

WIPO



PCT/MIA/10/7 Add.1

ORIGINAL: English only

DATE: August 11, 2004

WORLD INTELLECTUAL PROPERTY ORGANIZATION

GENEVA

**INTERNATIONAL PATENT COOPERATION UNION
(PCT UNION)**

**MEETING OF INTERNATIONAL AUTHORITIES
UNDER THE PATENT COOPERATION TREATY (PCT)**

Tenth Session

Geneva, September 13 to 15, 2004

**FORMAT OF REPORTS AND WRITTEN OPINIONS
UNDER PCT CHAPTERS I AND II:
DRAFT STANDARD TEXTS**

Document prepared by the International Bureau

SUMMARY

1. The Annexes to this document contain draft standard texts, from which the standard portions of reports and opinions might be selected for the purpose of the possible new format of reports and opinions shown in the Annexes to document PCT/MIA/10/7. Depending on how the Meeting wishes to proceed with the development of a new format for reports and opinions as outlined in that document, consideration may be required of how these standard texts should be developed and presented.

DRAFT STANDARD TEXTS

2. Document PCT/MIA/10/7 contains a set of example reports and opinions prepared by the European Patent Office (EPO) to aid discussion of how a new format for such documents might be developed and introduced. Creation of such documents would involve selection of the appropriate standard texts and addition of free text to provide the reasoning and comments for which standard texts did not exist.

3. To accompany these example reports and opinions, the EPO has also prepared a rough draft of the standard texts for each type of report and opinion from which the examiner might

E

select the appropriate items. These standard texts are set out in the Annexes to this document as follows:

- Annex I: International Search Report
- Annex II: Written Opinion of the International Searching Authority
- Annex III: Written Opinion of the International Preliminary Examining Authority
- Annex IV: International Preliminary Report on Patentability (Chapter II of the PCT)

4. At its ninth session, the Meeting agreed that the text contained in the box format version of the Forms should, except where unfeasible, be used in the new format of the Forms (see paragraph 122 of document PCT/MIA/9/6). However, the language of the standard texts which appear in the box format Forms was developed for presentation in the form of checkboxes to be ticked or left blank, rather than as standalone statements which are included only when the relevant situation occurs. Consequently, in order to promote consistency, it may be necessary to define the standard texts for this purpose separately, for example as shown in the EPO's draft adaptations shown in the Annexes.

5. It should be emphasized that these texts have been created only for the purposes of discussion and identification of the direction and type of further work which may be needed. Consequently the texts have not been given detailed legal scrutiny and significant further work on drafting style would also be needed in order to provide texts which were appropriate to the requirements of any particular format which it was decided to develop further.

6. The Meeting is invited to consider how the standard texts which might be used in any new format of reports and opinions should be defined for the use of the International Authorities.

[Annex I follows]

ANNEX I

PATENT COOPERATION TREATY (PCT)
INTERNATIONAL SEARCH REPORT (ISR) - PART 1
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

FOR FURTHER ACTION See Notification of Transmittal of ISR (Form PCT/ISA/220) as well as, where applicable, abstract information below

Applicant's or agent's file reference:

International application No:

International filing date:

(Earliest) priority date:

Applicant:

This international search report has been prepared by this International Searching Authority (ISA) and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

It consists of two parts: Part 1 contains comments on the international application. Part 2 contains the results of the search, the subject matter classification and the fields searched.

It is also accompanied by a copy of each prior art document cited in this report.

(1) Basis of the report

With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, and necessary to the claimed invention, the international search was carried out on the basis of:

type of material

a sequence listing

table(s) related to the sequence listing

format of material

in written format

in computer readable form

time of filing/furnishing

PATENT COOPERATION TREATY (PCT)
INTERNATIONAL SEARCH REPORT (ISR) - PART 1
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

contained in the international application as filed
filed together with the international application in computer readable form
furnished subsequently to this Authority for the purposes of search

In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

Additional comments:

(2) Certain claims were found unsearchable

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

(3) Unity of invention is lacking

This International Searching Authority found multiple inventions in this international application, as follows:

As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically
claims Nos.:

PATENT COOPERATION TREATY (PCT)
INTERNATIONAL SEARCH REPORT (ISR) - PART 1
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest:

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

(4) Title

With regard to the **title**,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

(5) Abstract

With regard to the **abstract**,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority to read as follows:

The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

(6) Drawings

With regard to the **drawings**,

the figure of the **drawings** to be published with the abstract is Figure No.

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

none of the figures is to be published with the abstract.

**** End of Part 1 of the ISR ****

PATENT COOPERATION TREATY (PCT)
INTERNATIONAL SEARCH REPORT (ISR) - PART 2
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

(21) **International application No.:**

(51) **CLASSIFICATION OF SUBJECT MATTER**
IPC⁷:

(58) **FIELDS SEARCHED**
Minimum documentation searched:
IPC⁷:

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched:

Electronic database consulted during the international search:

DOCUMENTS CONSIDERED TO BE RELEVANT

(Citation of document, with indication, where appropriate, of the relevant passage(*), followed by category and claim(s) No(s))

Special categories of cited documents:

A: document defining the general state of the art which is not considered to be of particular relevance.

X: The claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone.

Y: The claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

Patent family information

PATENT COOPERATION TREATY (PCT)
INTERNATIONAL SEARCH REPORT (ISR) - PART 2
(PCT Article 18 and Rules 43 and 44) - (Form PCT/ISA/210)

ISA/Examiner:

Search completed:

ISR mailed:

**** End of the ISR ****

[Annex II follows]

ANNEX II

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1) - (Form PCT/ISA/237)

International application No:

International filing date:

Priority date:

International Patent Classification (IPC)
or national classification and IPC:

This opinion contains indications relating to:

- Basis of the opinion
- Priority
- Non-establishment of opinion with regard to novelty, inventive step or industrial applicability
- Lack of unity of invention
- Reasoned statement with regard to novelty, inventive step or industrial applicability
- Certain documents cited
- Certain defects in the international application
- Certain observations on the international application

FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of this opinion or before the expiration of 22 months from the priority date, whichever expires later.

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1) - (Form PCT/ISA/237)

(1) Basis of the opinion

With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

type of material

a sequence listing
table(s) related to the sequence listing
format of material

in written format
in computer readable form

time of filing/furnishing

contained in the international application as filed.
filed together with the international application in computer readable form.
furnished subsequently to this Authority for the purposes of search.

In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

Additional comments:

(2) Priority

The following document has not yet been furnished:

copy of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(a)).
translation of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(b)).

This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1) - (Form PCT/ISA/237)

Additional observations, if necessary:

(3) Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

the entire international application
claims Nos.

because:

the said international application, or the said claims Nos.

relate to the following subject matter which does not require an international preliminary examination (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos.

are so unclear that no meaningful opinion could be formed (*specify*):

the claims, or said claims Nos.

are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for said claims Nos.

the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form has not been furnished
does not comply with the standard

the computer readable form has not been furnished
does not comply with the standard

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1) - (Form PCT/ISA/237)

the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

(4) Lack of unity of invention

In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:

paid additional fees
paid additional fees under protest
not paid additional fees

This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

complied with
not complied with for the following reasons:

Consequently, this opinion has been established in respect of the following parts of the international application:

all parts
the parts relating to claims Nos

(5) Novelty, Inventive step and industrial applicability

Novelty (N):	Yes
	No
Inventive Step (IS):	Yes
	No
Industrial Applicability (IA):	Yes
	No

Citations and explanations

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1) - (Form PCT/ISA/237)

(6) Certain documents cited

Certain published documents (Rules 43bis.1 and 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
-------------------------------	--------------------------------------	---------------------------------	---

Non-written disclosures (Rules 43bis.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
-----------------------------------	---	---

(7) Certain defects in the international application

(8) Certain observations on the international application

ISA

Examiner:

Date of completion of this written opinion:

**** End of the Written Opinion****

[Annex III follows]

ANNEX III

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(PCT Rule 66) - (Form PCT/IPEA/408)

Date of mailing (*day/month/year*)

REPLY DUE within months from the above date of mailing

Applicant's or agent's file reference:

International application No:

International filing date:

Priority date:

International Patent Classification (IPC)
or national classification and IPC:

Applicant:

The written opinion established by the International Searching Authority:

is
is not

considered to be a written opinion of the International Preliminary Examining Authority.

This opinion contains indications relating to the following items:

- Basis of the opinion
- Priority
- Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Lack of unity of invention
- Reasoned statement with regard to novelty, inventive step or industrial applicability
- Certain documents cited
- Certain defects in the international application
- Certain observations on the international application

The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant, may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments according to Rule 66.3. For the form and language of the amendments, see Rules 66.8 and 66.9.

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(PCT Rule 66) - (Form PCT/IPEA/408)

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4*bis*. For an informal communication with the examiner, see Rule 66.6.
For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion

The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

(1) Basis of the opinion

With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion is based on a translation from the original language into the following language

, which is the language of a translation furnished for the purposes of:

international search (under Rules 12.3 and 23.1(b))
publication of the international application (under Rule 12.4)
international preliminary examination (under Rules 55.2 and/or 55.3)

With regard to the elements of the international application, this opinion has been established on the basis of (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

the international application as originally filed/furnished

the description:

pages		as originally filed/furnished
pages	received by this Authority on	
pages	received by this Authority on	

the claims:

pages		as originally filed/furnished
pages	as amended (together with any statement) under Article 19	
pages	received by this Authority on	
pages	received by this Authority on	

the drawings:

pages		as originally filed/furnished
pages	received by this Authority on	
pages	received by this Authority on	

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(PCT Rule 66) - (Form PCT/IPEA/408)

With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion was established on the basis of:

type of material

a sequence listing
table(s) related to the sequence listing

format of material

in written format
in computer readable form

time of filing/furnishing

contained in the international application as filed
filed together with the international application in computer readable form
furnished subsequently to this Authority for the purposes of search and/or examination
received by this Authority as an amendment on

In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

Additional comments:

The amendments have resulted in the cancellation of:

the description, pages
the claims, Nos.
the drawings, sheets/figs
the sequence listing (*specify*):

any table(s) related to the sequence listing (*specify*):

This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

the description, pages

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(PCT Rule 66) - (Form PCT/IPEA/408)

the claims, Nos
the drawings, sheets/figs
the sequence listing (*specify*):

any table(s) related to the sequence listing (*specify*):

(2) Priority

This opinion has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:

copy of the earlier application whose priority has been claimed (Rule 66.7(a))

translation of the earlier application whose priority has been claimed (Rule 66.7(b))

This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

Additional observations, if necessary:

3) Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

the entire international application

claims Nos.

because:

the said international application, or the said claims Nos.

relate to the following subject matter which does not require an international preliminary examination (*specify*):

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(PCT Rule 66) - (Form PCT/IPEA/408)

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):

the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for said claims Nos.

the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

has not been furnished
does not comply with the standard

the computer readable form
has not been furnished
does not comply with the standard

the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

4) Lack of unity of invention

In response to the invitation (Form PCT/IPEA/405) to restrict or pay additional fees the applicant has:

restricted the claims
paid additional fees
paid additional fees under protest
neither restricted nor paid additional fees

This Authority found that the requirement of unity of invention is not complied with for the following reasons and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees:

Consequently, this opinion has been established in respect of the following parts of the international application:

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(PCT Rule 66) - (Form PCT/IPEA/408)

all parts
the parts relating to claims Nos.

(5) Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Novelty (N): Claim(s)
 Claim(s)

Inventive Step (IS): Claim(s)
 Claim(s)

Industrial Applicability (IA): Claim(s)
 Claim(s)

Citations and explanations

(6) Certain documents cited

Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
-------------------------------	--------------------------------------	---------------------------------	---

Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
-----------------------------------	---	---

PATENT COOPERATION TREATY (PCT)
WRITTEN OPINION OF THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(PCT Rule 66) - (Form PCT/IPEA/408)

(7) Certain defects in the international application

(8) Certain observations on the international application

IPEA

Examiner:

Date of submission of the demand:

Date of completion of this report:

**** End of the Written Opinion ****

[Annex IV follows]

ANNEX IV

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)**

(PCT Article 36 and Rule 70) - (Form PCT/IPEA/409)

FOR FURTHER ACTION See Form PCT/IPEA/416

Applicant's or agent's file reference:

International application No:

International filing date:

Priority date:

International Patent Classification (IPC)
or national classification and IPC:

Applicant:

This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

This REPORT consists of a total of sheets, including this cover sheet.

This report is also accompanied by ANNEXES, comprising:

(sent to the applicant and to the International Bureau) a total of sheets, as follows:

sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions);

sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated under (1) Basis of the report;

(sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated under (1) Basis of the report (see Section 802 of the Administrative Instructions).

This report contains indications relating to:

- Basis of the report
- Priority
- Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Lack of unity of invention

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70) - (Form PCT/IPEA/409)

-
- Reasoned statement with regard to novelty, inventive step or industrial applicability
 - Certain documents cited
 - Certain defects in the international application
 - Certain observations on the international application
-

(1) Basis of the report

With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language
, which is the language of a translation furnished for the purposes of:

international search (under Rules 12.3 and 23.1(b))
publication of the international application (under Rule 12.4)
international preliminary examination (under Rules 55.2 and/or 55.3)

With regard to the elements of the international application, this report is based on
(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

the international application as originally filed/furnished

the description:

pages		as originally filed/furnished
pages	received by this Authority on	
pages	received by this Authority on	

the claims:

pages		as originally filed/furnished
pages	as amended (together with any statement) under Article 19	
pages	received by this Authority on	
pages	received by this Authority on	

the drawings:

pages		as originally filed/furnished
pages	received by this Authority on	
pages	received by this Authority on	

With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this report was established on the basis of:

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70) - (Form PCT/IPEA/409)

type of material

a sequence listing
table(s) related to the sequence listing

format of material

in written format
in computer readable form

time of filing/furnishing

contained in the international application as filed
filed together with the international application in computer readable form
furnished subsequently to this Authority for the purposes of search and/or examination
received by this Authority as an amendment on

In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

Additional comments:

The amendments have resulted in the cancellation of:

the description, pages
the claims, Nos.
the drawings, sheets/figs
the sequence listing (*specify*):

any table(s) related to the sequence listing (*specify*):

This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

the description, pages
the claims, Nos
the drawings, sheets/figs

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70) - (Form PCT/IPEA/409)

the sequence listing (*specify*):

any table(s) related to the sequence listing (*specify*):

(2) Priority

This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:

copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
translation of the earlier application whose priority has been claimed (Rule 66.7(b)).

This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.

Additional observations, if necessary:

(3) Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

the entire international application

claims Nos.

because: the said international application, or the said claims Nos.

relate to the following subject matter which does not require an international preliminary examination (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos.

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)**

(PCT Article 36 and Rule 70) - (Form PCT/IPEA/409)

are so unclear that no meaningful opinion could be formed (*specify*):

the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for said claims Nos. _____

the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

has not been furnished
does not comply with the standard

the computer readable form

has not been furnished
does not comply with the standard

the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

(4) Lack of unity of invention

In response to the invitation to restrict or pay additional fees the applicant has:

restricted the claims.
paid additional fees.
paid additional fees under protest.
neither restricted nor paid additional fees.

This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:

complied with.
not complied with for the following reasons:

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70) - (Form PCT/IPEA/409)

Consequently, this report has been established in respect of the following parts of the international application:

all parts.
 the parts relating to claims Nos

(5) Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Novelty (N):	Claim(s)
	Claim(s)
Inventive Step (IS):	Claim(s)
	Claim(s)
Industrial Applicability (IA):	Claim(s)
	Claim(s)

Citations and explanations (Rule 70.7)

(6) Certain documents cited

Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date <i>(day/month/year)</i>	Filing date <i>(day/month/year)</i>	Priority date (valid claim) <i>(day/month/year)</i>
-------------------------------	---	--	--

Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure <i>(day/month/year)</i>	Date of written disclosure referring to non-written disclosure <i>(day/month/year)</i>
--------------------------------	---	---

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)**

(PCT Article 36 and Rule 70) - (Form PCT/IPEA/409)

(7) Certain defects in the international application

(8) Certain observations on the international application

IPEA

Examiner:

Date of submission of the demand:

Date of completion of this report:

**** End of the IPER ****

[End of Annex IV and of document]