

**PATENT COOPERATION TREATY**

**TRANSLATION**

From the  
INTERNATIONAL SEARCHING AUTHORITY

**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference <b>PC-9347</b>	<b>FOR FURTHER ACTION</b> See paragraph 2 below
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International application No. <b>PCT/JP2004/015796</b>	International filing date (day/month/year) <b>25.10.2004</b>	Priority date (day/month/year) <b>28.10.2003</b>
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International Patent Classification (IPC) or both national classification and IPC

Applicant  
**NIKON CORPORATION**

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **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 66.1bis(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 Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

PCT/JP2004/015796

Box No. I	Basis of this opinion
1.	With regard to the <b>language</b> , 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.
<input type="checkbox"/>	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 Rule 12.3 and 23.1(b)).
2.	With regard to any <b>nucleotide and/or amino acid sequence</b> disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
a.	type of material
<input type="checkbox"/>	a sequence listing
<input type="checkbox"/>	table(s) related to the sequence listing
b.	format of material
<input type="checkbox"/>	in written format
<input type="checkbox"/>	in computer readable form
c.	time of filing/furnishing
<input type="checkbox"/>	contained in the international application as filed.
<input type="checkbox"/>	filed together with the international application in computer readable form.
<input type="checkbox"/>	furnished subsequently to this Authority for the purposes of search.
3.	<input type="checkbox"/> 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.
4.	Additional comments:

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<b>Box No. V</b>	<b>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</b>																								
1. Statement	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 2px;">Novelty (N)</td> <td style="width: 10%; padding: 2px;">Claims</td> <td style="width: 60%; padding: 2px;"><u>3-11, 14, 15, 18-25</u></td> <td style="width: 10%; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px;"><u>1, 2, 12, 13, 16, 17, 26-28</u></td> <td style="padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;">Inventive step (IS)</td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px;"><u>3-11, 14, 15, 18-25</u></td> <td style="padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px;"><u>1, 2, 12, 13, 16, 17, 26-28</u></td> <td style="padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;">Industrial applicability (IA)</td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px;"><u>1-28</u></td> <td style="padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px;">_____</td> <td style="padding: 2px;">NO</td> </tr> </table>	Novelty (N)	Claims	<u>3-11, 14, 15, 18-25</u>	YES		Claims	<u>1, 2, 12, 13, 16, 17, 26-28</u>	NO	Inventive step (IS)	Claims	<u>3-11, 14, 15, 18-25</u>	YES		Claims	<u>1, 2, 12, 13, 16, 17, 26-28</u>	NO	Industrial applicability (IA)	Claims	<u>1-28</u>	YES		Claims	_____	NO
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Industrial applicability (IA)	Claims	<u>1-28</u>	YES																						
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2. Citations and explanations:	<p>Document 1: WO 1999/049504 A1 (Nikon Corporation), 30 September 1999, claims, Figs. 1-5</p> <p>The inventions described in claims 1, 2, 12, 13, 16, 17 and 26-28 are disclosed in document 1 (claims, Figs. 1-5) cited in the ISR; therefore, they do not appear to be novel. A section protruding in a wafer traveling direction of a liquid immersion section in Fig. 4 etc. is a region having liquid immersion regions more than necessary for exposure.</p> <p>The inventions relating to claims 3-11, 14, 15 and 18-25 are not disclosed in any of the documents cited in the ISR; therefore, they appear to be novel. In particular, the point that the liquid in a preliminary liquid immersion region is held by a liquid holding sections provided on an outer periphery of the liquid immersion region with prescribed spaces therebetween is not disclosed in any of the documents.</p>																								

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<b>Box No. VI</b>	<b>Certain documents cited</b>		
1. Certain published documents (Rule 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)
<b>JP 2005-12228 A</b>	<b>13.01.2005</b>	<b>18.06.2004</b>	<b>19.06.2003</b>
<b>EX</b>			
<b>JP 2004-320016 A</b>	<b>11.11.2004</b>	04.08.2004	11.04.2003
<b>EX</b>			
2. Non-written disclosures (Rule 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)	