

GUI DESIGN

EXAMINATION GUIDELINE IN KIPO



KIPO

Contents

- GUI Design
- Indication of GUI Design
- Determination of a single application
- Determination of obviousness
- Determination of similarity
- Claiming a priority
- Characters in GUI design

1. GUI design

Definition of a GUI Design

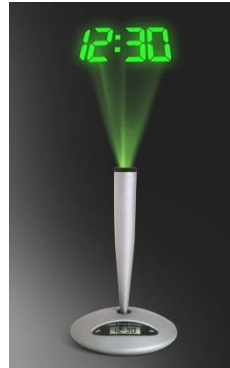
The term 'GUI design' refers to **a shape or a color or a combination thereof (including animated GUIs)** displayed on the display part of an article such as a liquid crystal display

※the display part of an article refers to **a physical surface** to visually display letters or images.

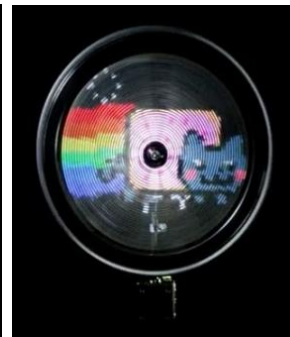
NOT recognized as an article



"a keyboard"

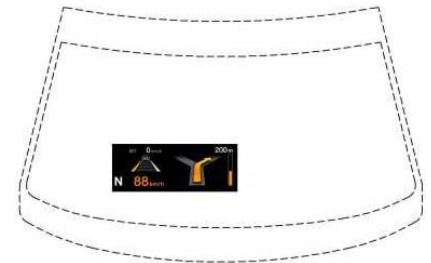


"a clock"



"a wheel for a bicycle"

Recognized as an article

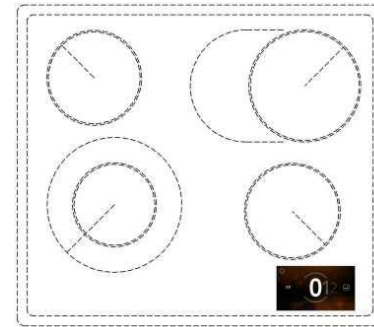


"a front window of an automobile"

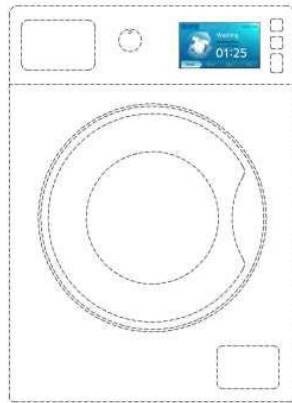
1. GUI design



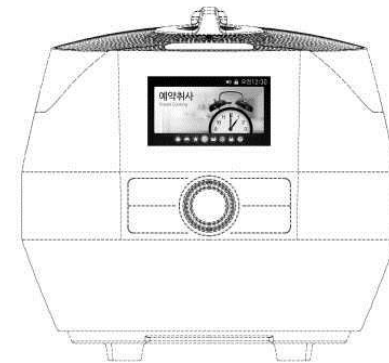
30-2010-0040836 / 2010.09.15
Dashboard in which GUI is indicated



30-2011-0039863 / 2011.09.26
Cooking Top in which GUI is indicated



30-2011-0040063 / 2011.09.27
Drum Washing machine in which GUI is indicated



30-2014-0022886 / 2014.05.08
Electric Cooker in which GUI is indicated

1. GUI design

History

Jul 2003

GUI design introduced

Jun 2007

became subject to partial examination

Jan 2014

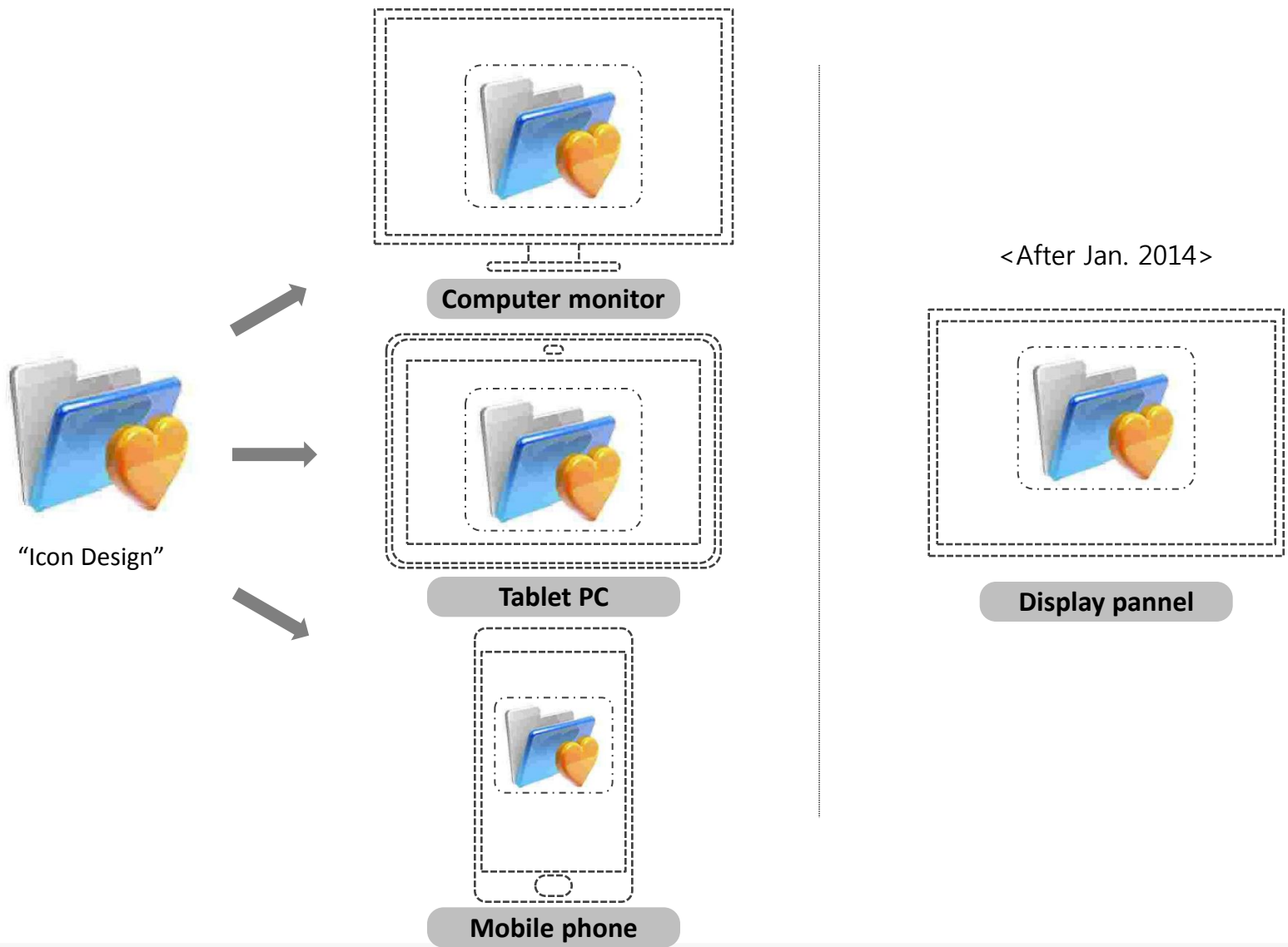
protection scope* increased

some GUI designs became subject to (partial or entire**) examination

*(Previously) an application for the registration of a GUI design was filed on a basis of an article,
(Amendment) In case 'a display panel presenting a GUI' is indicated as the article in the application, it can be used for different products such as 'a camera', 'a mobile phone' and 'a refrigerator'

** Articles fall under Class 2 (clothing and haberdashery), Class 5 (Textile piecegoods, artificial and natural sheet material) and Class 19 (Stationery and office equipment, artists' and teaching materials) are subject to partial examination.

1. GUI design

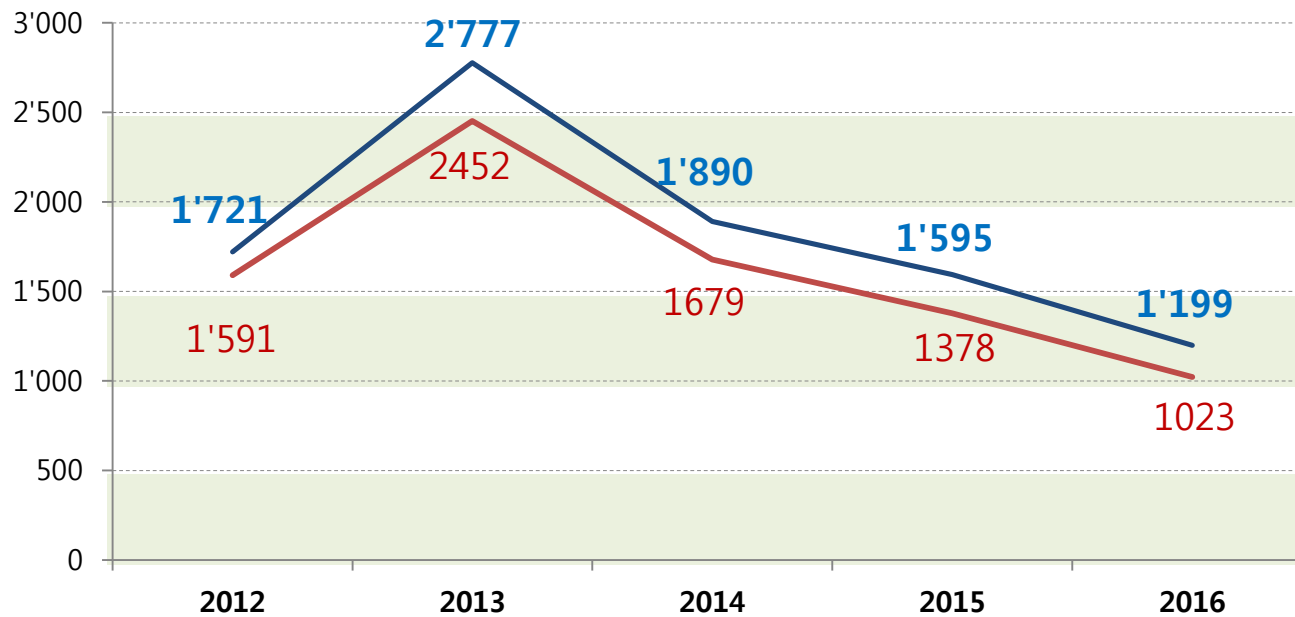


1. GUI design

Recent filing trends and productivity

GUI design Application (Number of designs)

Year	2012	2013	2014	2015	2016
Total applications	1,751	2,777	1,890	1,595	1,199
Registration Decisions	1,591	2,452	1,679	1,378	1,023



* Approximately 90% of GUI design applications belong to the design of electrical/electronic, and communication equipment.

2. How to **indicate** a GUI design



Correct indication

- A mobile phone on which a GUI design is displayed
- A mobile phone on which an icon is displayed
- A display panel on which a GUI design is presented



Incorrect indication

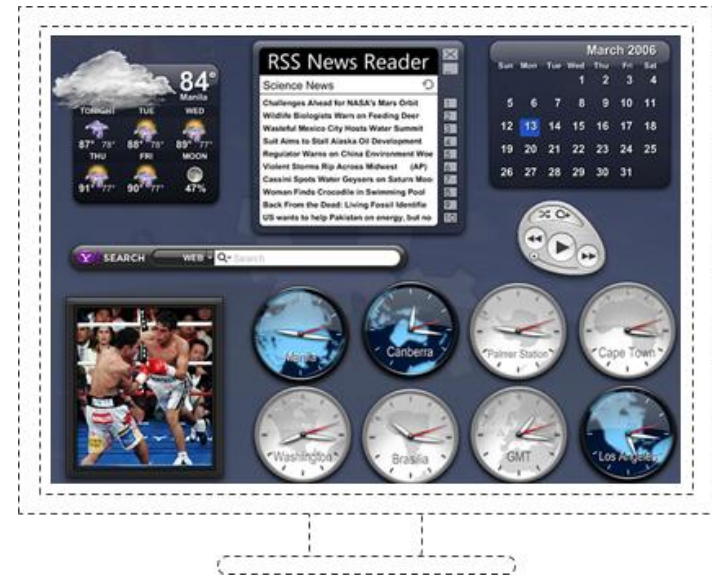
- "graphic user interface", "application design" **(no article is specified)**
- "a computer monitor on which a star-shaped GUI design is displayed"
(a specific structure or shape is indicated)

3. Determination of “a single application for a single GUI design”

- A GUI design for components of a single display panel will be considered a single design



A tablet computer where a GUI design is presented



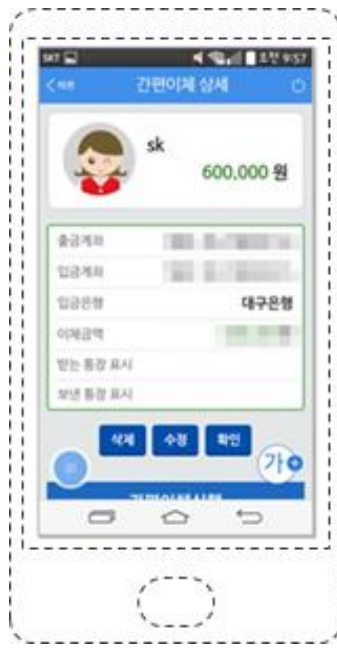
A computer monitor On which a GUI design is presented

3. Determination of “a single application for a single GUI design”

- If the arrangement and appearance of the elements are different from one image to another, they will not be considered a single design



[drawing 1.1]



[drawing 1.2]



[drawing 1.3]

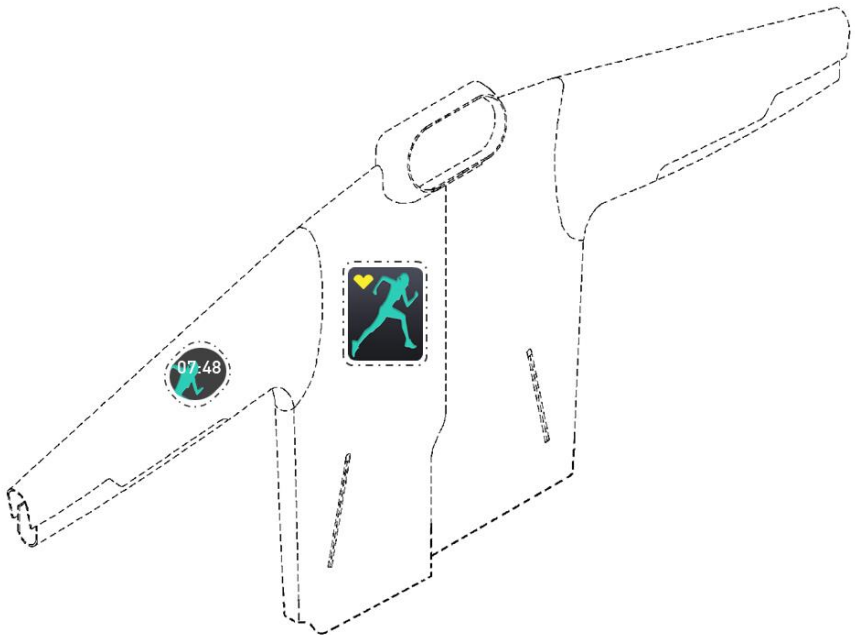
“a mobile phone where a GUI design is presented”

3. Determination of “a single application for a single GUI design”

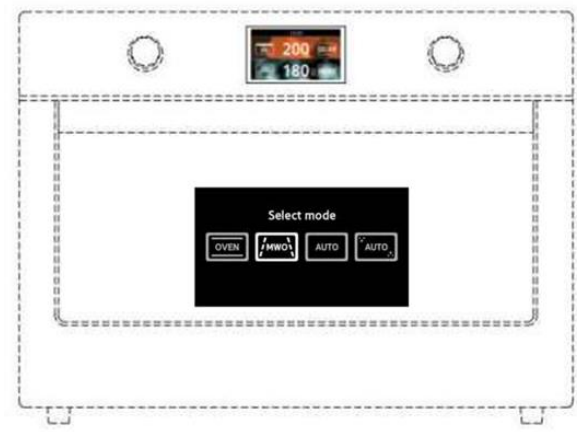


A display panel with drop-down buttons

3. Determination of “a single application for a single GUI design”



“a jumper on a GUI design is presented”



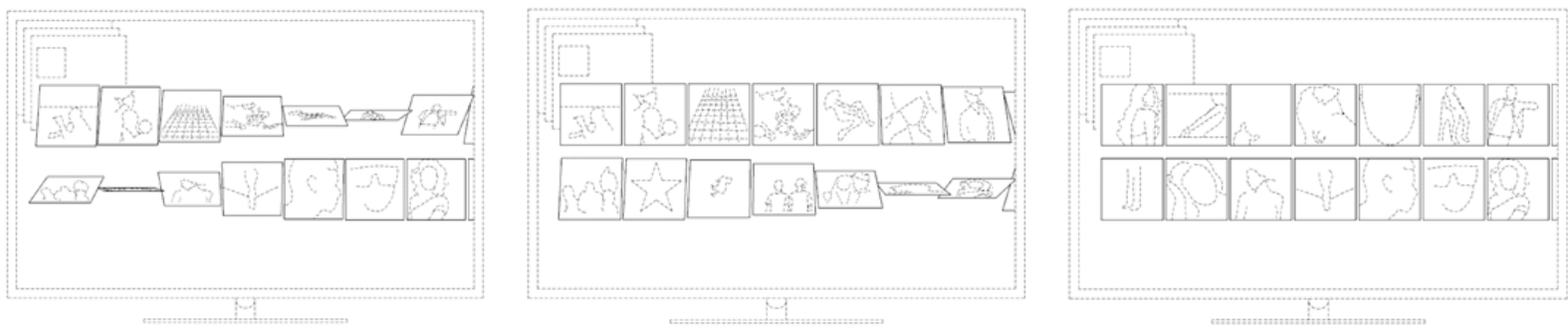
“an oven on which a GUI design is presented”

3. Determination of “a single application for a single GUI design”

- When before and after of changes in animated GUI design or a sequence of changes is clearly shown through drawings, it is accepted as a single design.



“Display panel in which GUI design is presented”



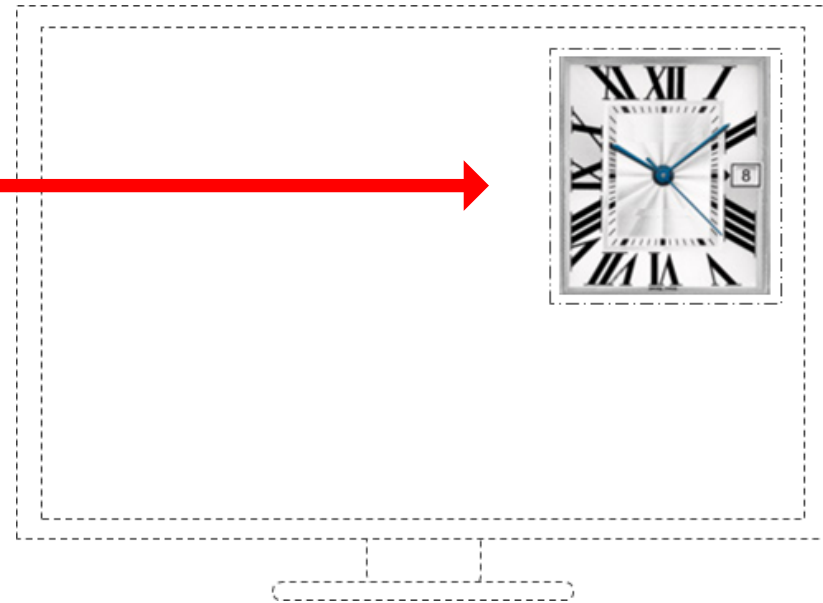
“Computer monitor in which GUI design is presented”

4. Determination of **obviousness** of GUI design

- Commercially or functionally change a publicly-known design or a well-known shape



<a publicly-known design>



<a filed design>

"a computer monitor on which a GUI design is displayed"

4. Determination of **obviousness** of GUI design

- An obvious design by combining publicly known designs


















< publicly known design 1 > < publicly known design 2 >

< a filed design >

4. Determination of **obviousness** of GUI design

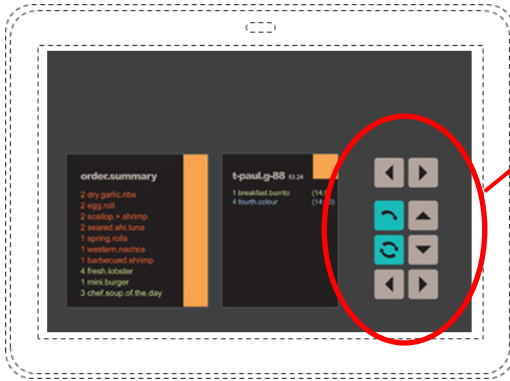
- Combine the shapes frequently used for a GUI design

※ examples of shapes frequently used for a GUI design

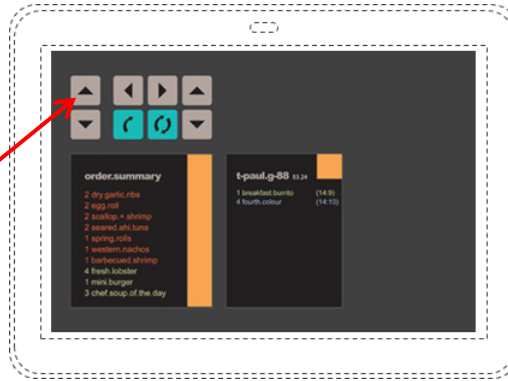
				
Lock	Search	Music	Heart	Home
				
Unlock	Internet	Shopping	Mail	Time
				
Volume	Speech bubble	Travel	Bookmark	Select

4. Determination of obviousness of GUI design

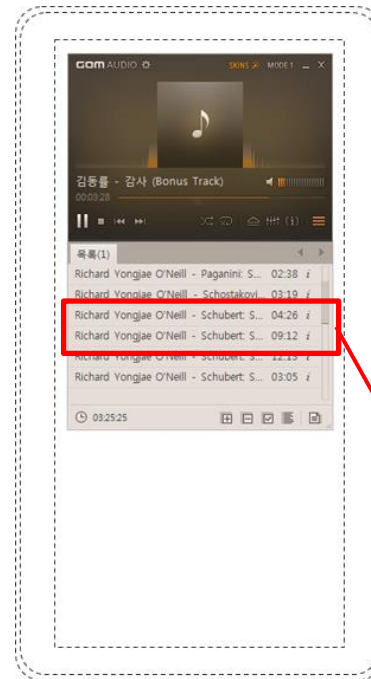
change the arrangement of components or increase/decrease the unit size



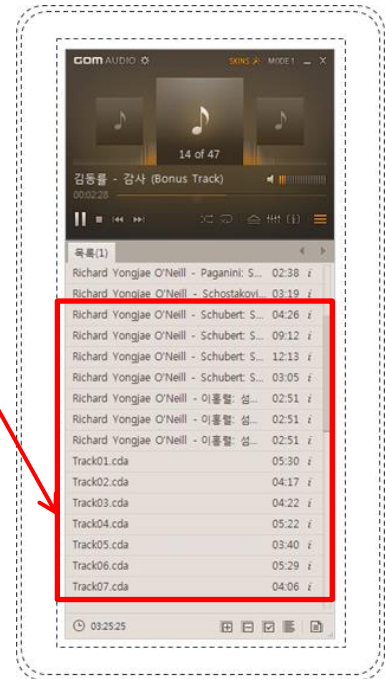
<a publicly known design>



<a filed design>



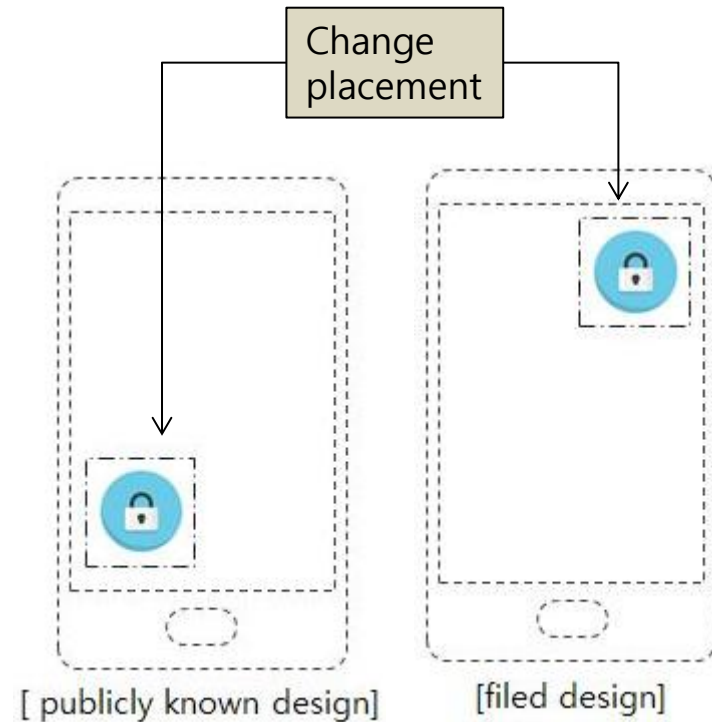
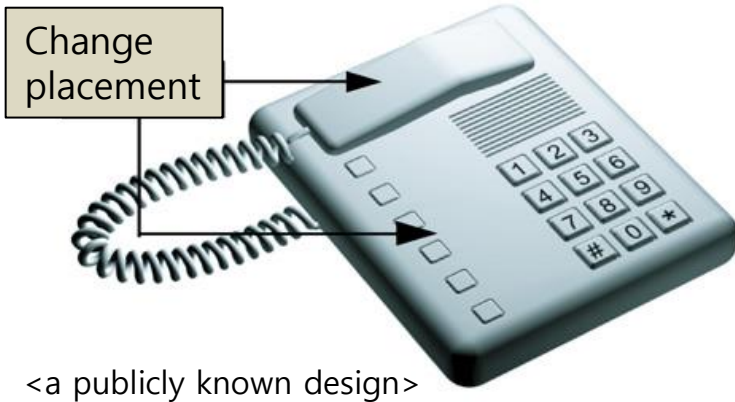
< a publicly known design >



<a filed design>

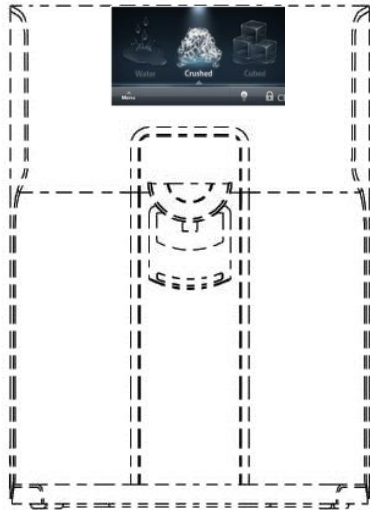
5. Determination of **similarity** of GUI designs

In principle, determination of similarity of designs will be governed by the standards for determination of similarity of articles.



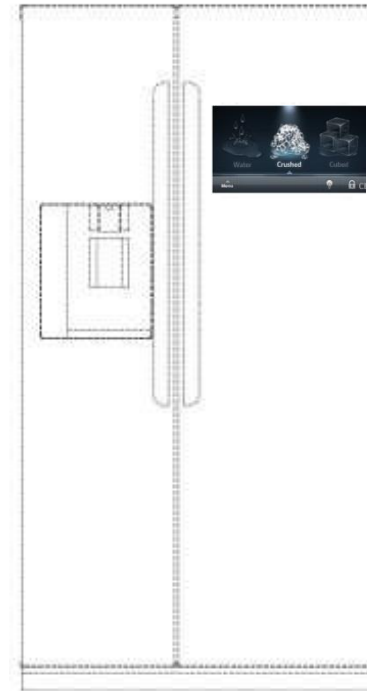
5. Determination of **similarity** of GUI designs

Even in case articles where a GUI design is presented do not fall under the same product category, if there is a likelihood of confusion in terms of function, they could be considered similar.



“water purifier in which GUI is indicated”

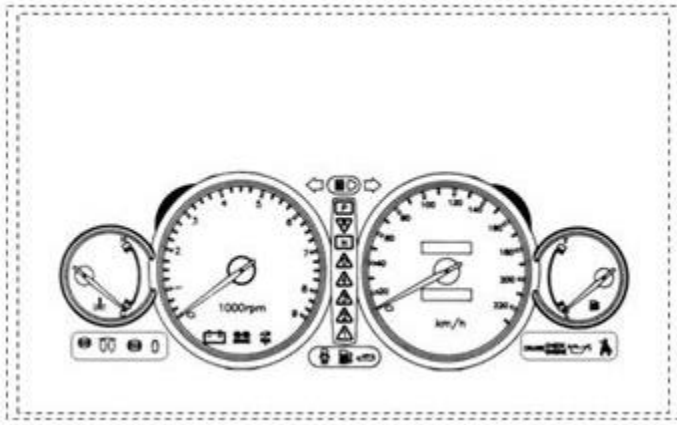
Vs.



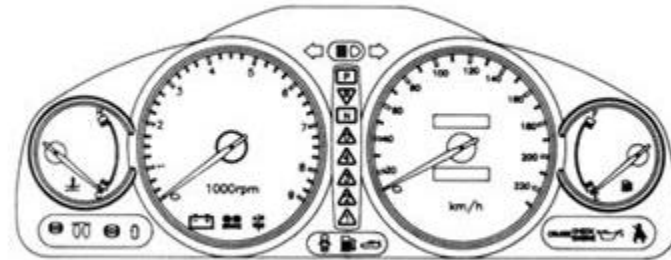
“refrigerator in which GUI is indicated”

5. Determination of **similarity** of GUI designs

As for a display panel on which a GUI design is presented, the display panel itself will be examined to determine their similarity regardless of the products.



<Display panel with image design>





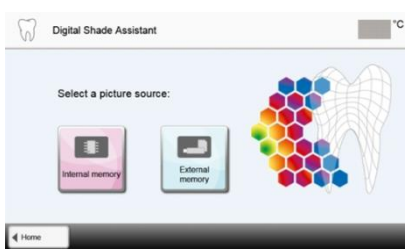
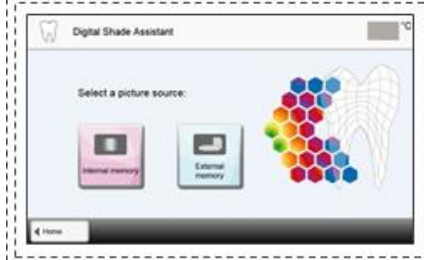
<Instrument panel for vehicles>

6. GUI design claiming a **priority right under Paris convention**

Determination of identity of articles

- Comprehensively considering content of the priority documents, if the purpose and function of the articles are practically identical, they will be considered identical

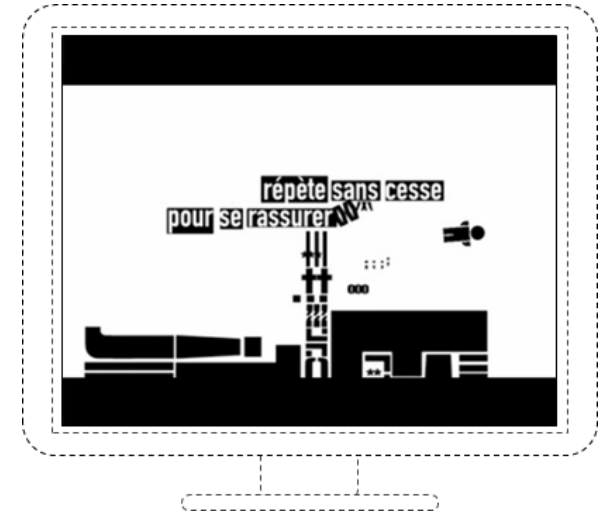
A first-filed application	An application filed in Korea
	
"an icon for a medical apparatus"	"an icon for a medical apparatus"

A first-filed application	An application filed in Korea
	
"Graphical user interfaces" (EU)	"a display panel on which a GUI design is presented"

- Regardless of the form of an application or methods of representing a design, if the design included in priority documents is practically identical with the design filed in Korea, it will be considered similar

7. Characters used in a GUI design

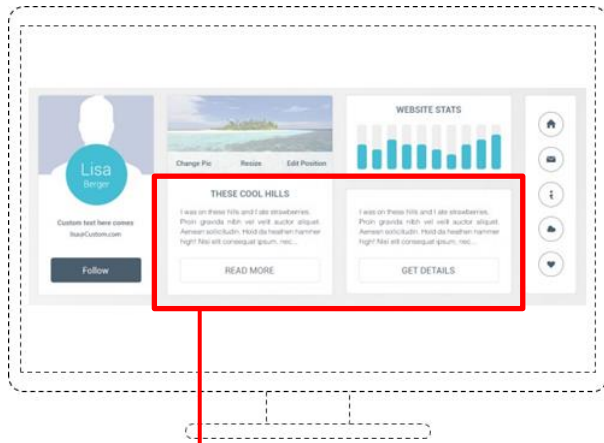
- Characters used for a GUI design will be considered part of a design: when it has a decorative feature or has both informative and decorative functions



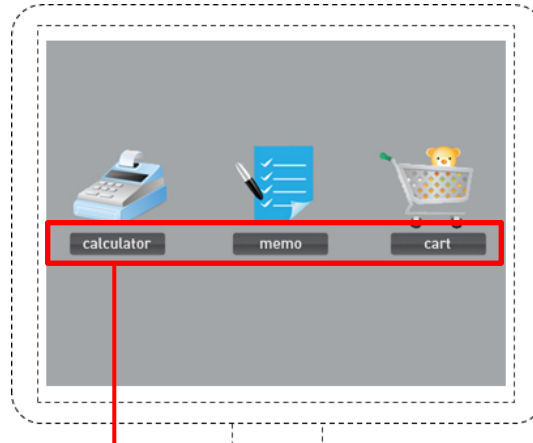
"a computer monitor where a GUI design is presented"

7. Characters used in a GUI design

- Characters used for a GUI design will NOT be considered part of a design:
 - when it has only an informative function



'text-type information'



Name of an icon



Symbols are arranged in a familiar way in accordance with an agreement

Q/A

heideger@korea.kr

