

Translation

PATENT COOPERATION TREATY

PCT

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

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT000000228	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/000133	International filing date (<i>day/month/year</i>) 09.01.2004	Priority date (<i>day/month/year</i>) 28.07.2003
International Patent Classification (IPC) or national classification and IPC B05B7/14, G02F1/1339		
Applicant NISSHIN ENGINEERING INC.		

1. 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.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. (*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 for 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 in item 4 of Box No. I and the Supplemental Box.

b. (*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 in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/IP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I	Basis of the report
1.	<p>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.</p> <p><input type="checkbox"/> 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:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> <p>2. With regard to the elements of the international application, this report is based on (<i>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</i>):</p> <p><input checked="" type="checkbox"/> the international application as originally filed/furnished</p> <p><input type="checkbox"/> the description:</p> <p>pages _____ as originally filed/furnished</p> <p>pages* _____ received by this Authority on _____</p> <p>pages* _____ received by this Authority on _____</p> <p><input type="checkbox"/> the claims:</p> <p>nos. _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* _____ received by this Authority on _____</p> <p>nos.* _____ received by this Authority on _____</p> <p><input type="checkbox"/> the drawings:</p> <p>sheets _____ as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> <p>3. <input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> <p>4. <input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> <p>* <i>If item 4 applies, some or all of those sheets may be marked "superseded."</i></p>

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International application No.

PCT/JP2004/000133

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-19	NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)	<p data-bbox="287 828 1212 918">Document 1: JP 2001-34194 A (Ricoh Co., Ltd.), 09 February 2001</p> <p data-bbox="287 929 1372 974">Document 2: JP 8-108129 A (Ikuro TOCHIZAWA), 30 April 1996</p> <p data-bbox="287 985 1276 1075">Document 3: JP 2000-317355 A (Nihon Parkerizing Co., Ltd.), 21 November 2000</p> <p data-bbox="287 1086 1292 1176">Document 4: JP 56-105770 A (Iwata Air Compressor Mfg. Co., Ltd.), 22 August 1981</p> <p data-bbox="287 1187 1332 1276">Document 5: JP 55-116465 A (Ingemar Lööf), 08 September 1980</p> <p data-bbox="287 1288 1276 1377">Document 6: JP 5-192619 A (Showa Aluminum Corp.), 03 August 1993</p> <p data-bbox="287 1456 1372 2027">The inventions set forth in claims 1, 2 and 4 do not involve an inventive step in the light of document 1 (column 3, lines 7 to 9, and column 6, line 43 to column 7, line 8) cited in the international search report. It would have been easy for a person skilled in the art to conceive of configuring the spacer spraying device with a nozzle that is disposed at a location to the outside of the vertical projective plane extending upwards from the object to be sprayed with the spacer, which is disclosed in document 1, so that the spacer is sprayed in a powdered form, as is indicated in the column pertaining</p>		

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to the prior art in document 1.

The inventions set forth in claims 3, 5, 8 to 10 and 16 to 19 do not involve an inventive step in the light of document 1 and document 2 cited in the international search report. It would have been easy for a person skilled in the art to conceive of employing the relationships between the nozzle and the surface to be sprayed with the spacer which are disclosed in document 2 when configuring the device that is disclosed in document 1.

The invention set forth in claims 6 and 7 does not involve an inventive step in the light of document 1 and document 3 cited in the international search report. It would have been easy for a person skilled in the art to conceive of employing the relationships between the nozzle and the surface to be sprayed with the spacer which are disclosed in document 3 when configuring the device that is disclosed in document 1.

The invention set forth in claims 11 and 12 does not involve an inventive step in the light of document 1, document 2 and document 4 cited in the international search report. It would have been easy for a person skilled in the art to conceive of employing the gas flow supply means that is disclosed in document 4 in the device that is disclosed in document 1.

The invention set forth in claims 13 to 15 does not involve an inventive step in the light of document 1, document 2, document 5 and document 6 cited in the international search report. It would have been easy for a person skilled in the art to conceive of configuring the device that is disclosed in document 1 so that the nozzles are disposed upon two substantially vertical

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surfaces that are arranged so as to face one another at locations to the outside of the projecting plane of the object to be sprayed with the spacer, as disclosed in documents 5 and 6.

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The disclosures of claims 9 and 10 are unclear.

Claims 9 and 10 include the disclosure "...that is set forth in one of claims 3 to 7...(omission)...wherein the aforementioned surface of the aforementioned object to be sprayed with the spacer, which is positioned so as to be approximately horizontal..." However, the object to be sprayed with the spacer is not positioned so as to be approximately horizontal in the inventions that are set forth in claims 4, 5 and 7