~~[CLAIMS]~~ CLAIMS

~~[Claim 1] (Amended)~~

1. A moving picture coding method for calculating a motion vector predictor to be used when coding a motion vector of a current block, and coding the current block to generate a bitstream, the method comprising:

obtaining motion vector predictor candidates a fixed number of which is two or more and each of which is a candidate for the motion vector predictor;

selecting the motion vector predictor to be used for coding the motion vector of the current block, from among the motion vector predictor candidates the fixed number of which is two or more; and

coding an index for identifying the selected motion vector predictor according to the fixed number of two or more, and adding the coded index to the bitstream,

wherein the motion vector predictor candidates the fixed number of which is two or more include a plurality of candidates each having a ~~predetermined fixed value~~ vector of value 0.

~~[Claim 2]~~

2. The moving picture coding method according to Claim 1,

wherein the motion vector predictor candidates the fixed number of which is two or more further include at least one of one or more first candidates and one or more new candidates,

the one or more first candidates are candidates each derived based on a motion vector used for coding an adjacent block spatially or temporally adjacent to the current block, and

the one or more new candidates are candidates each derived based on a motion vector used for coding a block different from the adjacent block, or each having a predetermined fixed vector as a motion vector.

~~[Claim 3] (Amended)~~

3. The moving picture coding method according to Claim 2,

wherein the obtaining of the motion vector predictor candidates includes:

performing first derivation processing of deriving the one or more first candidates, and setting, if the one or more first candidates are derived, each of the derived one or more first candidates as one of the motion vector predictor candidates the fixed number of which is two or more;

performing second derivation processing of deriving the one or more new candidates if a total number of the one or more first candidates is smaller than the fixed number of two or more, and setting, if the one or more new candidates are derived, each of the derived one or more new candidates as one of the motion vector predictor candidates the fixed number of which is two or more; and

setting, if a sum of the total number of one or more first candidates and a total number of the one or more new candidates is smaller than the fixed number of two or more, at least one of the plurality of candidates ~~each having the predetermined fixed value~~ as one of the motion vector predictor candidates the fixed number of which is two or more, to make a sum of the total number of one or more first candidates, a total number of the plurality of candidates ~~each having the predetermined fixed value~~, and the total number of new candidates equal to the fixed number of two or more.

~~[Claim 4]~~

4. The moving picture coding method according to Claim 3,

wherein in the second derivation processing, one or more candidates are selected in accordance with a predetermined priority order from among a plurality of different candidates previously prepared, to derive the one or more new candidates.

~~[Claim 5] (Amended)~~

5. The moving picture coding method according to Claim 2,

wherein the obtaining of the motion vector predictor candidates includes:

setting the plurality of candidates ~~each having the~~

~~predetermined fixed value~~ as all the motion vector predictor candidates the fixed number of which is two or more, to initialize the motion vector predictor candidates the fixed number of which is two or more;

performing first derivation processing of deriving the one or more first candidates, and updating the motion vector predictor candidates the fixed number of which is two or more if the one or more first candidates are derived, to cause the motion vector predictor candidates to include the derived one or more first candidates; and

performing second derivation processing of deriving the one or more new candidates if a total number of the one or more first candidates is smaller than the fixed number of two or more, and updating the motion vector predictor candidates the fixed number of which is two or more if the one or more new candidates are derived, to cause the motion vector predictor candidates to include the derived one or more new candidates.

~~[Claim 6] (Amended)~~

6. A moving picture decoding method for calculating a motion vector predictor to be used when decoding a motion vector of a current block included in a bitstream, and decoding the current block, the method comprising:

obtaining motion vector predictor candidates a fixed number of which is two or more and each of which is a candidate for the motion vector predictor;

decoding, according to the fixed number of two or more, an index for identifying the motion vector predictor candidate from among the motion vector predictor candidates the fixed number of which is two or more, the index being coded and added to the bitstream; and

selecting, based on the decoded index, the motion vector predictor to be used for decoding the current block from among the motion vector predictor candidates the fixed number of which is two or more,

wherein the motion vector predictor candidates the fixed number of which is two or more include a plurality of candidates each having a ~~predetermined fixed value~~ vector of value 0.

~~[Claim 7]~~

7. The moving picture decoding method according to Claim 6,

wherein the motion vector predictor candidates the fixed number of which is two or more further include at least one of one or more first candidates and one or more new candidates,

the one or more first candidates are candidates each derived based on a motion vector used for coding an adjacent block spatially or temporally adjacent to the current block, and

the one or more new candidates are candidates each derived based on a motion vector used for coding a block different from the adjacent block, or each having a predetermined fixed vector as a motion vector.

~~[Claim 8] (Amended)~~

8. The moving picture decoding method according to Claim 7,

wherein the obtaining of the motion vector predictor candidates includes:

performing first derivation processing of deriving the one or more first candidates, and setting, if the one or more first candidates are derived, each of the derived one or more first candidates as one of the motion vector predictor candidates the fixed number of which is two or more;

performing second derivation processing of deriving the one or more new candidates if a total number of the one or more first candidates is smaller than the fixed number of two or more, and setting, if the one or more new candidates are derived, each of the derived one or more new candidates as one of the motion vector predictor candidates the fixed number of which is two or more; and

setting, if a sum of the total number of one or more first candidates and a total number of the one or more new candidates is smaller than the fixed number of two or more, at least one of the

plurality of candidates ~~each having the predetermined fixed value~~ as one of the motion vector predictor candidates the fixed number of which is two or more, to make a sum of the total number of one or more first candidates, a total number of the plurality of candidates ~~each having the predetermined fixed value~~, and the total number of one or more new candidates equal to the fixed number of two or more.

~~[Claim 9]~~

9. The moving picture decoding method according to Claim 8,

wherein in the second derivation processing, one or more candidates are selected in accordance with a predetermined priority order from among a plurality of different candidates previously prepared, to derive the one or more new candidates.

~~[Claim 10] (Amended)~~

10. The moving picture decoding method according to Claim 7,

wherein the obtaining of the motion vector predictor candidates includes:

setting the plurality of candidates ~~each having the predetermined fixed value~~ as all the motion vector predictor candidates the fixed number of which is two or more, to initialize the motion vector predictor candidates the fixed number of which is two or more;

performing first derivation processing of deriving the one or more first candidates, and updating the motion vector predictor candidates the fixed number of which is two or more if the one or more first candidates are derived, to cause the motion vector predictor candidates to include the derived one or more first candidates; and

performing second derivation processing of deriving the one or more new candidates if a total number of the one or more first candidates is smaller than the fixed number of two or more, and updating the motion vector predictor candidates the fixed number of which is two or more if the one or more new candidates are derived,

to cause the motion vector predictor candidates to include the derived one or more new candidates.

~~[Claim 11] (Amended)~~

11. A moving picture coding apparatus for calculating a motion vector predictor to be used when coding a motion vector of a current block, and coding the current block to generate a bitstream, the apparatus comprising:

a motion vector predictor candidate obtaining unit configured to obtain motion vector predictor candidates a fixed number of which is two or more and each of which is a candidate for the motion vector predictor;

a selection unit configured to select the motion vector predictor to be used for coding the motion vector of the current block, from among the motion vector predictor candidates the fixed number of which is two or more; and

a coding unit configured to code an index for identifying the selected motion vector predictor according to the fixed number of two or more, and adding the coded index to the bitstream,

wherein the motion vector predictor candidates the fixed number of which is two or more include a plurality of candidates each having a ~~predetermined fixed value~~ vector of value 0.

~~[Claim 12] (Amended)~~

12. A moving picture decoding apparatus for calculating a motion vector predictor to be used when decoding a motion vector of a current block included in a bitstream, and decoding the current block, the apparatus comprising:

a motion vector predictor candidate obtaining unit configured to obtain motion vector predictor candidates a fixed number of which is two or more and each of which is a candidate for the motion vector predictor;

a decoding unit configured to decode, according to the fixed number of two or more, an index for identifying the motion vector predictor candidate from among the motion vector predictor

candidates the fixed number of which is two or more, the index being coded and added to the bitstream; and

a selection unit configured to select, based on the decoded index, the motion vector predictor to be used for decoding the current block from among the motion vector predictor candidates the fixed number of which is two or more,

wherein the motion vector predictor candidates the fixed number of which is two or more include a plurality of candidates each having a ~~predetermined fixed value~~ vector of value 0.

~~[Claim 13]~~

13. A moving picture coding and decoding apparatus comprising:

the moving picture coding apparatus according to Claim 11; and

the moving picture decoding apparatus according to Claim 12.

~~[Claim 14] (New)~~

14. A moving picture coding method for coding a current block, the moving picture coding method comprising:

generating a second candidate list that includes a plurality of candidates, the plurality of candidates including a first candidate and a second candidate, the first candidate having a first motion vector predictor that is a first zero vector, the second candidate having a second motion vector predictor that is a second zero vector; and

coding an index corresponding to a candidate having a motion vector predictor, the candidate being one of the plurality of candidates,

wherein a first candidate list includes the first candidate and does not include the second candidate, and

wherein, when a total number of one or more candidates in the first candidate list is less than a maximum candidate number, the second candidate is added to the first candidate list to generate the second candidate list.

~~[Claim 15] (New)~~

15. The moving picture coding method according to Claim 14, wherein the motion vector predictor is used to code a motion vector of the current block.

~~[Claim 16] (New)~~

16. The moving picture coding method according to Claim 15, wherein the motion vector of the current block is a sum of a motion vector difference of the current block and the motion vector predictor.

~~[Claim 17] (New)~~

17. A moving picture decoding method for decoding a current block, the moving picture decoding method comprising:

generating a second candidate list that includes a plurality of candidates, the plurality of candidates including a first candidate and a second candidate, the first candidate having a first motion vector predictor that is a first zero vector, the second candidate having a second motion vector predictor that is a second zero vector; and

decoding a coded index corresponding to a candidate having a motion vector predictor, the candidate being one of the plurality of candidates,

wherein a first candidate list includes the first candidate and does not include the second candidate, and

wherein, when a total number of one or more candidates in the first candidate list is less than a maximum candidate number, the second candidate is added to the first candidate list to generate the second candidate list.

~~[Claim 18] (New)~~

18. The moving picture decoding method according to Claim 17, wherein the motion vector predictor is used to decode a motion vector of the current block.

~~[Claim 19] (New)~~

19. The moving picture decoding method according to Claim 18,

wherein the motion vector of the current block is a sum of a motion vector difference of the current block and the motion vector predictor.

~~[Claim 20] (New)~~

20. A motion vector predictor derivation method, comprising:

generating a second candidate list that includes a plurality of candidates, the plurality of candidates including a first candidate and a second candidate, the first candidate having a first motion vector predictor that is a first zero vector, the second candidate having a second motion vector predictor that is a second zero vector; and

deriving a candidate having a motion vector predictor, the candidate being one of the plurality of candidates,

wherein a first candidate list includes the first candidate and does not include the second candidate, and

wherein, when a total number of one or more candidates in the first candidate list is less than a maximum candidate number, the second candidate is added to the first candidate list to generate the second candidate list.

~~[Claim 21] (New)~~

21. The motion vector predictor derivation method according to Claim 20,

wherein the motion vector predictor is used to decode a motion vector of a current block.

~~[Claim 22] (New)~~

22. The motion vector predictor derivation method according to Claim 21,

wherein the motion vector of the current block is a sum of a motion vector difference of the current block and the motion vector predictor.

~~[Claim 23] (New)~~

23. A moving picture coding apparatus for coding a current block,

the moving picture coding apparatus comprising:

a generator configured to generate a second candidate list that includes a plurality of candidates, the plurality of candidates including a first candidate and a second candidate, the first candidate having a first motion vector predictor that is a first zero vector, the second candidate having a second motion vector predictor that is a second zero vector; and

a coder configured to code an index corresponding to a candidate having a motion vector predictor, the candidate being one of the plurality of candidates,

wherein a first candidate list includes the first candidate and does not include the second candidate, and

wherein, when a total number of one or more candidates in the first candidate list is less than a maximum candidate number, the second candidate is added to the first candidate list to generate the second candidate list.

~~[Claim 24] (New)~~

24. The moving picture coding apparatus according to Claim 23,

wherein the motion vector predictor is used to code a motion vector of the current block.

~~[Claim 25] (New)~~

25. The moving picture coding apparatus according to Claim 24,

wherein the motion vector of the current block is a sum of a motion vector difference of the current block and the motion vector predictor.

~~[Claim 26] (New)~~

26. A moving picture decoding apparatus for decoding a current block, the moving picture decoding apparatus comprising:

a generator configured to generate a second candidate list that includes a plurality of candidates, the plurality of candidates including a first candidate and a second candidate, the first candidate having a first motion vector predictor that is a first zero vector, the

second candidate having a second motion vector predictor that is a second zero vector; and

a decoder configured to decode a coded index corresponding to a candidate having a motion vector predictor, the candidate being one of the plurality of candidates,

wherein a first candidate list includes the first candidate and does not include the second candidate, and

wherein, when a total number of one or more candidates in the first candidate list is less than a maximum candidate number, the second candidate is added to the first candidate list to generate the second candidate list.

~~[Claim 27] (New)~~

27. The moving picture decoding apparatus according to Claim 26,

wherein the motion vector predictor is used to decode a motion vector of the current block.

~~[Claim 28] (New)~~

28. The moving picture decoding apparatus according to Claim 27,

wherein the motion vector of the current block is a sum of a motion vector difference of the current block and the motion vector predictor.

~~[Claim 29] (New)~~

29. A motion vector predictor derivation apparatus, comprising:

a generator configured to generate a second candidate list that includes a plurality of candidates, the plurality of candidates including a first candidate and a second candidate, the first candidate having a first motion vector predictor that is a first zero vector, the second candidate having a second motion vector predictor that is a second zero vector; and

a deriver configured to derive a candidate having a motion vector predictor, the candidate being one of the plurality of candidates,

wherein a first candidate list includes the first candidate and

does not include the second candidate, and

wherein, when a total number of one or more candidates in the first candidate list is less than a maximum candidate number, the second candidate is added to the first candidate list to generate the second candidate list.

~~[Claim 30] (New)~~

30. The motion vector predictor derivation apparatus according to Claim 29,

wherein the motion vector predictor is used to decode a motion vector of a current block.

~~[Claim 31] (New)~~

31. The motion vector derivation apparatus according to Claim 30,

wherein the motion vector of the current block is a sum of a motion vector difference of the current block and the motion vector predictor.

~~[Claim 32] (New)~~

32. An integrated circuit, comprising:

a generator configured to generate a second candidate list that includes a plurality of candidates, the plurality of candidates including a first candidate and a second candidate, the first candidate having a first motion vector predictor that is a first zero vector, the second candidate having a second motion vector predictor that is a second zero vector; and

a decoder configured to decode a coded index corresponding to a candidate having a motion vector predictor, the candidate being one of the plurality of candidates,

wherein a first candidate list includes the first candidate and does not include the second candidate, and

wherein, when a total number of one or more candidates in the first candidate list is less than a maximum candidate number, the second candidate is added to the first candidate list to generate the second candidate list.

~~[Claim 33] (New)~~

33. The integrated circuit according to Claim 32,

wherein the motion vector predictor is used to decode a motion vector of a current block.

~~[Claim 34] (New)~~

34. The integrated circuit according to Claim 33,

wherein the motion vector of the current block is a sum of a motion vector difference of the current block and the motion vector predictor.