[CLAIMS]

[Claim 1]

An emoticon generating device comprising:

a user image receiving unit configured to receive a user image from a user terminal;

an image analyzing unit configured to analyze the received user image to recognize a user or an object in the user image;

a background determining unit configured to determine a background image based on a result of analyzing the user image;

an emoticon generating unit configured to generate a synthetic emoticon by synthesizing at least one of a user and an object extracted from the user image with the background image, and,

an emoticon transmitting unit configured to transmit the generated synthetic emoticon to the user terminal so that the synthetic emoticon generated by the emoticon generating unit will be transmitted to other user terminal for other user who conversation with the user on a messenger through the SNS application installed in the user terminal,

wherein the image analyzing unit extracts a sample image from the user image at a preset interval, and recognizes a user or an object in the extracted sample image, and extracts a category for the user image by analyzing the recognized user or object, the sample image being some image of the user image,

wherein the image analyzing unit is further configured to decide whether a preset unusable condition for each extracted sample image is met when the sample image is extracted, and re-extracts a new sample image to be used to recognize the user or the object instead of the extracted sample image corresponding to the unusable conditions by changing

an interval at which the sample image is extracted if the extracted sample image corresponds to the unusable condition,

wherein the sample image corresponding to the unusable condition is an image with a user's eyes closed, an image having a resolution below a preset reference resolution, or an image having a brightness below a preset reference brightness,

wherein the background determining unit determines a background image selected through the user terminal from among at least one background image recommended based on the result of analyzing the user image as a background image to be synthesized into the synthetic emoticon,

wherein the emoticon generating unit is further configured to determine a size or position of the user or object according to a synthesis guideline set for each background image, and adjust the size or position of the user or object to be synthesized according to correction information of the synthesis guideline input after the background image is selected through the user terminal.

[Claim 2]

The emoticon generating device of claim 1, wherein the background determining unit recommends at least one background image based on the result of analyzing the user image, transmits information about the recommended background image to the user terminal, and receives the information about the selected background image from the user terminal.

[Claim 3]

The emoticon generating device of claim 1, further comprising a background database storing a plurality of background images to which indices for each of the plurality of background images are mapped.

[Claim 4]

The emoticon generating device of claim 3, wherein the background determining unit acquires a category extracted while analyzing the user image, and acquires a background image mapped to an index coinciding with the extracted category from the background database as a recommended background image.