

Guide for Design Patent Applications for Products Involving Graphical User Interfaces

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Since the establishment of the design system for products involving graphical user interfaces (GUIs), innovators have been able to effectively protect their innovative GUI designs through design patents. This guide aims to introduce the characteristics of product designs involving GUIs, requirements for application documents, and typical cases, so as to help innovators accurately understand the rules governing design protection for products involving GUIs, enhance the quality of design patent application drafting and responses, and promote the high-quality development of the design patent system.

Chapter I General Conditions for Granting Patents

1. Relevant Laws and Regulations

Paragraph 4 of Article 2 of the Patent Law of the People's Republic of China (hereinafter referred to as the "Patent Law") stipulates: "Design" means any new design of the shape, the pattern, or their combination, or the combination of the color with shape or pattern, of the whole or a part of a product, which creates an aesthetic feeling and is fit for industrial application.

Section 4.5 of Chapter III, Part I of the Guidelines for Patent Examination (2023) (hereinafter referred to as the "Examination Guidelines") stipulates:

A product design involving a GUI refers to a product design whose main design points include the design of a GUI.

Among the subject matters ineligible for design patents as stipulated in Section 7.4 of Chapter III, Part I of the Examination Guidelines, the contents relating to GUIs primarily include:

Designs consisting solely of geometric shapes and patterns that are common in the field to which the product belongs;

Game interfaces and patterns displayed on display devices unrelated to human-computer interaction, for example, electronic screen wallpapers, startup/shutdown screens, and text layouts on website pages unrelated to human-computer interaction;

Partial designs that cannot form relatively independent areas on the product or constitute relatively complete design units.

Based on the above provisions, design patent applications for products involving GUIs, like design patent applications for general products, shall take products as carriers, constitute new designs, and additionally relate to human-computer interaction—they cannot be game interfaces. If protection is sought for the design for a part of a GUI, such part shall form a

relatively independent area and constitute a relatively complete design unit.

2. Subject Matters Eligible for Patent Protection

2.1 Taking Products as Carriers

Designs are the designs of products, and their carriers shall be products. The carriers of designs involving GUI shall also be products, such as mobile phones, computers, tablet computers, VR glasses, projection equipment, home appliances, automobiles, or instruments.

For example, the icon shown in FIG. 1.1 belongs to a design of a pure pattern without any product as its carrier and therefore does not qualify as a subject matter eligible for design patent protection.

The icon-controlled GUI of an electronic device shown in FIG.1.2 takes the electronic device as a carrier, and enables the electronic device to perform corresponding functions through icon clicks, and thus it constitutes a subject matter eligible for design patent protection.



FIG. 1.1 Icon¹



FIG. 1.2 Icon-controlled GUI of an electronic device²

2.2 Being New Designs

Product designs involving GUIs cannot consist of common geometric shapes and patterns in the field to which the product belongs.

For example, the GUI for the numeric password unlock of a mobile phone as shown in FIG. 1.3, wherein the mobile phone's design is common and the GUI's design consists solely of

¹ Image source: Patent document WOD219649-0004.

² Image source: Patent document CN307638669S.

conventional circular numeric keys and texts in standard fonts, etc., arranged in a conventional layout, is clearly not a new design.

Where protection is sought for a partial design, it shall also satisfy the requirement of being new designs. As shown in FIG.1.4, for the dial pad of the telephone GUI of an electronic device, the partial design claimed for protection merely consists of common elements such as circular numeric keys, English letters, as well as * and # symbols, etc., arranged in a conventional layout, and the position and proportional relationships in the overall product are also of a common design; therefore, such partial design is clearly not a new design.

Since the above two designs are clearly not new designs, they are not subject matters eligible for design patent protection.



FIG. 1.3 GUI for the numeric password unlock of a mobile phone³

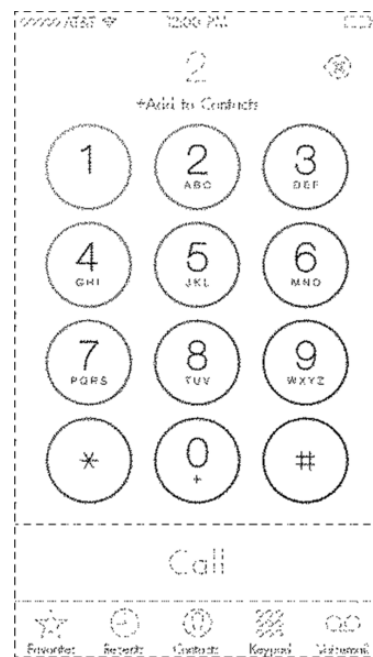


FIG. 1.4 Dial pad of the telephone GUI of an electronic device⁴

2.3 Relating to Human-Computer Interaction

Product designs involving GUIs protected by design patents shall be interface designs relating to human-computer interaction. Interaction can be achieved through input devices such as keyboards, or through methods like clicking, touching, sliding, gestures, or voice commands.

For example, the mobile phone screen wallpaper shown in FIG. 1.5, the mobile phone startup screen shown in FIG. 1.6, and the mobile phone software welcome screen shown in

³ Image source: Patent document CN305166496S (modified).

⁴ Image source: Patent document USD0798896 (modified).

FIG. 1.7 all are patterns displayed by a display device unrelated to human-computer interaction and are not subject matters eligible for design patent protection.



FIG.1.5 Mobile phone screen wallpaper⁵



FIG. 1.6 Mobile phone startup screen⁶



FIG. 1.7 Mobile phone software welcome screen⁷

The GUI of a computer's travel webpage shown in FIG. 1.8 consists solely of text and image layout. It belongs to a pattern displayed by a display device unrelated to human-computer interaction and is not a subject matter eligible for design patent protection.



FIG. 1.8 GUI of a computer's travel webpage

⁵ Image source: screen wallpaper of a HUAWEI mobile phone.

⁶ Image source: startup screen of a HUAWEI mobile phone.

⁷ Image source: software welcome screen of a HUAWEI mobile phone.

Where a design patent application is filed for a part of a GUI, the partial design claimed for protection shall also be related to human-computer interaction.

2.4 Forming Relatively Independent Areas and Constituting Relatively Complete Design Units

Where a design patent application is filed for a part of a GUI, the partial design claimed for protection shall visually form a relatively independent area and constitute a relatively complete design unit.

For the information display box of a course management GUI of an electronic device shown in FIG. 1.9, the right side of the claimed information display box is obviously randomly cropped or segmented and cannot form a relatively complete design unit, and is not a subject matter eligible for design patent protection.

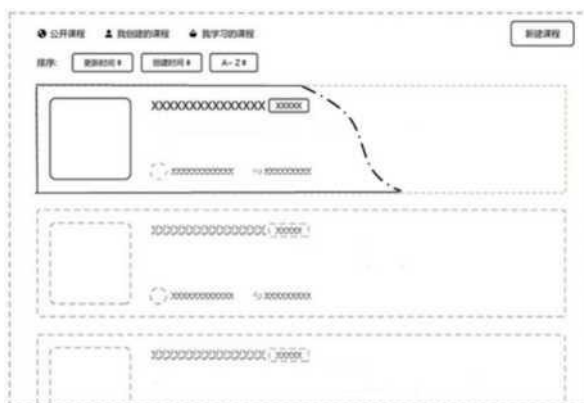


FIG. 1.9 Information display box of a course management GUI of an electronic device⁸

2.5 Not Being Game Interfaces

Neither the overall nor the partial design of a game interface is a subject matter eligible for design patent protection.

As shown in FIG. 1.10, the game interface of an electronic device clearly contains game scene graphics and is not a subject matter eligible for design patent protection.

As shown in FIG. 1.11, for the function settings window of an game interface of an electronic device, although its partial design claimed for protection is the function settings module within the game interface and does not include the game scene images, since the overall interface is a game interface, the partial design claimed for protection is also not a subject

⁸ Image source: Patent document CN308576185S (modified).

matter eligible for design patent protection.



FIG. 1.10 Game interface of an electronic device ⁹



FIG. 1.11 Function settings window of a game interface of an electronic device ¹⁰

Chapter II Requirements for Application Documents

1. Relevant Laws and Regulations

Paragraph 2 of Article 27 of the Patent Law stipulates: The relevant drawings or photographs submitted by the applicant shall clearly indicate the design of the product for which patent protection is sought.

Paragraph 2 of Article 64 of the Patent Law stipulates: The scope of protection of a patent for design shall be determined by the design of the product as shown in the drawings or photographs. The brief specification may be used to interpret the design of the product as shown in the drawings or photographs.

Section 4.5 of Chapter III, Part I of the Examination Guidelines stipulates: A product design involving a GUI refers to a product design whose main design points include the design of a GUI. Applicants may submit a patent application either for the whole design or for a partial design of a product.

According to the above provisions, for product designs involving GUIs, applicants need to pay attention to the requirements for the product name, drawings or photographs, and brief specification in the application documents. Regarding submission manners, applicants may file applications either for the whole design or for a partial design of a product.

⁹ Image source: Game “Carrot Fantasy” of Beijing Kailuo Tianxia Technology Co., Ltd.

¹⁰ Image source: Game “Carrot Fantasy” of Beijing Kailuo Tianxia Technology Co., Ltd.

2. Basic Requirements for Application Documents

The product name, drawings or photographs, and brief specification of a product design involving a GUI shall also pay attention to the following points, in addition to meeting the general requirements for product design application documents.

2.1 Name of the Product Using the Design

The product name shall include the specific use of the GUI, the word "GUI" and the product to which the GUI is applied, for example, "Robot with Motion Control GUI" and "Mobile Payment GUI for Mobile Phones".

The product name shall include both the product to which the GUI is applied and its specific use, while not being overly general or abstract. For example, "GUI for calls" lacks the product to which the GUI is applied; "GUI for electronic device software" or "GUI for mobile phones" lacks the specific use; "Operation GUI for electronic devices" or "Interactive GUI for mobile phones" describes an overly general use.

If protection for a dynamic GUI is sought, the product name shall further include the word "dynamic". If protection for a partial design of a GUI is sought, the product name shall also specify the name of the part. If the GUI can be applied to any electronic device, the product it is applied to may be stated as "an electronic device".

2.2 Drawings or Photographs of the Design

To clearly show the design of the GUI and the product to which it is applied, particularly the content of the main design points, a sufficient number of views shall be submitted, such as six-sided orthographic views, perspective views, changing state views, reference views, etc. If necessary, enlarged views shall also be submitted.

2.2.1 Requirements for Names of Views

For names of views, the view involving the initial state of the GUI shall be named as the "front view". If multiple GUIs exist, the views shall be named as "changing state views" or "interface changing state views", numbered according to the sequential order of the change process. If reference views exist for the GUI, they shall be named as "main reference view" or "changing state reference views".

2.2.2 Requirements for Clear Expression

If the GUI occupies a small proportion in a drawing or photograph, resulting in the GUI being unclear, a partial enlarged view that clearly shows the GUI content, or a separate drawing or photograph showing only the GUI shall be submitted.

For example, for a microwave oven with a GUI for cooking function selection shown in FIG. 2.1, the main design points lie solely in the GUI and the GUI area in the front view is relatively small. An enlarged view of the GUI shall be submitted to clearly express the design content of the GUI.



FIG. 2.1 Microwave oven with a GUI for cooking function selection¹¹

If the area of the GUI cannot be clearly determined from the views, the area of the GUI shall also be described in the brief specification.

For example, for the product inspection time display GUI of a tablet computer shown in FIG. 2.2, it cannot be determined from the view alone whether the GUI area is the rectangular box area drawn in solid lines or the rectangular box area drawn in broken lines. Therefore, it shall be specified in the brief specification that "The rectangular box drawn in solid lines in the front view represents the display screen area."



FIG. 2.2 Product inspection time display GUI of a tablet computer¹²

¹¹ Image source: Patent document CN 303681702 S (modified).

For text within the GUI, it may be reproduced as-is or replaced with "x" to indicate the position and layout of the text, but necessary text for clear expression must be retained and cannot be replaced with "x".

For example, for the network settings GUI of an electronic device shown in FIG. 2.3, certain essential textual information in image (1) must be displayed as-is and cannot be replaced with "x". If such information is all replaced with "x" as in image (2), the specific use of the GUI and human-computer interaction would become unclear.

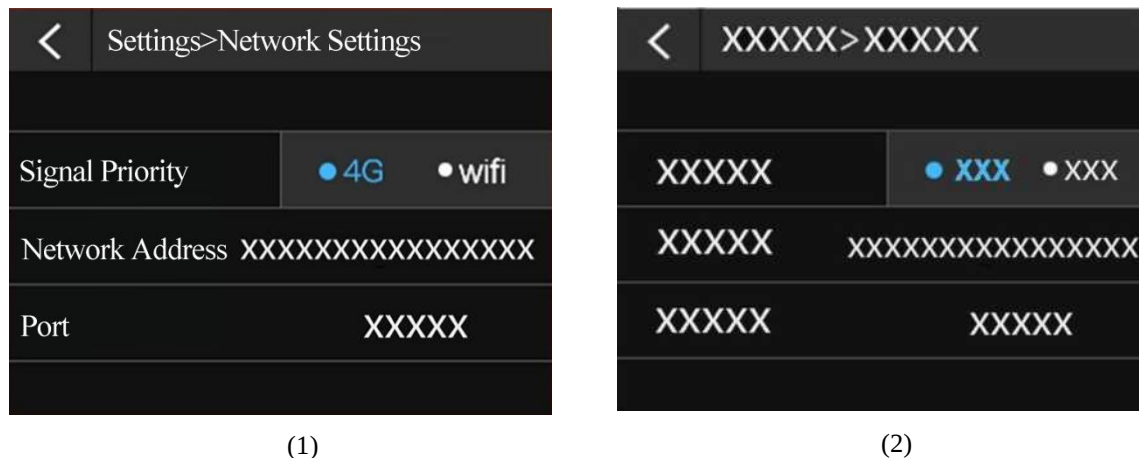


FIG. 2.3 Network settings GUI of an electronic device¹³

2.3 Brief Specification

For product designs involving GUIs, the brief specification shall include the product name, use of the product, use of the GUI, main design points, and the drawing or photograph most representative of the main design points, etc.. Among them, the use of the GUI shall correspond to the use reflected in the product name. Where protection for a partial design of the GUI is sought, the use of that part must also be specified. The main design points shall include the GUI.

Where necessary, the brief specification shall also specify the area of the GUI within the product, the manner of the human-computer interaction of the GUI, and the change process of the GUI. The brief specification shall be concise and shall not include the design content, design concepts, or design methods, etc. of the GUI.

¹² Image source: Patent document CN 308727288 S (modified).

¹³ Image source: Patent document CN 306336524 S (modified).

3. Requirements for Filing Applications in Different Manners

For product designs involving GUIs, applicants may choose different ways to file design application documents based on the main design points, whether to protect the design of the product to which the GUI is applied, and whether to claim protection for the complete GUI or a partial design of the GUI.

As shown in FIG. 2.4, the applicant may file an application in the form of the whole design of a product or in the form of a partial design.

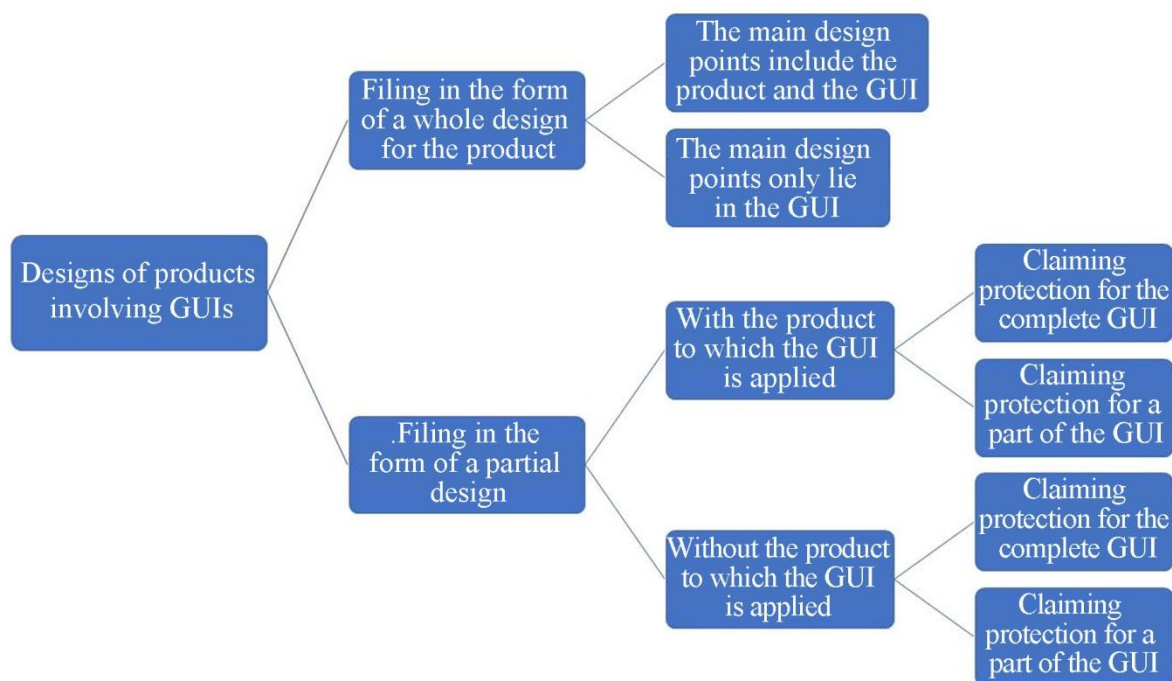


FIG. 2.4 Filing Manners for Designs of Products Involving GUIs

If the main design point of the design of a product involving a GUI only lies in the GUI, it is recommended to consider filing the application as a partial design. If the GUI can be applied to any electronic device, it is recommended to consider filing the application without the product to which the GUI is applied.

3.1 Filing an Application in the Form of a Whole Design for a Product

3.1.1 Main Design Points Involving the Design of the GUI and the Design of the Product to Which the GUI Is Applied

The product name should specify the specific use of the GUI, the product to which it is applied, and the word "GUI".

In addition to including the orthographic view of the side of the product involving the GUI, drawings or photographs of the design should also include views that clearly show the design of the product to which the GUI is applied, such as six-sided orthographic views and three-dimensional views.

The brief specification should state that the main design points lie in the GUI and the product to which it is applied.

As shown in FIG. 2.5, for a mobile phone with a GUI for selecting shooting modes, its main design points lie in the design GUI and the mobile phone design. The drawings or photographs and brief specification of the design may be submitted as follows:

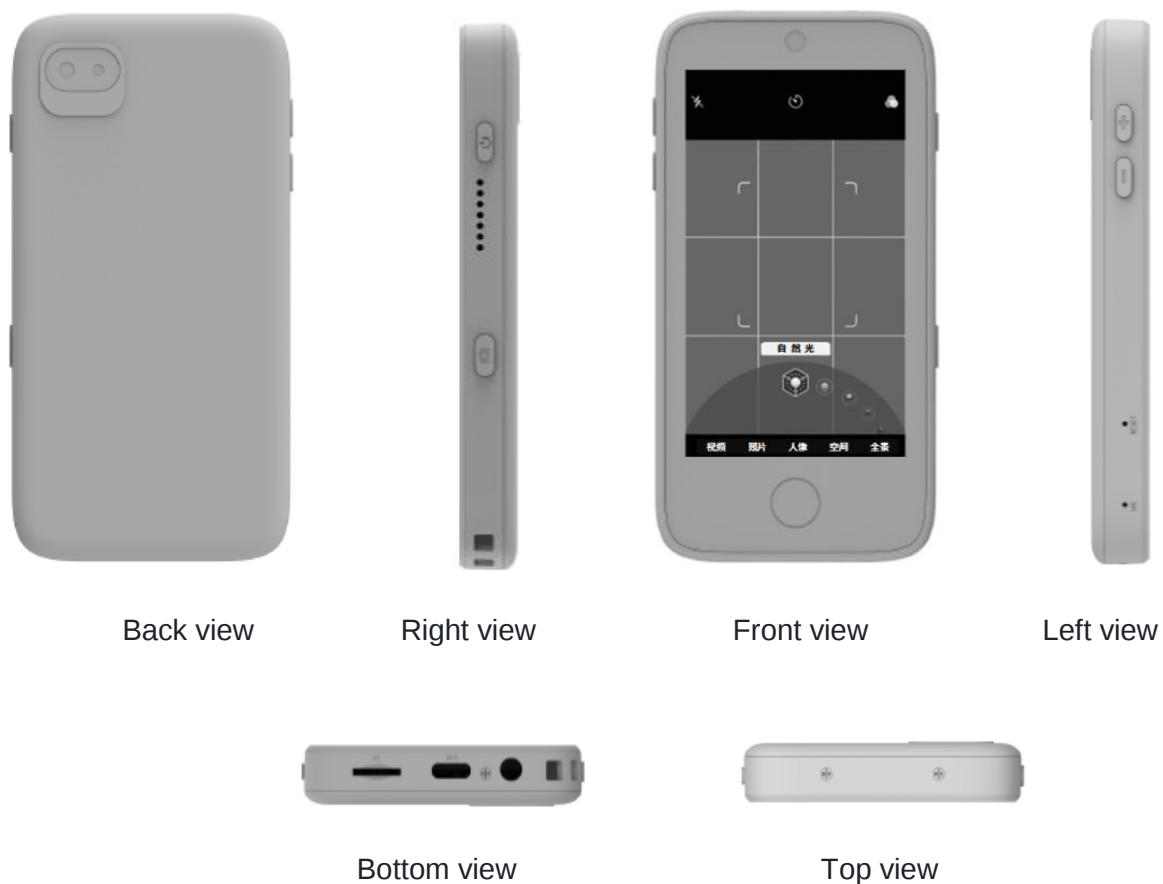


FIG. 2.5 Mobile phone with a GUI for selecting shooting modes¹⁴

【Brief specification】

1. Product name: Mobile phone with a GUI for selecting shooting modes.
2. Use of the product: For communication and system operation.

¹⁴ Image source: Patent documents CN 305250344 S and CN 309281455 S (modified)

3. Use of the GUI: For mode selection during shooting.
4. Main design points: The GUI and the shape of the mobile phone.
5. The drawing or photograph most representative of the main design points: Front view.

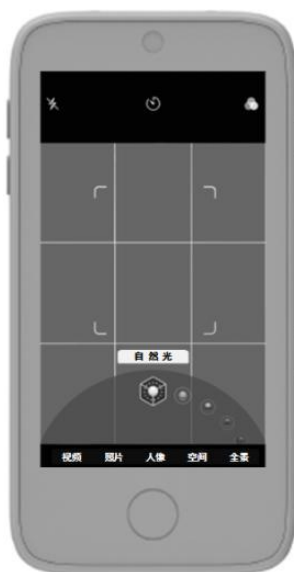
3.1.2 Main Design Points Only in the Design of the GUI

The product name should specify the specific use of the GUI, the product to which it is applied, and the word "GUI".

Drawings or photographs of the design shall include at least the orthographic view of the side of the product involving the GUI, and clearly express the design of the GUI.

The brief specification should state that the main design points only lie in the GUI.

As shown in FIG. 2.6, for a mobile phone with a GUI for selecting shooting modes, its main design points only lie in the GUI. The drawings or photographs and brief specification of the design may be submitted as follows:



Front view

FIG. 2.6 Mobile phone with a GUI for selecting shooting modes¹⁵

¹⁵ Image source: Patent documents CN 305250344 S and CN 309281455 S (modified)

【Brief specification】

1. Product name: Mobile Phone with a GUI for selecting shooting modes.
2. Use of the product: For communication and system operation.
3. Use of the GUI: For selecting shooting modes.
4. Main design points: only the GUI.
5. The drawing or photograph most representative of the main design points: Front view.

3.2 Filing an Application in the Form of a Partial Design

For product designs where the main design points only lie in the GUI, applicants may file applications in the form of a partial design. Filing an application as a partial design includes two options: submitting views either with the product to which the GUI is applied or without it.

3.2.1 Filing an Application with the Product to Which the GUI Is Applied

If it is necessary to clearly show the position and proportional relationship of the GUI in the final product, the application may be filed with the product to which the GUI is applied.

3.2.1.1 Claiming Protection for the Complete GUI

The product name should specify the specific use of the GUI, the product to which it is applied, and the word "GUI".

Drawings or photographs of the design shall include the orthographic view of the side of the product involving the GUI, and the product shall be depicted in broken lines, to clearly show the position and proportional relationship of the GUI in the product.

The brief specification should state that the main design points only lie in the GUI.

As shown in FIG. 2.7, for a timekeeping GUI of the smartwatch, the main design points only lie in the GUI, and protection is sought for the complete GUI. The drawings or photographs and brief specification of the design may be submitted as follows:



Front view

FIG. 2.7 Timekeeping GUI for a smartwatch¹⁶

【Brief specification】

1. Product name: Timekeeping GUI for a smartwatch.
2. Use of the product: Timekeeping, program execution, communication, etc.
3. Use of the GUI: To display time, fitness data, date, weather, and other contents.
4. Main design points: only the GUI.
5. The drawing or photograph most representative of the main design points: Front view.

3.2.1.2 Claiming Protection for a Part of the GUI

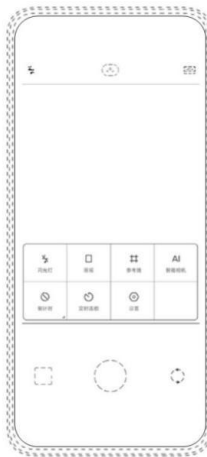
The product name should specify the use of the GUI, the product to which it is applied, the word "GUI" and the part for which protection is sought.

Drawings or photographs of the design shall include an orthographic view of the side of the product involving the GUI, and the product shall be depicted in broken lines, to clearly show the position and proportional relationship of the GUI in the product.

The brief specification should specify not only the use of the product and the use of the GUI but also the use of the part of the GUI for which protection is sought. The main design points should be specified as only lying in the GUI or a part thereof.

¹⁶ Image source: Patent document CN 306010160 S (modified)

As shown in FIG. 2.8, for the parameter setting module of the shooting GUI of a mobile phone, the main design points are solely in the GUI, and protection is sought for a part of the GUI. The drawings or photographs and brief specification of the design may be submitted as follows:



Front view

FIG. 2.8 Parameter setting module of the shooting GUI of a mobile phone¹⁷

【Brief specification】

1. Product name: Parameter setting module of the shooting GUI of a mobile phone.
2. Use of the Product: For communication and system operation.
3. Use of the GUI: For shooting.
4. Use of the claimed part: For shooting parameter settings.
5. Main design points: Only the part drawn with solid lines in the GUI.
6. The drawing or photograph most representative of the main design points: Front view.

If the product to which the GUI is applied is depicted with broken lines or expressed in another form in the view, the specific product should be reflected in the product name rather than being named as "electronic device". For the parameter setting module of the shooting GUI of the mobile phone shown in FIG. 2.8, the product name shall not be "Parameter setting module of the shooting GUI of an electronic device".

¹⁷ Image source: Patent document CN 309210977 S (modified)

3.2.2 Filing an Application Without the Product to Which the GUI is Applied

For a GUI that can be applied to any electronic device, the application may be submitted without the product to which the GUI is applied.

3.2.2.1 Claiming Protection for the Complete GUI of an Electronic Device

The product name should specify the use of the GUI, the word "electronic device", and the word "GUI".

Drawings or photographs of the design only need to include views of the GUI.

In the brief specification, the use of the product may be summarized as "an electronic device", and the use of the GUI should also be included. That the main design points only lie in the GUI shall be specified. The brief specification does not need to list specific names or types of the electronic devices.

As shown in FIG. 2.9, for a shooting GUI of an electronic device, the complete GUI is claimed for protection. The drawings or photographs and brief specification of the design may be submitted as follows:



Front view

FIG. 2.9 Shooting GUI of an electronic device¹⁸

【Brief specification】

¹⁸ Image source: Patent document CN 309210977 S (modified)

1. Product name: Shooting GUI of an electronic device.
2. Use of the product: An electronic device.
3. Use of the GUI: For shooting.
4. Main design points: only the GUI.
5. The drawing or photograph most representative of the main design points: Front view.

3.2.2.2 Claiming Protection for a Part of the GUI of an Electronic Device

The product name should specify the specific use of the GUI, the word "electronic device", and the word "GUI" and the part for which protection is sought.

Drawings or photographs of the design only need to include views of the GUI.

In the brief specification, the use of the product may be summarized as "an electronic device". The use of the GUI, the use of the claimed part, and that the main design points only lie in the GUI or the part of the GUI shall also be included.

As shown in FIG. 2.10, for a parameter setting module of the shooting GUI of an electronic device, protection is sought for a part of the GUI. The drawings or photographs and brief specification of the design may be submitted as follows:



Front view

FIG. 2.10 Parameter setting module of the shooting GUI of an electronic device¹⁹

¹⁹ Image source: Patent document CN 309210977 S (modified)

【Brief specification】

1. Product name: Parameter setting module of the shooting GUI of an electronic device.
2. Use of the product: An electronic device.
3. Use of the GUI: For shooting.
4. Use of the claimed part: For shooting parameter settings.
5. Main design points: Only the part drawn with solid lines in the GUI.
6. The drawing or photograph most representative of the main design points: Front view.

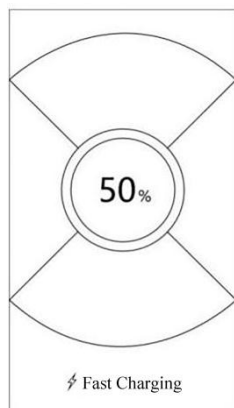
3.3 Application for a Dynamic Graphic User Interface

A dynamic GUI refers to a GUI that displays continuously changing patterns after the user performs human-computer interaction operations. These changes are typically continuous, non-random, and directional.

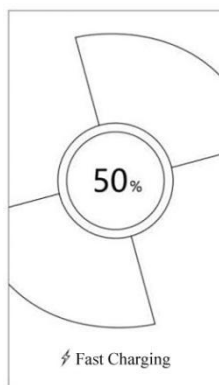
The product name of a dynamic GUI must include the word "dynamic", such as "Dynamic GUI for Charging Information of a Mobile Phone" or "Dynamic GUI for File Display of an Electronic Device".

For dynamic GUIs, applicants shall submit the view of the side involved in the initial state of the GUI as the front view. Views of key frames of the GUI may be submitted as changing state views. The submitted views shall uniquely determine the complete change process of the dynamic GUI. The view names of changing state views shall be labeled according to the sequential order of the dynamic change process.

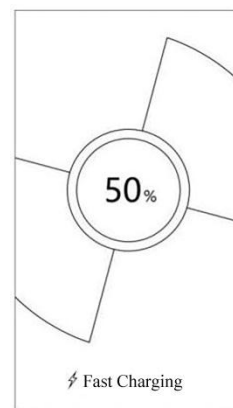
As shown in FIG. 2.11, for the dynamic GUI for charging information of an electronic device, the drawings or photographs and a brief specification of the design may be submitted as follows:



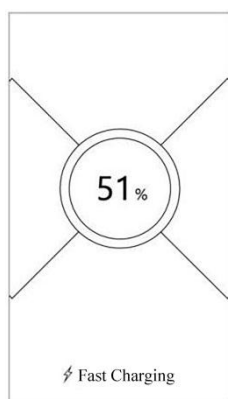
Front view



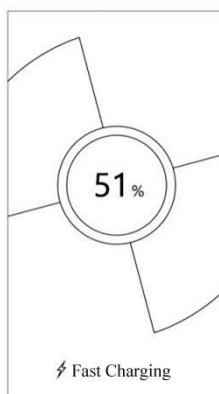
Changing state view 1



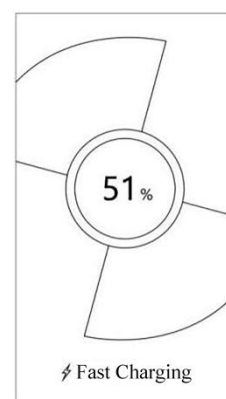
Changing state view 2



Changing state view 3



Changing state view 4



Changing state view 5

FIG. 2.11 Dynamic GUI for charging information of an electronic device²⁰

【Brief specification】

1. Product name: Dynamic GUI for charging information of an electronic device.
2. Use of the product: An electronic device.
3. Use of the GUI: Dynamic display of the charging status of an electronic device.
4. Main design points: Only the GUI.
5. The drawing or photograph most representative of the main design points: Front view.

²⁰ Image source: Patent document CN 305928378 S

6. The manner of Human-Computer interaction of the GUI: When the device is located within the wireless charging area, the GUI changes sequentially in the order of the front view and the changing state views 1-5.

Pursuant to the requirements of the Patent Office of China National Intellectual Property Administration (CNIPA), the applicant could submit video files illustrating the change process of the dynamic GUI.

Chapter III Circumstances Where a Single Application May Be Filed

1. Relevant Laws and Regulations

Paragraph 2 of Article 31 of the Patent Law stipulates: An application for a patent for design shall be limited to one design. Two or more similar designs for the same product, or two or more designs which are incorporated in products belonging to the same class and sold or used in sets may be filed as one application.

Rule 40 of the Implementing Regulations of the Patent Law stipulates: Where two or more similar designs of the same product are filed in one application in accordance with the provisions of Paragraph two of Article 31 of the Patent Law, the other designs for that product shall be similar to the basic design indicated in the brief description. The number of similar designs contained in a design patent application shall not exceed 10.

Section 9 of Chapter III, Part I of the Examination Guidelines stipulates: For two or more unconnected partial designs for the same product, if they are functionally or design-related and produce a specific visual effect, they may be filed as one design application.

According to the above provisions, an application for a design patent shall be limited to one design. Two or more similar designs for the same product may also be filed as one application. When filing one design patent application for product design(s) involving a GUI, comprehensive consideration shall be given to the characteristics of the GUI, the logical relationships between different GUIs, and the functions they implement.

2. One Design

GUI can be categorized as one-interface or multi-interface. A one-interface refers to an interface containing only one front view, while a multi-interface refers to interfaces containing one or more changing state views in addition to the front view.

2.1 Design of a One-Interface Product

Design of a one-Interface product generally includes multiple functional zones that typically are functionally or design-related. Therefore, no matter whether protection is sought for the entire GUI or one or more specific parts within the GUI, it may be filed as one design.

As shown in FIG. 3.1, for the main area of the air conditioning control GUI of an electronic device, the parts for which protection is sought include a temperature adjustment display bar, five mode selection controls, and a power switch control, which collectively form the main interface implementing air conditioning control functions, and are functionally and design related. Therefore, this GUI design may be filed as one design.



FIG. 3.1 Main area of the air conditioning control GUI of an electronic device²¹

2.2 Design of a Multiple-interface Product

Multiple interfaces include dynamic interfaces, vertical interfaces, parallel interfaces, and hybrid interfaces. Hybrid interfaces refer to interfaces that include two or more of dynamic interfaces, vertical interfaces, and parallel interfaces simultaneously. Designs of a multiple-interface product involve numerous views and complex logical relationships. Whether such designs can be filed as one design depends on the functions achieved by the multiple interfaces and the logical interconnections among the interfaces.

Vertical interfaces refer to a sequence of interfaces where the user progresses sequentially from one interface to the next through interactive operations. Pure dynamic interfaces or vertical interfaces typically implement the same function, follow a clearly defined and unique logical progression, and may be filed as one design.

²¹ Image source: Patent document CN308585533S (modified)

As shown in FIG. 3.2, for the "Add Friend" GUI of an electronic device, clicking the "Add Friend" control in the front view enters changing state View 1; clicking the "Radar" control in Changing State View 1 enters changing state View 2; and the friend addition is completed via "Radar" search. The three interfaces appear sequentially, forming vertical interfaces with a clear and unique logical progression. They implement the friend-adding function together and can be filed as one design.

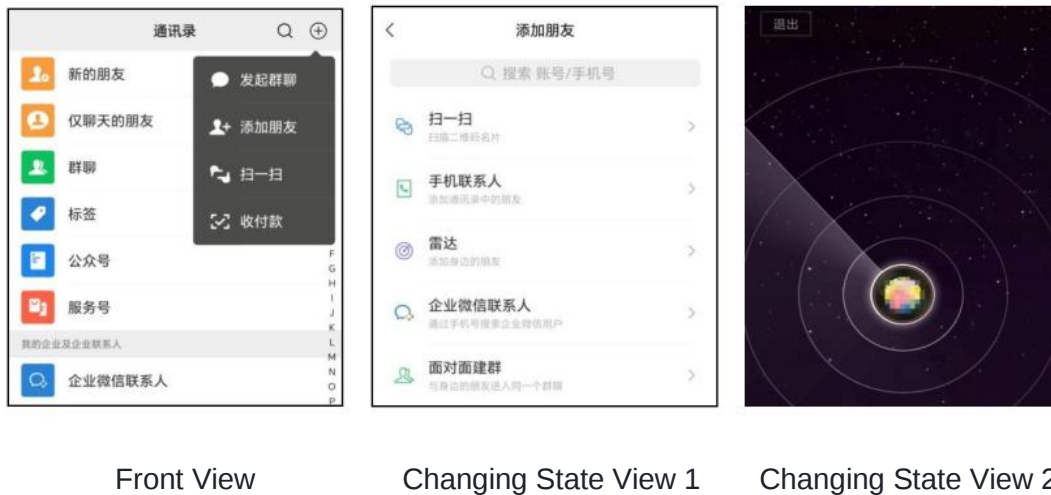


FIG. 3.2 "Add Friend" GUI of an electronic device²²

Parallel interfaces are multiple interfaces with different functions of the same level that users access through interactive operations. The aforementioned multiple interfaces are in a parallel relationship, typically with an undefined transition direction among them and serving different functions. Generally, they could not be filed as one design.

As shown in FIG. 3.3, for the network conference GUI of an electronic device, interfaces in images (1) to (3) represent "Meeting", "Contacts" and "My" interfaces of the network conference respectively, which constitute interfaces with different functional options at the same level and belong to parallel interfaces. Since interfaces in images (1) to (3) implement three distinct functions and allow arbitrary transition among them with an undefined transition direction, they could not be filed as one design.

²² Image source: Wechat App of Tencent Company (modified)



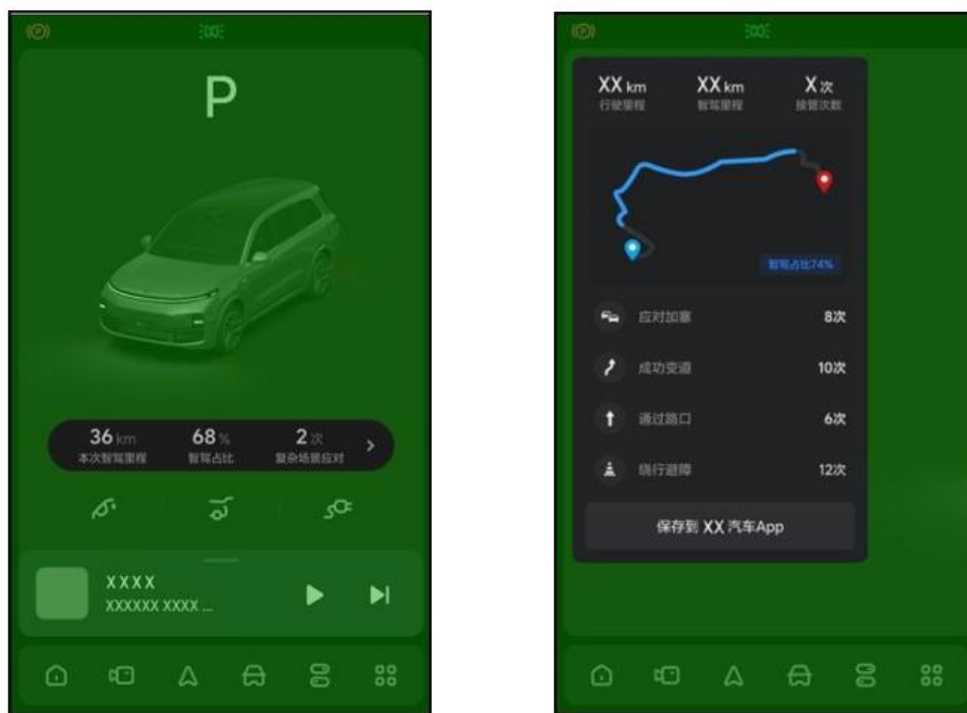
FIG. 3.3 Network conference GUI of an electronic device²³

Parallel interfaces may be filed as similar designs in one application if they meet the requirements for similar designs; otherwise, they should be filed in respective applications.

Additionally, for two or more unconnected partial designs within multiple interfaces, they may be filed in one design only if they are functionally or design-related and produce a specific visual effect.

As shown in FIG. 3.4, in the driving data bar of the auxiliary driving GUI of an electronic device, the parts covered by a semi-transparent green layer are disclaimed parts. Clicking the driving data in the front view triggers a changing state view displaying detailed data. The part claimed for protection comprises two partial designs from two interfaces. Through the interface interaction process and the content displayed in the views, it is evident that the two partial designs are functionally related, both serving for data display, producing a unique visual effect, and exhibiting a clear and unambiguous logical transition direction. Therefore, they can be filed as one design.

²³ Image source: Voov Meeting App of Tencent Company (modified)



Front view

Changing state view

FIG. 3.4 Driving data bar of the auxiliary driving GUI of an electronic device²⁴

3. Multiple Similar Designs of the Same Product

For multiple similar designs involving GUIs, in addition to the requirement that the number of similar designs in one design application shall not exceed 10, two more conditions shall also be met: first, the products to which each design is applied shall belong to the same product; second, the other designs among the multiple designs shall constitute similar designs compare to the basic design.

3.1 Belonging to the Same Product

For multiple product designs involving a GUI, the primary condition for them to qualify as similar designs is that the products to which the GUI is applied belong to the same product.

As shown in FIG. 3.5, for the categorized label management GUI for computers and mobile phones, the products to which the GUI is applied in the two designs are computers and mobile phones respectively, which are not the same product.

²⁴ Image source: Patent document CN 309368599 S (modified)



FIG. 3.5 Categorized label management GUIs for computers and mobile phones²⁵

The manner of expression of the products to which a GUI is applied does not affect the judgment of whether they belong to the same product. As shown in Figure 3.6, for the mobile phone with an exercise tracking GUI, the mobile phone is drawn either with broken lines or solid lines. Although the manner of expression differs, the products to which the aforementioned GUI is applied are both mobile phones and thus belong to the same product.



FIG. 3.6 Mobile phone with an exercise tracking GUI²⁶

²⁵ Image source: Patent document CN307119398S (modified)

Note that “the same product” means that the product name and type are identical, and this does not imply that the design elements such as shape and pattern are necessarily the same.

For design patent applications filed without specifying the product to which the GUI is applied (i.e. where the product name includes “electronic device”), the products are considered the same since the products to which the GUIs are applied are all electronic devices. As shown in FIG. 3.7, the program-controlled GUIs for electronic devices are considered as belonging to the same product despite their distinct aspect ratios, as they are both applied to electronic devices.



Front view of Design 1



Front view of Design 2

FIG. 3.7 Program-controlled GUIs for electronic devices²⁷

3.2 Constituting Similar Designs

Whether designs of products involving GUIs constitute similar designs should be determined by comprehensively considering both the designs of the GUIs and the designs of the products to which the GUIs are applied, with particular emphasis on whether the overall visual effects of the designs claimed for protection are similar.

²⁶ Image source: Patent document CN308770966S (modified)

²⁷ Image source: Home screen of a Huawei tablet (modified)

3.2.1 Designs Involving Both a GUI and the Product it is Applied to

For designs involving both a GUI and the product it is applied to, determining whether the other designs and the basic design constitute similar designs requires the consideration of both the similarity of the products and the similarity of the GUIs.

As shown in FIG. 3.8, for the rice cooker operation GUIs of a mobile phone, Design 1 is the basic design. Compared to Design 1, Design 2 has an identical GUI design and a similar overall phone outline. However, the front buttons and speaker shape, as well as the rear camera component shapes and layouts, show significant differences in overall visual effects. Therefore, Design 2 and Design 1 do not constitute similar designs. Design 3 and Design 1 share identical mobile phone designs, with partial layout and icon similarities in the GUI design. However, the overall visual effects—including the overall text-graphic layout and background patterns—differ markedly. Therefore, Design 3 and Design 1 are not similar designs.

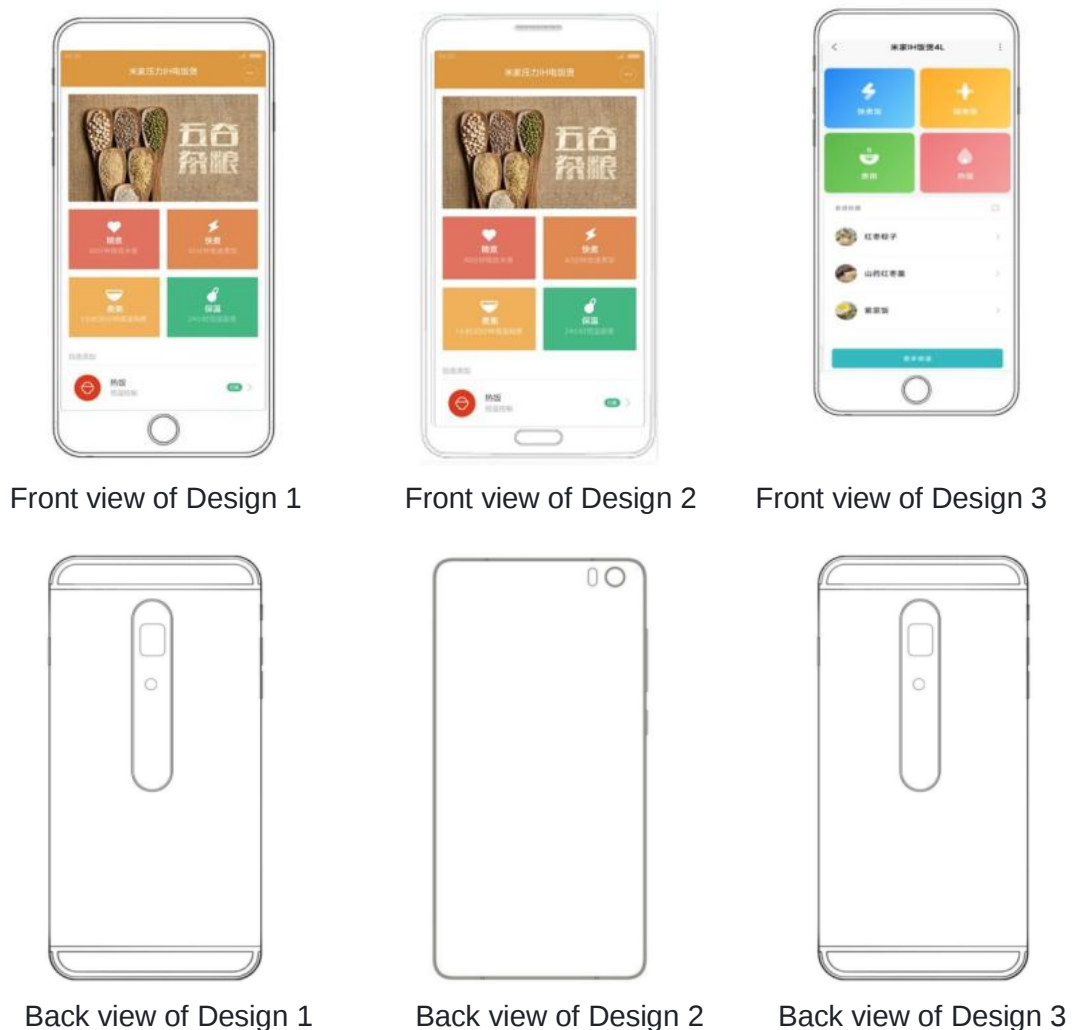


FIG. 3.8 Rice cooker operation GUIs of a mobile phone²⁸

²⁸ Image sources: Patent documents CN 303841800 S, CN 306190062 S, CN305697687S (modified)

3.2.2 Designs for Product with Multiple Interfaces

For a design for product with multiple interfaces, the graphic and textual layout of each interface and the transition process among interfaces should be considered as a whole with the overall visual effect, to determine whether the design is similar to the basic design.

As shown in FIG. 3.9, for the welfare benefit GUIs of an electronic device, Design 1 is the basic design. The interface layout and graphic and text design of each view in Design 2 are similar to those of Design 1 in the overall visual effect. Therefore, Design 2 and Design 1 are similar designs. However, the changing state view of Design 3 differs significantly from the front view interface of Design 1 in the overall visual effect; thus, Design 3 and Design 1 do not constitute similar designs. If Design 2 is the basic design, then Design 1 and Design 2 constitute similar designs, while Design 3 and Design 2 still do not constitute similar designs.



Front View of Design 1



Front View of Design 2



Front View of Design 3



Changing state view of Design 2



Changing State View of Design 3

FIG. 3.9 Welfare benefit GUIs of an electronic device²⁹

²⁹ Image sources: Patent document CN305280900S

As shown in FIG. 3.10, for the dynamic GUIs for oil fume control on an electronic device, Design 1 is the basic design, and Design 2 is a dynamic GUI including two changing state views. The GUI designs for the three key frames in Design 2 are all very similar to Design 1. Comparing the dynamic changing states and changing trends of Design 2 as a whole with Design 1, the overall visual effects of the two designs are similar; thus, the two designs constitute similar designs.



Front view of Design 1



Front view of Design 2



Changing state view 1 of Design 2

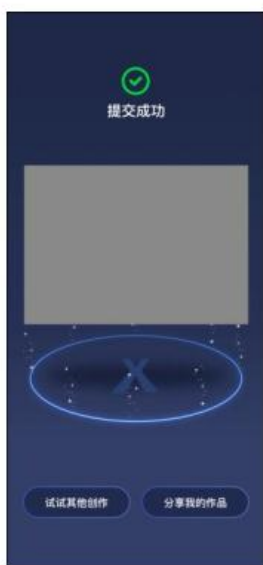


Changing state view 2 of Design 2

FIG. 3.10 Dynamic GUIs for oil fume control on an electronic device³⁰

³⁰ Image sources: Patent document CN 307842104 S

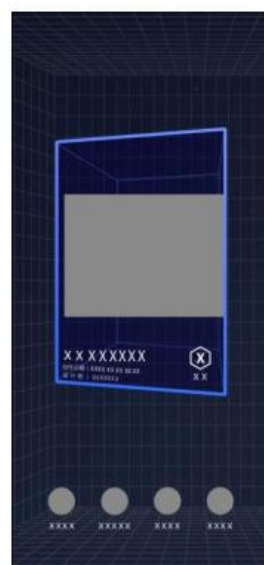
As shown in FIG. 3.11, for the GUI for sharing clothing works on an electronic device, wherein the gray block areas represent the content images. Design 1 is the base design. Compared with Design 1, Design 2 features a similar text-to-graphic layout across the overall interface design and analogous changing processes between interfaces. The only differences lie in the shape of the blue box in the third interface, as well as variations in the text layout and icon design at the bottom of the blue box. The overall visual effects of the two designs are similar; therefore, Design 2 and Design 1 constitute similar designs.



Front view of Design 1



Changing state view 1 of Design 1



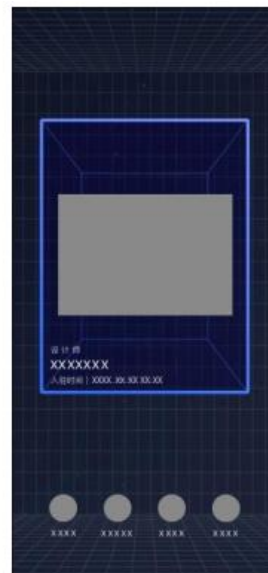
Changing state view 2 of Design 1



Front view of Design 2



Changing state view 1 of Design 2



Changing state view 2 of Design 2

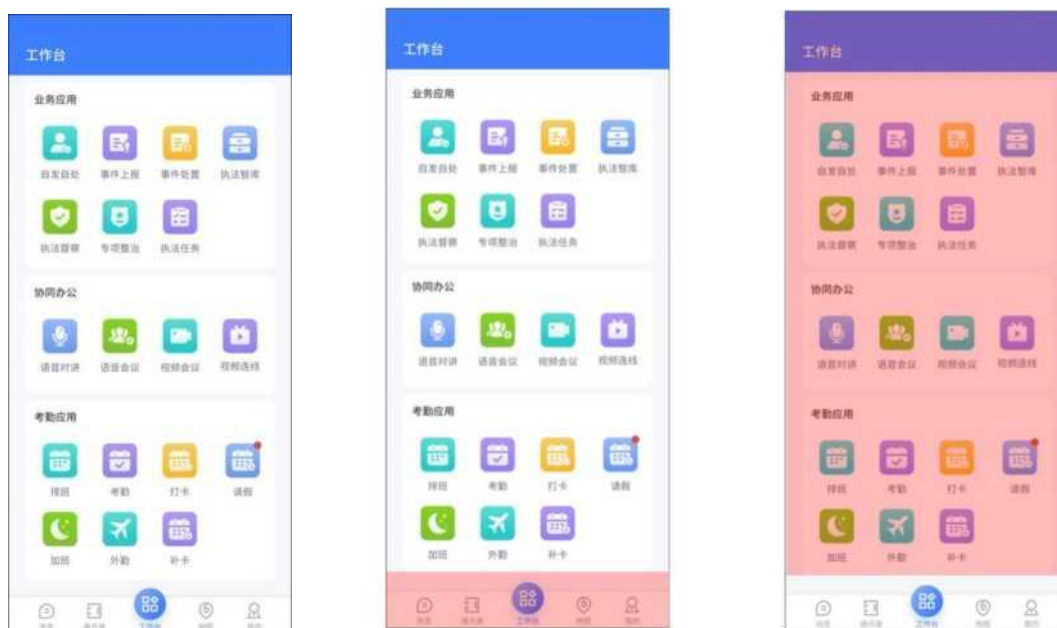
FIG. 3.11 GUI for sharing clothing works on an electronic device³¹

³¹ Image sources: Patent document CN 307804423 S (modified)

3.2.3 Partial Design Involving GUI

When assessing the similarity of partial GUI designs, the primary focus is on the part claimed for protection. The shape, pattern, and color of parts not claimed for protection are not subjects of comparison; they merely indicate the position and proportion of the claimed part within the overall product. Generally, a whole design and a partial design of the same product cannot be filed in one application, except where they constitute similar designs.

As shown in FIG. 3.12, the example illustrates the event management GUI of an electronic device, including its main body and bottom navigation bar. Design 1 is the basic design. In Designs 2 and 3, the areas covered by the red semi-transparent layer represent the parts not claimed for protection. All three designs share the same overall layout. Design 1 seeks protection for the complete interface. Design 2 seeks protection for the main body of the interface, excluding the bottom navigation bar. Design 3 seeks protection solely for the bottom navigation bar. The difference between the claimed parts of Design 2 and Design 1 lies in minor local variations; therefore, Designs 2 and 1 constitute similar designs. In contrast, the overall visual effect of the claimed interface part in Design 3 differs significantly from that in Design 1; therefore, Designs 3 and 1 do not constitute similar designs.



Design 1

Design 2

Design 3

FIG. 3.12 Event Management GUI, Main Body, and Bottom Navigation Bar of an Electronic Device³²

³² Image source: Patent document CN 308727303 S (modified)

Chapter IV Notes

Product design patents involving GUIs shall also comply with requirements such as standardized representation of content images, standardized representation of maps, compliant use of special symbols, and avoidance of conflicts with pre-existing legitimate rights acquired by others.

1. Standardized Representation of Content Images

1.1 Definition of Content Images

A content image refers to a part of a GUI that does not belong to the interface design itself. Examples include: video frames displayed in media player software, movie posters shown in film selection interfaces of streaming applications, news images appearing in news browsing software, product images in shopping software, and scene views captured by the camera in photography or video recording software. Pushed content, externally sourced content, or non-fixed content does not necessarily constitute a content image. Whether such content belongs to a content image depends on whether it is integral to the GUI design.

As illustrated in a video playback interface in FIG. 4.1, the video image within the interface is not part of the interface design itself and belongs as a content image.



FIG. 4.1 GUI for Video Playback on a Computer³³

1.2 Representation of Content Images

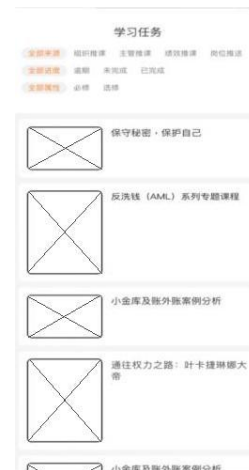
In general, content images should not appear in drawings such as the front view or changing state views of a GUI, and is typically only permitted in reference drawings.

³³ Image source: Patent document CN308292254S.

Content images within a GUI may be represented as shown in FIG. 4.2, using blanks, "X" marks, solid color blocks, semi-transparent overlays, or similar means. The brief description should clearly state that the corresponding part is variable or constitutes a content image. Alternatively, reference drawings containing the content images may be filed to illustrate the method of use, application scenario, or other aspects of the GUI, thereby enabling a clearer and more accurate representation of the design claimed.



Representing content imagery using blanks



Representing content image using X



Representing content image using
solid color blocks



Representing content image using
semi-transparent overlays

FIG. 4.2 Ways of Representing Content Images³⁴

Taking the navigation GUI for an electronic device shown in FIG. 4.3 as an example, FIG. (1) may be filed as the front view, while FIG. (2) may be filed as a reference drawing depicting a state of use to explain the front view. Alternatively, it is also acceptable to submit FIG. (2) alone. In FIG. (2), the street view is a real-time photographed scene, but it serves as an

³⁴ Image source: Patent document CN 306203878S, with modifications.

essential auxiliary display for clearly illustrating the navigation function. This can be considered a special case where content image is retained. In such a scenario, it shall be explicitly stated in the brief description that the street view is for illustrative purposes only and does not form part of the design as claimed.



(1)



(2)

FIG. 4.3 Navigation GUI of an Electronic Device³⁵

2. Standardized Representation of Maps

Applicants are advised to incorporate maps into GUIs only when necessary. If inclusion is indeed necessary, standard maps shall be used. Special attention should be paid to ensuring that the national boundaries of the People's Republic of China are drawn in accordance with the standard cartographic representations of China's national borders approved and published by the Chinese State Council.

The content represented on maps shall comply with the "Specifications for the Representation of Content on Public Maps" (Natural Resources Regulation [2023] No. 2) issued by the Chinese Ministry of Natural Resources. For obtaining standard maps, it is recommended to use the Standard Map Service provided by the Chinese Ministry of Natural Resources.

3. Compliant Use of Special Symbols

Special symbols refer to symbols - including names and abbreviations, emblems, mascots, etc., composed of text or graphics - used for nationwide or international cultural, sports, scientific research, or other public welfare activities approved by the State Council.

³⁵ Image source: Patent document CN 306460824S (modified)

When a GUI incorporates special symbols or similar elements, it shall comply with relevant laws and regulations, and documentary proof of permission from the rights holder of special symbols shall be obtained and submitted.

Official symbols are not permitted in GUI patent applications, unless otherwise allowed under the law.

4. Avoidance of Conflict with Pre-existing Legitimate Rights Acquired by Others

A design patent application should not contain any design that conflicts with legitimate rights obtained by others prior to the filing date (or the priority date, if priority is claimed).

"Others" refers to any civil entity other than the patent holder, including natural persons, legal persons, or other organizations.

"Legitimate rights" refer to rights or interests established under the laws of the People's Republic of China and valid as of the filing date. These include, but are not limited to, trademark rights, copyrights, trade name rights, portrait rights, and exclusive rights to the distinctive packaging or trade dress of well-known goods.

"Obtained prior to the filing date" means that the acquisition date of the pre-existing legitimate right precedes the filing date.

"Conflict" means the unauthorized use, within the design patent, of subject matter protected by a pre-existing legitimate right, which would cause the exercising the patent to harm the relevant legitimate rights or interests of the pre-existing rights holder.

Accordingly, when a GUI incorporates elements such as portraits, trademarks, or copyrighted content, applicants shall ensure no conflict with such pre-existing rights. Proof of authorization shall be submitted if necessary. It is recommended that portraits and personal privacy information in reference drawings be obscured or blurred.

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