

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
P042862P0

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2006/321671

International filing date (day/month/year)
30.10.2006

Priority date (day/month/year)

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

Applicant
PANASONIC 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	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. IV Lack of unity of invention

1. In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:
- paid additional fees
 - paid additional fees under protest and, where applicable, the protest fee
 - paid additional fees under protest but the applicable protest fee was not paid
 - not paid additional fees
2. 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.
3. 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:

A matter common to the invention as in claims 1, 7, 12 and 13 is a structure which receives a DTIM beacon including information indicative of the transmission of packet data standing by the transmission, detects beacons received just before the transmission of its own beacon or in a predetermined period of time immediately after the transmission, adjusts transmission intervals of its own DTIM beacon in the case that the receipt of the beacon is detected, transmits the DTIM beacon at the adjusted transmission intervals, and transmits the packet data immediately after the transmission of the DTIM beacon, wherein the beacon is deemed to be the DTIM beacon in the light of paragraph [0066] of the present application.

Here, JP 2004-40645 A discloses a technology which detects the receipt of the beacon, adjusts the transmission intervals of the beacon signal in its own

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- all parts
 - the parts relating to claims Nos. 1-6, 12

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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	<u>1-6, 12</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1-6, 12</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1-6, 12</u>	YES
	Claims	_____	NO
2. Citations and explanations:			
<p>The invention as in claims 1-6 and 12 is not disclosed in any of the documents cited in the ISR, nor would it be obvious to a person skilled in the art.</p>			

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box IV

station in the case that the receipt of the beacon signal is detected, transmits the beacon signal at the adjusted transmission intervals, and transmits the packet data after the transmission of the beacon signal (paragraphs [0093]-[0108]; fig. 11), wherein the beacon signal corresponds to the DTIM beacon in view of the provision of packet data transmission timing.

As a result, the structure set forth above does not make any contribution over the prior art, and it is not a special technical feature in the meaning of PCT Rule 13.2, second sentence.

Therefore, there is no matter common to all the inventions as in claims 1, 7, 12 and 13. Since there is no common matter deemed to be a special technical feature in the meaning of PCT Rule 13.2, second sentence, no technical relationship can be found among those different inventions in the meaning of PCT Rule 13.

Therefore, it is clear that the inventions in claims 1, 7, 12 and 13 do not comply with the requirement of unity of invention.

In addition, the inventions in claims 1-6 and 12 are regarded as one invention while each of the inventions in claims 8, 9 and 10 is also regarded as one invention in the present application, so that the present application is deemed to contain four inventions in total.