, on the basis of the specified position of the gaze; and after the enlarged display is performed, selectively determining a menu item corresponding to the position of the gaze in the enlargement frame."

B Paragraphs [0021] to [0024]

"[0021]

In FIG. 2, a liquid crystal display (LCD) 22 serving as a display device, a viewfinder eyepiece window 24 forming the optical viewfinder, the operation unit 26 composed of a plurality of operation members, and the user-side image pickup unit 28 for photographing the photographer (user) are provided on the rear surface of the camera body 12. The LCD 22 functions as an electronic view finder in the photographing mode, displaying a through image in real time, and in the playback mode, reproduces and displays an image on the basis of the image data recorded on the memory card 44. In addition, the LCD 22, in the menu setting mode, displays as menus in the screen all the menu items that can be set.

... (Omitted) ...

[0024]

The user-side image pickup unit 28, in the menu setting mode, picks up an image of the face of the user observing the LCD 22. The user's face image picked up by the user-side image pickup unit 28 is used in gaze detection for detecting the gaze direction of the user and used in blink detection for detecting a blink of the user's eyes. Detection information of the gaze detection is used as a criterion for selecting a menu item, and detection information of the blink detection is used as a criterion for determining the selected menu item."

C Paragraphs [0031] to [0044]

"[0031]

The user-side image pickup unit 28 includes a sub-CCD 62 of the similar configuration as the main CCD 58, and a photographing lens 64 for forming an image on the light receiving surface of the sub-CCD 62. To the sub-CCD 62, the second timing generator (second TG) 66, which is controlled by the CPU 50, is connected. Similarly, the sub-CCD 62 is driven by a driving pulse supplied from the second TG 66 and performs output of the image signal. The second TG 66 controls the charge storage time (shutter speed) and the charge transfer timing of the sub-CCD 62.

[0032]

A CPU 50, in the still image photographing mode, operates the first TG 60 to cause the main CCD 58 to execute the imaging operation, and in the menu setting mode, operates the second TG 66 to cause the sub-CCD 62 to execute the imaging operation.

[0033]

The image signal output from the main CCD 58 or the sub-CCD 62 is input to

the analog signal processing circuit 68. The analog signal processing circuit 68 comprises a CDS (Correlated Double Sampling) circuit, an AGC (Automatic Gain Control) circuit, and an A/D converter; and operates in synchronization with the charge transfer operation of the main CCD 58 or the sub-CCD 62 by receiving an input of a sync pulse from the first TG 60 or the second TG 66. The CDS circuit removes noise from the image signal by performing correlated double sampling. The AGC circuit amplifies the image signal with a gain corresponding to the photographic sensitivity which is set by the CPU 50. The A/D converter converts the analog image signal from the AGC circuit into, for example, a 12-bit digital image signal.

[0034]

The image signal output from the analog signal processing circuit 68 during the operation of the main CCD 58 is input via a bus line 70 to the image signal processing circuit 72, the AE/WB a detection circuit 74, and an AF detecting circuit 76. On the other hand, the image signal output from the analog signal processing circuit 68 during the operation of the sub-CCD 62 is input via the bus line 70 to a gaze detection circuit (gaze detection means) 78 and a blink detection circuit (blink detection means) 80.

... (Omitted) ...

[0039]

The gaze detection circuit 78 detects the gaze direction of the user observing the LCD 22, on the basis of the image signal picked up by the sub-CCD 62 in the menu setting mode. The gaze detection circuit 78 performs the gaze detection every time the image signal for one frame is input. The blink detection circuit 80 detects a blink of the user's eyes on the basis of the image signal picked up by the sub-CCD 62 in the menu setting mode. The blink detection circuit 80 determines the presence or absence of a blink on the basis of image signals for a plurality of frames that are input.

... (Omitted) ...

[0043]

The menu display control unit 94 displays the menu screen shown in FIG. 3, on the LCD 22. In the menu screen, all the menu items that can be set (the setting items for white balance, exposure compensation, the number of recorded pixels, the brightness of the monitor, AF method, and the photometric method) are displayed in a

list.

[0044]

The in-screen gaze position specifying unit 96 specifies at which menu item on the menu screen displayed on the LCD 22 the user's gaze is pointing; that is, the gaze position in the menu screen, on the basis of a detection result of the gaze detection circuit 78. Further, the operation control unit 90, when the user's gaze position is determined to exist in the menu screen, activates the blink detection circuit 80 and the setting change control unit 98 of the CPU 50."

D Paragraphs [0062] to [0069]

"[0062]

Next, the third embodiment of the present invention is described. A digital camera of the third embodiment is characterized by performing enlarged display of a part of a menu screen on the basis of the user's gaze position after displaying the menu screen, and is different from the digital camera 10 of the first embodiment in the functions configured in the CPU.

[0063]

In FIG. 10, a CPU 110 for controlling the digital camera of the embodiment includes the above-described operation control unit 90, a state determination unit 92, a menu display control unit 94, an in-screen gaze position specifying unit 96, and a setting change control unit 98. In addition, it includes, in the menu display control unit 94, an enlargement function unit (enlarged display means) 112 for partially enlarging the menu screen.

[0064]

The enlargement function unit 112 performs enlarged display of a part of the menu screen on the basis of a result of specifying a gaze position by the in-screen gaze position specifying unit 96, centered on the detected gaze position. More specifically, when a gaze position is detected in the menu screen as shown in FIG. 11 (A), it displays an enlargement frame 114 including the surrounding menu items which are adjacent to the menu item, centered on a menu item corresponding to the gaze position (in the figure, exposure correction "-1/3") on the menu screen as shown in FIG. 11 (B).

[0065]

In the embodiment, as shown in FIG. 12, when the motion detection sensor 88 and the state determination unit 92 are activated by pressing the menu button 34 and the digital camera is detected to be in a stationary state, the menu display control unit

94, the gaze detection circuit 78, and the in-screen gaze position specifying unit 96 are activated, starting gaze detection to specify a user's gaze position while displaying a menu screen. If the gaze position exists within the menu screen, the enlargement frame 114 centered on the gaze position is displayed on the menu screen by the enlargement function unit 112.

[0066]

When a blink of user's eyes is detected in a state where the gaze position is within the enlargement frame 114, a menu item at the gaze position at the time when the blink was detected is selectively determined by the setting change control unit 98, and setting change is performed according to the content of the menu item. On the other hand, if a blink is not detected and the gaze position is out of range of the enlargement frame 114, enlarged display is terminated under the control of the operation control unit 90, and the whole menu screen is displayed as shown in FIG. 11 (A). Thereafter, if the gaze position is located within the menu screen, enlarged display is similarly performed with the gaze position as the center.

[0067]

It should be noted that, when the menu button 34 is pressed during this enlarged display, the enlarged display is terminated. Further, when the release button 38 is pressed during the enlarged display, the display of the menu screen is terminated.

[0068]

In the digital camera of this embodiment, since the menu items are enlarged centered on the gaze position, a menu item selected by the user can be detected more accurately.

[0069]

In this embodiment, 3×3 pieces of menu items are enlarged centered on the gaze position, whereas when the gaze position spans two or more menu items, it is preferable to display, centered on those menu items, an enlargement frame containing their surrounding menu items. In addition, the selection decision condition of menu items is not limited to blink detection, and various modifications are possible as described in the above embodiments."

E Paragraphs [0090] to [0093]

"[0090]

Next, the seventh embodiment of the present invention is described. A digital camera of the seventh embodiment is characterized by allowing selective

determination of a menu item within an enlargement frame in which a menu screen is enlarged, by the user's touching on the display screen; and is different from the digital camera of the third embodiment in that a transparent touch panel 150 (see FIG. 20) is provided on the display screen of the LCD 22.

[0091]

As shown in FIG. 20, an operation signal of the touch panel 150 is input to the CPU 152. In FIG. 21, the CPU 152 comprises an operation control unit 90, a state determination unit 92, a menu display control unit 94, an in-screen gaze position specifying unit 96, and a setting change control unit 98 to which an operation signal is input from the touch panel 150 in addition to the blink detection signal from the blink detection circuit 80. The setting change control unit 98 selectively determines a menu item on the basis of one input signal which arrives ahead of another, and changes the setting in accordance with the content of the menu item. Thus, the user can surely perform selective determination of the menu item.

[0092]

In addition to the above configuration, it is also preferable to provide a stop operation unit for stopping the operation of the gaze detection circuit 78 and the blink detection circuit 80 after the enlarged display. In this case, when operating the stop operation unit after the enlarged display, the user is allowed to perform an operation for determining a menu item from the enlargement frame for the enlarged display only by the touch panel 150, surely determining the desired menu item by operating the touch panel 150. Incidentally, it is preferable that the stop operation unit is arranged at a position substantially symmetrical to the user-side image pickup unit 28 across the LCD 22 so as not to obstruct, when the user performs the operation, an imaging area of the user-side image pickup unit 28 by his/her hand.

[0093]

Furthermore, the operation of selecting and determining a menu item may be performed by another operation member instead of the touch panel 150.

F Paragraph [0096]

"[0096]

Any of the above embodiments have been described by taking a digital camera as an example; however, the present invention is not limited to a digital camera and can be applied to various portable electronic devices, such as a mobile phone and PDA with a camera. Since many of the mobile phones with a camera include an inside-camera (self-portrait camera), they can use the inside-camera as the user-side

image pickup unit which was described above."

Thus, it is recognized that the following invention (hereinafter, referred to as "the Cited Invention") is disclosed in the Cited Document as embodiments for implementing the invention of process related to Claim 13 (the above A), when referring to Claim 13 (the above A), "the first embodiment" (the above B and C), "the third embodiment" "characterized by performing enlarged display of a part of a menu screen on the basis of the user's gaze position, and different from the digital camera 10 of the first embodiment in the function configured in the CPU," (the above D), "the seventh embodiment" "different from the digital camera of the third embodiment in that a transparent touch panel 150 (see FIG. 20) is provided on the display screen of the LCD 22," (the above E):

"In a method of controlling a digital camera having a function for listing multiple menu items on the display screen:

a user-side image pickup unit 28 picks up an image of the face of a user observing a LCD 22 in the menu setting mode, and the user-side image pickup unit 28 includes a sub-CCD 62 of the similar configuration as a main CCD 58 and a photographing lens 64 for forming an image on the light receiving surface of the sub-CCD 62;

an image signal output from the sub-CCD 62 is input to an analog signal processing circuit 68 and converted into a 12-bit digital image signal;

a gaze detection circuit 78 detects the gaze direction of the user observing the LCD 22, on the basis of the image signal picked up by the sub-CCD 62 in the menu setting mode;

a menu display control unit 94 causes a menu screen to be displayed on the LCD 22, and in the menu screen, all the menu items that can be set (the setting items for white balance, exposure compensation, the number of recorded pixels, the brightness of the monitor, AF method, and the photometric method) are displayed in a list;

the menu display control unit 94 includes an enlargement function unit (enlarged display means) 112 for partially enlarging the menu screen, the enlargement function unit 112 performs enlarged display of a part of the menu screen on the basis of a result of specifying a gaze position by an in-screen gaze position specifying unit 96, centered on the detected gaze position, and more specifically, when a gaze position is detected in the menu screen, it displays on the menu screen an enlargement frame 114 including the surrounding menu items which are adjacent to the menu item,

centered on a menu item corresponding to the gaze position (for example, exposure correction "-1/3");

when the motion detection sensor 88 and state determination unit 92 are activated by pressing the menu button 34 and the digital camera is detected to be in a stationary state, the menu display control unit 94, the gaze detection circuit 78, and the in-screen gaze position specifying unit 96 are activated, starting gaze detection to specify a user's gaze position while displaying a menu screen;

if the gaze position exists within the menu screen, the enlargement frame 114 centered on the gaze position is displayed on the menu screen by the enlargement function unit 112;

selective determination of a menu item within the enlargement frame in which the menu screen is enlarged is allowed by the user's touching on the display screen;

and a transparent touch panel 150 is provided on the display screen on the LCD 22."

(2) Well-Known Example A (Japanese Unexamined Patent Application Publication No. 2004-118484)

Japanese Unexamined Patent Application Publication No. 2004-118484 (hereinafter, referred to as "the Well-Known Example A"), which was cited in the examiner's decision and published before the priority date of the application, includes the following description with drawings.

"[0002]

[Prior art]

... (Omitted) ...

[0004]

On the other hand, an information terminal such as a PDA (Personal Digital Assistant) is rapidly proliferating, and some having a Web browser function have emerged. ...

[0005]

However, in the information terminal such as a PDA having a small display screen, there is a limitation on information displayed at a time and therefore, a region where a hyperlink is placed (hereinafter, referred to as a link area) is also forced to be small. Then, when a document in which hyperlinks are densely placed, for example, is displayed, it is difficult to selectively and reliably indicate a target link region from densely displayed link regions with a finger.

[0006]

Therefore, it is known that when a part on the screen which contains a link region and

its surroundings is displayed, the whole region of the part is temporarily enlarged for display so as to facilitate selective indication with a finger (for example, see Patent Document 1)."

(3) Well-Known Example B (Japanese Unexamined Patent Application Publication No. 2002-373043)

Japanese Unexamined Patent Application Publication No. 2002-373043 (hereinafter, referred to as "the Well-Known Example B"), which was cited in the reconsideration report and published before the priority date of the application, includes the following description with drawings.

A "[0004] However, the diversity and customization of web pages are sometimes an obstacle to users. ... (Omitted) ... This consequently generates a very "busy" page having small fonts and a number of links for navigation.

[0005]

... If other users have difficulty doing fine physical motions, they cannot operate correctly the mouse pointer; and therefore, they have difficulty in selecting a link in the dense portion of a page. There is an enlargement unit for allowing a user to select a portion of a web page and for generating an enlarged display screen for the portion ...

[0006] Thus, it would be advantageous to provide the enlarged display screen while maintaining the functionality of the web browser. ...

B "[0023] ... As shown in FIG. 4, the web page sometimes contains a number of links which are displayed in a small font. ...

[0024] Now, when FIG. 5 is referred to, a display screen example of a browser window with an enlargement unit according to a preferred embodiment of the present invention is shown. This screen includes a window 500 having a display area 516. The screen also includes an enlarged window 550 to provide the enlarged display of a selected portion of the original document. According to a preferred embodiment of the present invention, the enlarged window holds a browser function for an enlarged portion."

(4) Well-Known Example C (Japanese Unexamined Patent Application Publication No. 2009-70032)

Japanese Unexamined Patent Application Publication No. 2009-70032 (hereinafter, referred to as "the Well-Known Example C"), which was cited in the

reconsideration report and published before the priority date of the application, includes the following description with drawings.

A [Background art]

[0002]

In general, a browser function of an information display device which displays a Web page provided with various links can perform link jump by indicating a link display position on the displayed homepage. An example of the way of indication is a way of pointing out a link position by a mouse pointer (cursor) displayed on the screen and clicking a mouse. In a case of a screen having a touch panel, indication is carried out by directly touching an arbitrary display position using a pen or a finger.

[0003]

In a case where an arbitrary position is indicated using a mouse pointer, a pointer shape changes when the mouse pointer reaches a link position, so that it is possible to easily confirm whether or not the link position is surely indicated through the pointer shape. In the case of a touch panel, however, an indicated position itself is hidden by a finger, so that an indicated target becomes less visible, and it is difficult to confirm a link position through a change in the pointer shape. Accordingly, under present circumstances it is very difficult to confirm whether or not a link position is surely touched. Conventionally, a technology is known which enlarges the vicinity of a touch position, since it is difficult to indicate a tiny position in touching that position by a finger, as explained above (See Patent Document 1).

([Patent Document 1] Japanese Unexamined Patent Application Publication No. 2005-56286"

B "[0041]

Further, in the foregoing embodiment, a Web page for a PC is viewed by the Web browser function, but the invention can be applied to a case where a Web page for a cellular phone device is viewed. The invention can also be applied to a case where the content of a file is viewed page by page. That is, a link character string is not limited to one which specifies a Web page in a linked manner, but may specify a data page such as a file in a linked manner.

The present invention can be applied to portable terminal devices such as a PDA, and information display devices such as a PC, in addition to cellular phone devices."

(5) Well-Known Example D (the specification of U.S. Patent Application Publication No. 2005-47629)

The specification of U.S. Patent Application Publication No. 2005-47629 (hereinafter, referred to as "the Well-Known Example D"), which was cited in the reasons for refusal stated in the examiner's decision and published before the priority date of the application, includes the following description with drawings.

A "BACKGROUND OF THE INVENTION

[0002] "In human-computer interaction, one of the most basic elements involves selecting a target using a pointing device. Target selection is involved in opening a file with a mouse "click", activating a world wide web link, selecting a menu item, redefining a typing or drawing insertion position, and other such operations.... "

B "[0012] Another conventional approach to ease target acquisition expands the size of a target when the mouse is moved over it. This expansion is used by several modern graphical user interfaces such as MacOSX(R) and KDE(R). ..."

C "SUMMARY OF THE INVENTION

[0015] The present invention satisfies this need, and presents a system, a computer program product, and an associated method (herein collectively referred to as "the system" or "the present system") for selectively expanding and/or contracting a portion of a display using eye-gaze tracking to increase the ability to quickly acquire or click on the target object. ..."

D "[0025] The present system can also be used in an application to hypertext, as used in web browsers. The layout engine of the web browser can dynamically accommodate changes in the size of particular elements. When the interactive component grows or shrinks, the web browser reformats the document around the resizing component. ..."

4. Comparison

The Invention and Cited Invention are compared.

(1) Regarding the "touchscreen display," "digital camera," and "method for providing a user interface on a computing device"

The expression "a transparent touch panel 150 is provided on the display screen on the LCD 22" in the Cited Invention corresponds to the "touchscreen display" in the Invention.

The "user-side image pickup unit 28" that "picks up an image of the face of a user observing a LCD 22 in the menu setting mode" in the Cited Invention corresponds to the "digital camera configured to be able to image a user's face when the user is viewing the touchscreen display" in the Invention.

Thus, the "method of controlling a digital camera having a function for listing multiple menu items on the display screen" in the Cited Invention corresponds to the "method for providing a user interface on a computing device" in the Invention.

(2) Regarding the step of "obtaining a digital image ..."

The user-side image pickup unit 28 of the Cited Invention "picks up an image of the face of the user observing the LCD 22" for gaze detection, and the analog signal processing circuit 68 "converts ... into ... a 12-bit digital image signal," and inputs it to "the gaze detection circuit (gaze detection means) 78," wherein it is obvious that the image of "eyes" is obtained for detecting a gaze from the image of a "face." Therefore, it can be said that said behavior in the Cited Invention corresponds to the step of "obtaining a digital image of eyes of the user of the computing device with the digital camera" in the Invention.

(3) Regarding the step of "determining a position of the user's gaze"

The behavior in the Cited Invention of "when the menu button 34 is pressed, ... the menu display control unit 94, gaze detection circuit 78, and in-screen gaze position specifying unit 96 are activated, starting gaze detection to specify a user's gaze position while displaying a menu screen" corresponds to the step of "determining a position of the user's gaze on the basis of the obtained digital image" in the Invention.

(4) Regarding the step of "determining ..."

It can be said that the first half part of "If the gaze position exists within the menu screen, the enlargement frame 114 centered on the gaze position is displayed on the menu screen by the enlargement function unit 112" in the Cited Invention corresponds to the step of "determining whether the user's gaze is directed to a portion of the touchscreen display" in the Invention, in terms of being the step of "determining whether the user's gaze is directed to a predetermined range of the

touchscreen display."

(5) Regarding the step of "enlarging a display element ..."

The latter half part of "If the gaze position exists within the menu screen, the enlargement frame 114 centered on the gaze position is displayed on the menu screen by the enlargement function unit 112" in the Cited Invention indicates that "more specifically, when a gaze position is detected in the menu screen, it displays on the menu screen an enlargement frame 114 including the surrounding menu items which are adjacent to the menu item, centered on a menu item corresponding to the gaze position (for example, exposure correction "-1/3")." Therefore, that behavior in the Cited Invention corresponds to the step of "enlarging a clickable text when it is determined that the user's gaze is directed to a portion including the clickable text on the touchscreen display" in the Invention, in terms of being the step of "enlarging a predetermined element when it is determined that the user's gaze is directed to a predetermined range containing the predetermined element in the touchscreen display."

Therefore, the corresponding features and different features between the Invention and Cited Invention are as follows:

<Corresponding feature>

"A method for providing a user interface on a computing device equipped with a touchscreen display and a digital camera configured to be able to image a user's face when the user is viewing the touchscreen display, comprising the steps of:

obtaining a digital image of eyes of the user of the computing device with the digital camera;

determining a position of the user's gaze on the basis of the obtained digital image;

determining whether the user's gaze is directed to a predetermined range of the touchscreen display;

and enlarging a predetermined element when it is determined that the user's gaze is directed to a predetermined range containing the predetermined element in the touchscreen display."

<Different features>

As for the Invention, the step of "determining whether the user's gaze is

directed to a predetermined range of the touchscreen display" corresponds to the step of "determining whether the user's gaze is directed to a portion of the touchscreen display" and the step of "enlarging a predetermined element when it is determined that the user's gaze is directed to a predetermined range containing the predetermined element in the touchscreen display" corresponds to the step of "enlarging a clickable text when it is determined that the user's gaze is directed to a portion including the clickable text on the touchscreen display;" whereas in the Cited Invention, when a gaze position exists in the "menu screen," "it displays on the menu screen an enlargement frame 114 including the surrounding menu items which are adjacent to the menu item, centered on a menu item corresponding to the gaze position (for example, exposure correction "-1/3")," and the Cited Invention is not one in which whether a gaze is directed to "a portion" including "a clickable text" on the touchscreen display is determined and the "clickable text" is targeted for enlargement.

5. Judgment by the body

Regarding <Different feature>

In general, targeting a clickable text such as a Web page link for enlarged display in order to ease a user's selection operation is well known as described in the above Well-Known Examples A to D (see the above 3 (2) to (5)).

In addition, which range of a display screen is to be targeted for enlarged display is recognized to be a matter of design variation that should be suitably selected by a person skilled in the art according to the specific display content of the display screen, the number of screen divisions, etc.

With reference to paragraph [0021] of the Cited Document (the above 3 (1) A), it is construed that the specific display content of the "digital camera" in the embodiment of the Cited Document is "a through image" (the electronic view finder function) in "the photographing mode," the reproduction and display of an image in a memory card in "the playback mode," and "menu display" such as "exposure correction" in "the menu setting mode."

However, paragraph [0096] in the Cited Document (see the above 3 (1) F) describes "... Any of the above embodiments have been described by taking a digital camera as an example; however, the present invention is not limited to a digital camera and can be applied to various portable electronic devices such as a mobile phone and PDA with a camera." Thus, it has been disclosed that the Cited Invention is applied to a portable terminal such as a PDA.

In addition, it is obvious for a person skilled in the art that when the method of the Cited Invention is applied to a portable terminal such as a PDA, the specific display content is not limited to the "menu display," etc. of a digital camera and can be assumed to be various display contents such as a Web page, etc. (see the descriptions of paragraph [0004] of the above 3 (2) and paragraph [0041] of the above 3 (4) B).

Therefore, when the Cited Invention is applied to a portable terminal such as a PDA, it is assumed that web pages, etc. are displayed. In this case, "a clickable text" such as a well-known Web page link is targeted for enlarged display based on the position of a gaze in the Cited Invention and a portion of a display screen is also targeted for the enlarged display; and thereby, configuration is made so as to include the step of "determining whether the user's gaze is directed to a portion of the touchscreen display" and the step of "enlarging a clickable text when it is determined that the user's gaze is directed to a portion including the clickable text on the touchscreen display". Thus, a person skilled in the art can easily conceive a configuration relating to the different features.

In addition, the effect of the Invention falls within a scope that can be predicted by a person skilled in the art based on Cited Invention and the well-known arts.

6. Closing

The Invention could be easily made by a person skilled in the art based on the Cited Invention and the well-known arts; thus, the appellant should not be granted a patent for the Invention in accordance with the provisions of Article 29(2) of the Patent Act.

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

November 17, 2015

Chief administrative judge: WADA, Shiro
Administrative judge: INABA, Kazuo
Administrative judge: YAMASAWA, Hiroshi