

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
D08-SZ076CT1

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2008/000493

International filing date (day/month/year)
07.03.2008

Priority date (day/month/year)
27.03.2007

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

Applicant
DAIKIN INDUSTRIES, LTD.

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

Facsimile No.

Date of completion of this opinion

Authorized officer

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"/> 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>

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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: 30%; padding: 2px;">Novelty (N)</td> <td style="width: 10%; padding: 2px;">Claims</td> <td style="width: 55%; padding: 2px; border-bottom: 1px solid black;">3</td> <td style="width: 5%; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px; border-bottom: 1px solid black;">1, 2</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; border-bottom: 1px solid black;">3</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px; border-bottom: 1px solid black;">1, 2</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; border-bottom: 1px solid black;">1-3</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims</td> <td style="padding: 2px; border-bottom: 1px solid black;"></td> <td style="padding: 2px;">NO</td> </tr> </table>	Novelty (N)	Claims	3	YES		Claims	1, 2	NO	Inventive step (IS)	Claims	3	YES		Claims	1, 2	NO	Industrial applicability (IA)	Claims	1-3	YES		Claims		NO
Novelty (N)	Claims	3	YES																						
	Claims	1, 2	NO																						
Inventive step (IS)	Claims	3	YES																						
	Claims	1, 2	NO																						
Industrial applicability (IA)	Claims	1-3	YES																						
	Claims		NO																						
2. Citations and explanations:	<p>Document 1: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 033621/1975 (Laid-open No. 114748/1976) (Hitachi, Ltd.), 17 September 1976, fig. 1 and 4; page 1, line 12 to page 2, line 10</p> <p>Document 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 026538/1975 (Laid-open No. 108255/1976) (Jidosha Kogai Anzen Kiki Gijutsu Kenkyu Kumiai), 30 August 1976, fig. 1 and 4</p> <p>Document 3: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 157172/1974 (Laid-open No. 91360/1976) (Jidosha Kogai Anzen Kiki Gijutsu Kenkyu Kumiai), 21 July 1976, fig. 3-5</p> <p style="margin-top: 20px;">The invention as in claims 1 and 2 lacks novelty and does not involve an inventive step, since the feature wherein, for example, piping 6 and 7 are so arranged as not to be adjacent to each other is disclosed in document 1 cited in the ISR.</p> <p>The invention as in claims 1 and 2 lacks novelty and does not involve an inventive step, since the feature wherein, for example, piping 6 and 7 are so arranged as not to be adjacent</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

to each other is disclosed in document 2 cited in the ISR.

The invention as in claims 1 and 2 lacks novelty and does not involve an inventive step, since the feature wherein, for example, piping 6 and 7 are so arranged as not to be adjacent to each other is disclosed in document 3 cited in the ISR.