

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) **See form PCT/ISA/210**

Applicant's or agent's file reference JC0221PCT		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/EP2006/060811	International filing date (day/month/year) 16.03.2006	Priority date (day/month/year) 17.03.2005
International Patent Classification (IPC) or both national classification and IPC B60J3/02		
Applicant JOHNSON CONTROLS INTERIORS GMBH & CO. KG		

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/EP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

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Box No. I	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of:</p> <p><input checked="" type="checkbox"/> the international application in the language in which it was filed</p> <p><input type="checkbox"/> the translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rule 12.3(a) and 23.1(b)).</p>
2.	<p>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:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> on paper</p> <p><input type="checkbox"/> in electronic form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed</p> <p><input type="checkbox"/> filed together with the international application in electronic form</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search</p>
3.	<p><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.</p>
4.	<p>Additional comments:</p>

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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		
1. Statement			
Novelty (N)	Claims	3-5, 7, 9	YES
	Claims	1, 2, 6, 8, 10	NO
Inventive step (IS)	Claims	3-5, 7, 9	YES
	Claims	1, 2, 6, 8, 10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO
2. Citations and explanations:			
Reference is made to the following documents:			
D1: US-A-6 131 986 (ROSEN <i>ET AL.</i>) 17 October 2000 (2000-10-17)			
D2: FR-A-2 755 404 (GARCIA FRANCISCO) 7 May 1998 (1998-05-07)			
D3: US-A-4 765 675 (SVENSSON <i>ET AL.</i>) 23 August 1988 (1988-08-23)			
D4: DE 10 14 446 B (ROBERT CHAPPATTE) 22 August 1957 (1957-08-22)			
D5: WO 03/104033 A (JOHNSON CONTROLS TECHNOLOGY COMPANY; BELAND, WILLIAM, R; GORT, DALE, A) 18 December 2003 (2003-12-18)			
D6: US-B1-6 402 221 (OGUNJOBI EDWARD ADEGOKE) 11 June 2002 (2002-06-11)			
D7: DE 81 04 417 U1 (GEBR. HAPPICH GMBH, 5600 WUPPERTAL, DE) 27 August 1981 (1981-08-27)			
<u>V.2.1. Independent claim 1</u>			
D1 shows:			
- a fastening device for a vehicle for the fastening			

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of a component (visor panel 62), in particular a sun visor, wherein the fastening device has an extension arm (mount 12) which can be pivoted about a first, in particular vertical, axis of rotation (vertical axis VA1) but is otherwise fixed in relation to the vehicle body, wherein the component (visor panel 62) can be folded in relation to the cantilever arm (mount 12) about a second, in particular horizontal, axis of rotation (horizontal axis HA1), and wherein, in addition to the foldability of the component (visor panel 62) about the second axis of rotation (horizontal axis HA1), the component (visor panel 62) is provided in a manner such that it can be changed in position relative to the extension arm (mount 12) (see figures 3 and 4).

The present application therefore does not satisfy the criterion in PCT Article 33(2) because the subject matter of the claim is not novel in relation to the prior art as defined in the Regulations (PCT Rule 64.1 - 64.3).

V.2.2. Dependent claims 2, 6, 8, 10

Dependent claims 2, 6, 8, 10, which relate to further developments of the invention according to claim 1, likewise do not meet the PCT requirements, since the features of said claims also seem, at least as seen on their own, to be known from the documents mentioned in this regard; they do not therefore comprise any essential features which could in any way justify the novelty and/or an inventive step.

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V.2.3. With regard to the description

The description has not cited D1 and the relevant prior art contained therein has not been briefly outlined; the requirements of PCT Rule 5.1(a)(ii) are therefore not met.

V.2.4. General notes and proposals for the further procedure

Amendments (preferably handwritten) are to be submitted on complete **replacement pages** which are inserted seamlessly into the existing pages and the page numbering thereof (if appropriate with supplementary pages); **it is emphasized in this connection that the authority instructed with the international preliminary examination is not authorized to undertake amendments in submitted documents - even at the request of the applicant.**

It is emphasized to the applicant that the application must not be changed such that its subject matter goes beyond the disclosure of the application as originally filed (PCT Article 34(2)(b)).

Details which, although relevant to the subject matter of the invention (for example, further details with regard to the advantages of the invention or the problem addressed), but which do not have any basis in the original documents should at most be contained in the response letter but should not be incorporated in the application (PCT Article 34(2)(b)). In order for the further examination proceedings to be expedited, the

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applicant is requested to show in his response which parts of the original application could serve as the basis for the change(s).