

PATENT COOPERATION TREATY

PCT

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

(PCT Rule 44bis)

Applicant's or agent's file reference B060589WO01-	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2007/072647	International filing date (<i>day/month/year</i>) 22 November 2007 (22.11.2007)	Priority date (<i>day/month/year</i>) 22 November 2006 (22.11.2006)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant KANEKA CORPORATION			

<p>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
<p>3. This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).</p>	<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 type="checkbox"/>	Box No. VIII	Certain observations on the international application
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The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 26 May 2009 (26.05.2009)
Facsimile No. +41 22 338 82 70	Authorized officer Yoshiko Kuwahara e-mail: pt07.pct@wipo.int

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 B060589W001-		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/JP2007/072647	International filing date (day/month/year) 22.11.2007	Priority date (day/month/year) 22.11.2006
International Patent Classification (IPC) or both national classification and IPC		
Applicant KANEKA 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.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2007/072647

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"/> 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)).</p>
2.	<p><input type="checkbox"/> This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))</p>
3.	<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>
4.	<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>
5.	<p>Additional comments:</p>

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

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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	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 2px;">Novelty (N)</td> <td style="padding: 2px;">Claims <u>4-9, 12-26, 35-38</u></td> <td style="width: 10%; text-align: right; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims <u>1-3, 10, 11, 27-34</u></td> <td style="width: 10%; text-align: right; padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;">Inventive step (IS)</td> <td style="padding: 2px;">Claims <u>4-9, 12-26, 35-38</u></td> <td style="width: 10%; text-align: right; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims <u>1-3, 10, 11, 27-34</u></td> <td style="width: 10%; text-align: right; padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;">Industrial applicability (IA)</td> <td style="padding: 2px;">Claims <u>1-38</u></td> <td style="width: 10%; text-align: right; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims _____</td> <td style="width: 10%; text-align: right; padding: 2px;">NO</td> </tr> </table>	Novelty (N)	Claims <u>4-9, 12-26, 35-38</u>	YES		Claims <u>1-3, 10, 11, 27-34</u>	NO	Inventive step (IS)	Claims <u>4-9, 12-26, 35-38</u>	YES		Claims <u>1-3, 10, 11, 27-34</u>	NO	Industrial applicability (IA)	Claims <u>1-38</u>	YES		Claims _____	NO
Novelty (N)	Claims <u>4-9, 12-26, 35-38</u>	YES																	
	Claims <u>1-3, 10, 11, 27-34</u>	NO																	
Inventive step (IS)	Claims <u>4-9, 12-26, 35-38</u>	YES																	
	Claims <u>1-3, 10, 11, 27-34</u>	NO																	
Industrial applicability (IA)	Claims <u>1-38</u>	YES																	
	Claims _____	NO																	
2. Citations and explanations:	<p>Document 1: JP 2001-207070 A (Sekisui Chemical Co., Ltd.), 31 July 2001, claims; paragraphs [0007]-[0013], [0030]; examples</p> <p>Document 2: JP 64-29450 A (Dainippon Ink and Chemicals, Inc.), 31 January 1989, claims; page 6, upper right column, lines 4-7; page 7, upper right column, lines 5-8, examples</p> <p>Document 3: JP 62-169861 A (PPG Industries Inc.), 27 July 1987, claims, page 21, upper right column, line 18 to lower right column, line 3</p> <p>Document 4: JP 4-100865 A (Colcoat Engineering Kabushiki Kaisha), 02 April 1992, claims; page 4, upper right column, line 14 to lower left column, line 3; page 4, lower right column, line 15 to page 6, upper right column, line 6; page 7, upper left column, line 17 to upper right column, line 5</p> <p>Because the invention as in claims 1-3, 10, 11 and 27-32 is disclosed in documents 1-3 cited in the ISR, it is not novel and does not involve an inventive step. As disclosed in documents 1-3, in a hardening system having</p>																		

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

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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

a polymer having a hydrolysable silyl group, a compound having a fluorine ion acting as a hardening accelerator is well known.

Because the invention as in claims 33 and 34 is disclosed in documents 1 and 2, it is not novel and does not involve an inventive step. Documents 1 and 2 disclose that the hardening composition is suited for adhesives and sealing materials.

Because the invention as in claims 1-3, 10, 11 and 27-32 is disclosed in document 4 cited in the ISR, it is not novel and does not involve an inventive step. Document 4 discloses a hardening composition polymer comprising a hydrolysable silyl group and a fluoride, and no difference is found from the invention as in claims 1-3, 10, 11 and 27-32 in its constitution as a composition.

The invention as in claims 4-9, 12-26 and 35-38 is not disclosed in any of the documents cited in the ISR and would not be obvious to a person skilled in the art.