

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P14004WO.0	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2017/050915	International filing date (<i>day/month/year</i>) 18 January 2017	Priority date (<i>day/month/year</i>) 12 March 2016
International Patent Classification (IPC) or both national classification and IPC B60K 37/06(2006.01)i		
Applicant Audi AG		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. (*sent to the applicant and to the International Bureau*) a total of 5 sheets, as follows:
 - sheets of the description, claims and/or drawings which have been amended and/or sheets containing rectifications authorized by this Authority, unless those sheets were superseded or cancelled, and any accompanying letters (see Rules 46.5, 66.8, 70.16, 91.2, and Section 607 of the Administrative Instructions).
 - sheets containing rectifications, where the decision was made by this Authority not to take them into account because they were not authorized by or notified to this Authority at the time when this Authority began to draw up this report, and any accompanying letters (Rules 66.4bis, 70.2(e), 70.16 and 91.2).
 - superseded sheets and any accompanying letters, where this Authority either considers that the superseding sheets contain an amendment that goes beyond the disclosure in the international application as filed, or the superseding sheets were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in item 4 of Box No. I and the Supplemental Box (see Rule 70.16(b)).
 - b. (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing, in the form of an Annex C/ST.25 text file, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3ter of Annex C of the Administrative Instructions).

4. This report contains indications relating to the following items:
 - Box No. I Basis of the report
 - 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 Article 35(2) with regard to novelty, inventive step and 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

Date of submission of the demand 16 October 2017	Date of completion of this report 07 June 2018
Name and mailing address of the IPEA/EP European Patent Office D-80298 Munich Germany Telephone No. +49 (0)89 2399-0 Facsimile No. +49 (0)89 2399-4465	Authorized officer Brachmann, Patrick Telephone No. +49 (0)89 2399-8869

Box No. I **Basis of the report**

1. With regard to the **language**, this report is based on:
- 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 (Rules 12.3(a) and 23.1(b)).
- publication of the international application (Rule 12.4(a)).
- international preliminary examination (Rules 55.2(a) and/or 55.3(a) and (b)).
2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- the international application as originally filed/furnished, or
- the description:
pages **See Supplemental Box for further details.** as originally filed/furnished.
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- the claims:
Nos. **See Supplemental Box for further details.** as originally filed/furnished.
Nos.* _____ as amended (together with any statement) under Article 19
Nos.* _____ received by this Authority on _____
- the drawings:
pages **See Supplemental Box for further details.** as originally filed/furnished.
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- a sequence listing - see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:
- the description, pages _____
- the claims, Nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (c-bis)):
- the description, pages _____
- the claims, Nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
5. This report has been established:
- taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rules 66.1(d-bis) and 70.2(e)).
- without taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91(Rules 66.4bis and 70.2(e)).
6. With regard to top-up searches (Rules 66.1ter and 70.2(f)):
- A top-up search was carried out by this Authority on **2018-05-24**
- Additional relevant documents have been discovered during the top-up search.
- No top-up search was carried out by this Authority because it would serve no useful purpose.
7. Supplementary international search report(s) from Authority(ies) _____ has/
have been received and taken into account in establishing this report (Rule 45bis.8(b) and (c)).

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

See Supplemental Box

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Description, pages

1-11	as originally filed
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Claims, numbers

1-7	filed with the letter of	20-03-2018
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Drawings, sheets

1/5-5/5	as originally filed
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[1] **Box V**

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

[1.1] Reference is made to the following documents:

D1	EP 1 865 404 A1 (MATSUSHITA ELECTRIC IND CO LTD [JP]) 12 December 2007 (2007-12-12)
D2	EP 2 124 139 A1 (PANASONIC CORP [JP]) 25 November 2009 (2009-11-25)
D3	WO 2013/080425 A1 (PANASONIC CORP [JP]) 6 June 2013 (2013-06-06)

[1.2] **Novelty: claim 1**

The subject matter of claim 1 is novel (PCT Article 33(2)).

D1, which is considered to be the closest prior art, discloses:

a method for detecting a selection by a user (figure 1) of one or several or all operating functions (paragraphs 30-31) from a predetermined number of a plurality of operating functions of an operating apparatus, in the operating apparatus

- one finger of a hand of a user being assigned in each case by a control device (3, figures 1-2) to each of the operating functions of the number of operating functions,
- finger contact by at least one finger of the hand being detected by a detection device on a predetermined contact surface of the operating apparatus and it being ascertained which of the fingers of the hand is touching the contact surface (figure 1, touch screen 2 of the display 21),
- each of the operating functions of which the assigned finger is contacting the contact surface being set overall by the control device as the selection by the user, and the selection by the user being signalled by selection data, which identify each selected operating function, for a subsequent process step of the operating apparatus (figure 6A, for example), wherein the operating functions (C1-C4, figure 6A) of the number of operating functions are represented in each case by an individual graphical object (P1-P5) on a display surface, wherein,
 - in the process step, the graphical object of each operating function of the number of operating functions which is excluded from the selection by the user is deleted from the display surface (in figure 8, only the positions P1 and P2 are combined with the functions C1 and C2. The additional functions are not listed), and
 - the graphical objects being displayed in a different spatial region to that in which the relevant finger contact by the at least one finger (figure 6A and paragraph 52) is detected.

The subject matter of the present claim 1 thus differs therefrom in that:

in the process step, each selected operating function is activated and the display surface is operated in a divided manner such that **a particular individual portion of the display surface for outputting respective functional data is available for each activated operating function simultaneously.**

Supplemental Box

The present application therefore meets the criterion set out in PCT Article 33(2) because the subject matter of independent claim 1 is novel over the prior art as defined in the Regulations (PCT Rule 64.1-64.3).

[1.3] Inventive step: claim 1

Proceeding from the cited prior art, the problem addressed by the present invention can therefore be considered that of developing a method according to the preamble of D1 such that faster operation is facilitated.

However, when considered in isolation, the solution according to claim 1 does not appear to be known from any of the documents in the proceedings, nor does it appear to be suggested by the prior art overall.

Although D1, figure 14, relates to a partial display of various functions of a motor vehicle, the above distinguishing feature cannot be derived from this document.

The present application thus appears to meet the criterion set out in PCT Article 33(3) because the subject matter of claim 1 appears to involve an inventive step (PCT Rule 65.1 and 65.2).

[1.4] Claims 2-5, which are dependent on claim 1

Dependent claims 2-5, the subject matter of which relates to further embodiments of the invention according to claim 1, also appear to meet the requirements of PCT Article 33(1) to (4).

[1.5] Independent claim 6:

The fact that device claim 6 refers to method claims 1-5 does not render said subject matter novel and inventive even if the method claims are novel and inventive, since this device could also serve different purposes. Therefore, the features which are mentioned in the device claim and correspond to the method claim have to be repeated.

[2] Box VII**Certain defects in the international application**

[2.1] Independent claims 1 and 7 have not been drafted in the correct two-part form (PCT Rule 6.3(b)). However, in the present case, the two-part form would seem to be appropriate. The features known in combination from the prior art, D1, should therefore be set out in the preamble (PCT Rule 6.3(b)(i)) and the remaining features specified in the characterising part (PCT Rule 6.3(b)(ii)).

[2.2] Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not cite D1 or indicate the relevant prior art disclosed therein.