

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/LT2007/000003	International filing date (day/month/year) 26.01.2007	Priority date (day/month/year) 27.01.2006
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International Patent Classification (IPC) or both national classification and IPC
INV. E04B2/70 E04C2/12 E04C2/34 B27M3/00 E04C3/14

Applicant
SAVELJEV, Sergej

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 43*bis*.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 usually 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 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.

<p>Name and mailing address of the ISA:</p>  <p>European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465</p>	<p>Date of completion of this opinion</p> <p>see form PCT/ISA/210</p>	<p>Authorized Officer</p> <p>Vratsanou, Violandi</p> <p>Telephone No. +49 89 2399-7142</p> 
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Box No. I Basis of the opinion

1. 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
 - a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. 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:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - on paper
 - in electronic form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in electronic form.
 - furnished subsequently to this Authority for the purposes of search.
3. 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.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/LT2007/000003

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)	Yes: Claims	<u>1-7</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-7</u>
Industrial applicability (IA)	Yes: Claims	<u>1-7</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

V.1 Reference is made to the following documents:

- D1: DE 94 19 703 U1 (FUERSTLICH LOEWENSTEIN WERTHEI [DE]) 16 February 1995 (1995-02-16)
D2: DE 75 05 277 U (STEIDLE E GMBH & CO) 21 August 1975 (1975-08-21)
D3: FR-A-2 641 301 (HENRY GERARD [FR]) 6 July 1990 (1990-07-06)
D4: WO 02/103128 A (MUSZYNSKI ARKADIUSZ [PL]) 27 December 2002 (2002-12-27)
D5: WO 03/102325 A2 (LUDWIG JUNKER SAEGEWERK UND HO [DE]) 11 December 2003 (2003-12-11)
D6: DE 34 23 576 A1 (HEINRICH MATTHIAS) 9 January 1986 (1986-01-09)

V.2 Document D1, which is considered to represent the most relevant state of the art for the subject-matter of the independent claim 1, discloses (the references in *italic* applying to this document):

- a) a multichamber wood unit *1 (fig. 1; claim 1)*, composed of several interconnected oblong wooden elements *2a, 2b, 3, 8a, 8b* forming internal spaces *7a/7b*, consisting of (*fig. 1, 2b; page 7*):
- b) - external elements *2a/2b*, having the vertical connection elements *4* formed on opposite edges of the external elements *2a/2b*, and a number of connecting grooves *11* on internal sides, the external elements *2a/2b* being arranged at a distance from each other and in parallel to each other;
- c) - transversal connecting elements *3/3*, having the dovetails *11 (claim 15)* to connect with the grooves *11* of the external elements *2a/2b*, and grooves *6* on the side surfaces to connect with the internal partition elements *8a/8b*, the transversal connecting elements *3/3* being arranged between the external elements *2a/2b* and connecting the external elements *2a/2b* with each other by inserted-glued connections (*page 12, l. 5-8*) perpendicularly to the internal surfaces thereof;
- d) - internal partition elements *8a/8b* arranged in parallel between the external elements *2a/2b* and fixed with their ends in the grooves *6* of the transversal connecting elements *3/3*, thus forming a number of internal chambers *7a/7b*.

The subject-matter of claim 1 therefore differs from this known wood unit in that:

- d1) [the internal partition elements (3) are fixed with their ends in the grooves (13) of the transversal connecting elements (4)] with inserted-glued connections (6).

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The feature d1) is merely one of several straightforward possibilities from which the skilled person would select, without the exercise of inventive skill, in order to strengthen the connection the internal partition elements (3) and the transversal connecting elements (4). Reference can be made e. g. to the document D2 (*fig. 2, 3; page 3, last paragraph*). Hence, the subject-matter of claim 1 lacks an inventive step (Article 33(3) PCT).

V.3 The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claim 6, which therefore is also considered not inventive, see also D1 (*page 11, paragraph 4 - page 12, paragraph 1*).

V.4 Inasmuch as the additional features of each of the dependent claims 2-5, 7 are not directly known from the documents cited above, they concern only minor modifications which lie within the normal practice of the person skilled in the art, especially as the advantages thus achieved can readily be foreseen. Reference can be made e. g. to the following documents:

- for claim 2: see D1 (*fig. 1*);
- for claim 3-4: see D3 (*fig. 3*) or D4 (*fig. 5*);
- for claim 5: see D1 (*claim 15*).
- for claim 7: see D5 (*fig. 7, 8*).

Hence, claims 2-5, 7 seem to contain no features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step.

Re Item VII

Certain defects in the international application

VII.1 Although claim 1 is drafted in the two-part form the features b), c), d), see Section V.1 above, are incorrectly placed in the characterising portion, as they are disclosed in document D1 in combination with the features placed in the preamble (Rule 6.3(b) PCT).

VII.2 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.