

Notice of Reasons for Refusal

Patent Application Number: Japanese Patent Application No. 2021 to 572915

Proposed: November 24, 2022

Japan Patent Office Examiner: Norikazu Arai 8937 5H00

Patent applicant representatives: Yasuhiko Murayama (and two others)

Applicable provisions: Article 29, Paragraph 2 (inventive step)

This application should be refused for the reason mentioned below. If the applicant has any opinion(s) against the reason, a written opinion should be submitted within 3 months from the date on which this notification was dispatched. Reason

1. (inventive step) The inventions according to the following claims of this application shall not be granted a patent under the provisions of the Patent Act Article 29 (2) for the reason that the inventions according to the claims would have been easily made by a person skilled in the art prior to the filing of the application based on the inventions described in the distributed publications listed below or made available to the public through electric telecommunication lines in Japan or other foreign countries prior to the filing of the application.

Note (For the cited documents, please refer to the list of cited documents below.)

- Reason 1 (Inventive step)

- Claim 1,8-9

- Cited Document, etc. 1-2

- Remarks

Document 1 describes a method in which, in a social media website or a digital image sharing service system, machine learning of a neural network is performed on a plurality of images, scores of a plurality of characteristics related to quality are calculated for the images to obtain a compositional score of the characteristics, and the images are evaluated based on the compositional score (see [Claim 1] - [Claim 20] and [detailed description of the invention] of Document 1). When the invention according to Claim 1 is compared with the invention described in Cited Document 1, the "social media website or digital image sharing service system", "image", "machine learning of neural network", "calculate scores of a plurality of characteristics related to quality", "obtain a compositional score", "evaluate an image", and "method" of the invention described in Cited Document 1 correspond to the "content

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distribution system”, "image”, "train a machine learning model”, "generate scores related to quality characteristics”, "combine scores.", "evaluate image quality”, and "method" of the invention according to Claim 1. In addition, since the method described in Cited Document 1 and the image evaluation method described in Cited Document 2 belong to the same technical field, it is easy for a person skilled in the art to provide a plurality of machine learning models and use a weighted and combined score in the invention described in Cited Document 1 by applying the configuration described in [Claim 1] - [Claim 3] and paragraphs [0021], [0023], and [0031] of Cited Document 2 in which an individual evaluation value calculating means for calculating a plurality of types of feature amounts of an image and calculating a plurality of types of individual evaluation values corresponding to the plurality of types of feature amounts, respectively, and an overall evaluation value calculating means for calculating an overall evaluation value which is an overall evaluation value of the image to be processed based on the plurality of types of individual evaluation values calculated by the individual evaluation value calculating means are provided, and the overall evaluation value is calculated by weighted addition of the individual evaluation values. In addition, the above-described part of Cited Document 1 describes that the best image is presented, but it is a well-known technique to use a threshold value. Therefore, the invention according to Claim 1 could have been easily made by a person skilled in the art on the basis of the inventions described in Cited Documents 1 and 2, and similarly, the inventions according to Claims 8 and 9, in which the technique related to the method of the invention according to Claim 1 is used as a system and a recording medium, could also have been easily made by a person skilled in the art on the basis of the inventions described in Cited Documents 1 and 2.

- Claim 2
- Cited Document, etc. 1-2

- Remarks

The description portion of Cited Document 1 describes blurring and composition, and the description portion of Cited Document 2 describes orientation, rotation angle, and blur, and it is also a well-known technique to evaluate suspicious contents.

- Claim 3
- Cited Document, etc. 1-2

- Remarks

As described above, the description portion of Cited Document 1 describes a neural network.

- Claim 4-6
- Cited Document, etc. 1-3

- Remarks

As described in [Claim 1] - [Claim 6] and paragraphs [0013] - [0087] of Cited Document 3, it is a well-known technique to correct scores, make recommendations to improve scores, and update graphical user interfaces.

- Claim 7
- Cited Document, etc. 1-3

- Remarks

As described above, the description portion of Cited Document 1 describes that the best image is presented, but it is a well-known technique to use a threshold value.

<The list of cited documents etc.>

1. The description of US Patent No. 10013639
2. JP 2008-083892A
3. JP 2020-087118A (Document showing well-known arts)

Record of the result of prior art search

-Areas examined:

IPC
G06T7/00-7/90
G06V10/00-10/98
G06N3/04
G06N3/08
G06N20/20
DB Name

-Prior Art Documents:

U.S. Patent Application Publication No. 2012 / 0269441
U.S. Patent Application Publication No. 2020 / 0069292
Japanese Unexamined Patent Application Publication No. 2011 / 199740

This record of the result of prior art search does not constitute the reasons for refusal.

If you have any question or are willing to make an interview with the examiner to discuss issues on this notification of reasons for refusal, please contact us at: If you wish to send a draft amendment by e-mail or other means, please notify us by phone.

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