

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Griffith Hack
GPO Box 4164
SYDNEY NSW 2001

Date of mailing (day/month/year)	19 NOV 2008
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Applicant's or agent's file reference
P74055.PCT

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/AU2008/001342

International filing date (day/month/year)
11 September 2008

Priority date (day/month/year)
11 September 2007

International Patent Classification (IPC) or both national classification and IPC
Int. Cl.

G06F 3/00 (2006.01) G06T 3/40 (2006.01) G06F 3/041 (2006.01)

Applicant
SMART INTERNET TECHNOLOGY CRC PTY LTD et al

1. This opinion contains indications relating to the following items:
 - Box No. I Basis of the opinion
 - Box No. II Priority
 - Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - Box No. IV Lack of unity of invention
 - Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - Box No. VI Certain documents cited
 - Box No. VII Certain defects in the international application
 - Box No. VIII Certain observations on the international application
2. **FURTHER ACTION**
 If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.
 If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
 For further options, see Form PCT/ISA/220.
3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. +61 2 6283 7999	Date of completion of this opinion 06 November 2008	Authorized Officer STEPHEN LEE AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No. +61 2 6283 2205
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Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - The international application in the language in which it was filed
 - A translation of the international application into, _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3(a) and 23.1(b)).
2. This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:
 - a. type of material
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material
 - on paper
 - in electronic form
 - c. time of filing/furnishing
 - contained in the international application as filed.
 - filed together with the international application in electronic form.
 - furnished subsequently to this Authority for the purposes of search.
4. In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-32	YES
	Claims	NO
Inventive step (IS)	Claims 1-32	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-32	YES
	Claims	NO

2. Citations and explanations:

Novelty and Inventive Step Claims 1-32

D1 Photohelix: Browsing, Sorting and Sharing Digital Photo Collections

D2 EasyAlbum: an interactive photo annotation system based on face clustering and re-ranking

When read by a person skilled in the art none of the citations either individually or in obvious combination discloses all the features of the claims above. In particular none of the citations disclose a method of manipulating a displayed object capable of interacting with an interface element of a computing interface, the computing interface having a display module for displaying the displayed object in a display area, and an input module for receiving a user input, said method comprising: receiving a user input which causes the displayed object to interact with the interface element manipulating the displayed object according to the nature of the input received, wherein the manipulation comprises varying the size of the displayed object when the received input results in movement of the displayed object into, out-of, or through a region of the display area designated as belonging to the interface element. The citations merely disclose images which can be arranged and varied in size by well known methods. The varying the size of the displayed object when the received input results in movement of the displayed object into, out-of, or through a region of the display area does not appear to be disclosed. Consequently the claims are novel and involve an inventive step in the light of the citations

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 26 is not clear. It contains multiple sentences and terms such as "Preferably" and "In an embodiment" which render the scope of the claim unclear.