

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 07-0399-NEC		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/JP2008/055541	International filing date (day/month/year) 25.03.2008	Priority date (day/month/year) 28.03.2007
International Patent Classification (IPC) or both national classification and IPC		
Applicant NEC 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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PCT/JP2008/055541

Box No. I	Basis of this opinion
	<p>1. 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> <p>2. <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> <p>3. 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> <p>4. <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> <p>5. Additional comments:</p>

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International application No. PCT/JP2008/055541
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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="width: 60%; padding: 2px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">1-10</td> <td style="width: 10%; padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;"></td> <td style="padding: 2px;">NO</td> </tr> </table> </td> <td style="width: 10%;"></td> </tr> <tr> <td style="padding: 2px;">Inventive step (IS)</td> <td style="padding: 2px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">1-6, 9</td> <td style="width: 10%; padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">7-8, 10</td> <td style="padding: 2px;">NO</td> </tr> </table> </td> <td style="width: 10%;"></td> </tr> <tr> <td style="padding: 2px;">Industrial applicability (IA)</td> <td style="padding: 2px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">1-10</td> <td style="width: 10%; padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;"></td> <td style="padding: 2px;">NO</td> </tr> </table> </td> <td style="width: 10%;"></td> </tr> </table>	Novelty (N)	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">1-10</td> <td style="width: 10%; padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;"></td> <td style="padding: 2px;">NO</td> </tr> </table>	Claims	1-10	YES	Claims		NO		Inventive step (IS)	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">1-6, 9</td> <td style="width: 10%; padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">7-8, 10</td> <td style="padding: 2px;">NO</td> </tr> </table>	Claims	1-6, 9	YES	Claims	7-8, 10	NO		Industrial applicability (IA)	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;">1-10</td> <td style="width: 10%; padding: 2px;">YES</td> </tr> <tr> <td style="padding: 2px;">Claims</td> <td style="border-bottom: 1px solid black; padding: 2px;"></td> <td style="padding: 2px;">NO</td> </tr> </table>	Claims	1-10	YES	Claims		NO	
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2. Citations and explanations:	<p>Document 1: JP 2004-178233 A (Hitachi Industries Co., Ltd.), 24 June 2004, entire text, all drawings (Family: none)</p> <p>Document 2: JP 2005-222139 A (Mitsubishi Electric Corp.), 18 August 2005, paragraph [0040] (Family: none)</p> <p>Document 3: JP 2001-236119 A (Mitsubishi Electric Corp.), 32 August 2001, paragraph [0012] (Family: none)</p> <p>Claim 7</p> <p style="padding-left: 20px;">The invention as in claim 7 does not involve an inventive step in the light of documents 1 and 2 cited in the ISR and the well-known art.</p> <p style="padding-left: 20px;">Document 1 indicates that when an alarm (emergent monitoring information) is not raised, measurement data from sensors 2 and 3 is recorded on and stored in a recording part of an information processing section 5 and then is submitted to regular transmission, whereas when an alarm is raised, alarm information is irregularly transmitted; thus, employing the feature described in document 2 (paragraph [0040]), wherein a measurement signal stored in the memory is transmitted on the basis of the transmission request, as an alternative to the regular transmission described in document 1 would be easy for a person skilled in the art.</p> <p style="padding-left: 20px;">In addition, recording a control program on a recording</p>																											

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medium is also conventionally a well-known art without citing any example.

Claim 8

The invention as in claim 8 does not involve an inventive step in the light of document 1 cited in the ISR and the well-known art.

Document 1 describes a maintenance device 4 wherein when an alarm (emergent monitoring information) is raised, alarm information and past data (general monitoring information) are attached to the text of an e-mail and then the e-mail is transmitted.

In addition, recording a control program on a recording medium is also conventionally a well-known art without citing any example.

Claim 10

The invention as in claim 10 does not involve an inventive step in the light of documents 1 and 3 cited in the ISR.

Applying the feature described in document 3, wherein acquired data is sorted in time-stamp order, in the invention described in document 1 would be easy for a person skilled in the art.

In addition, recording a control program on a recording medium is also conventionally a well-known art without citing any example.

Claims 1-6 and 9

The invention as in claims 1-6 and 9 is neither described in any of the documents cited in the ISR nor would it be obvious to a person skilled in the art.