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WIPO

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Ihr Zeichen	Ihre Nachricht vom	Unser Zeichen	Telefon-Durchwahl +49 (0)231 569-	Telefax-Durchwahl +49 (0)231 569-	Datum
	23.06.2009	10197 WO	10846	1389	16.07.2009

International filing number: PCT/EP2009/003004  
Invitation to correct priority claim

Dear Mme. Déprez,

we refer to the "Invitation to correct priority claim and/or notification of possibility to request restoration of the right of priority" dated 23.06.2009 attached regarding our above mentioned patent application.

The priority document DE 10 2008 055 620.3 belongs to the priority application 10 2008 055 620 claimed in the PCT-request. The ".3" after the application number is only a check digit of the German Patent Office.

We kindly ask you to send us a notice of acceptance and to confirm receipt of this telefax-message.

Best regards

KHS AG  
Patents department

Marc Sonderrmann  
AV 529160.4

Enclosure

**Sondermann, Marc**

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**Von:** Deprez, Isabelle [Isabelle.Deprez@wipo.int]  
**Gesendet:** Mittwoch, 15. Juli 2009 09:10  
**An:** Sondermann, Marc  
**Betreff:** RE: International patent application No. PCT/EP2009/003004; your ref.: Isabelle Deprez; our Ref.: 10197 WO

Dear Sir,

Please note that the e-mail is not legally receivable. I would be grateful if you could send me the information via fax. Please mention my name on the cover sheet, and send it directly to my team's fax number: 41-22-338-89-75. This will allow me to process your request earlier.

Regards,

Isabelle Déprez  
PT05 -PCT- WIPO

-----Original Message-----

From: pct, pt05  
Sent: Tuesday, 14. July 2009 15:05  
To: Deprez, Isabelle  
Subject: FW: International patent application No. PCT/EP2009/003004; your ref.: Isabelle Deprez; our Ref.: 10197 WO  
Importance: High

Pour toi !  
A+

-----Original Message-----

From: Sondermann, Marc [mailto:]  
Sent: Tuesday, 14. July 2009 14:53  
To: pct, pt05  
Subject: International patent application No. PCT/EP2009/003004; your ref.: Isabelle Deprez; our Ref.: 10197 WO  
Importance: High

Dear Mme. Deprez,

we refer to the "Invitation to correct priority claim and/or notification of possibility to request restoration of the right of priority" dated 23.06.2009 attached regarding our above mentioned patent application.

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We kindly ask you to send us a notice of acceptance and to confirm receipt of this email.

Best regards!

Marc Sondermann

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PATENT COOPERATION TREATY

PCT/EP2009/003004

Eh	Patentabteilung	ST
13. Juli 2009		
		IS

From the INTERNATIONAL BUREAU

PCT

INVITATION TO CORRECT PRIORITY CLAIM  
AND/OR NOTIFICATION OF POSSIBILITY  
TO REQUEST RESTORATION OF  
THE RIGHT OF PRIORITY

(PCT Rules 4.10, 26bis.1, 26bis.2(a) and (b), 26bis.3)

To:

KHS AG  
Juchostrasse 20  
44143 Dortmund  
ALLEMAGNE

Date of mailing (day/month/year) 23 June 2009 (23.06.2009)	REPLY DUE	See item 1 and 2
Applicant's or agent's file reference 10197 WO		
International application No. PCT/EP2009/003004	International filing date (day/month/year) 24 April 2009 (24.04.2009)	
Applicant KHS AG et al		

1.  The applicant is hereby invited to correct, by a notice submitted to the International Bureau within the time limit indicated below, defects in the priority claim as indicated in Annex A:

**Time limit to respond to this Invitation (Rule 26bis.1(a)):**

- within 16 months from the (earliest) priority date; or
- if the (earliest) priority date is changed as a result of the correction or addition of the (earliest) priority claim, within 16 months from that (earliest) priority date so changed,

whichever expires first, provided that such a notice may, in any event, be submitted until the expiration of four months from the international filing date.

**Failure to respond to this invitation within the prescribed time limit may result in the priority claim concerned to be considered void for the purposes of the procedure under the PCT (Rule 26bis.2(b)).**

2.  The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. The applicant is hereby notified of the possibility of submitting to the receiving Office, within the time limit indicated below, a request to restore the right of priority as indicated in Annex B.

**Time limit to request the restoration of the right of priority with the receiving Office (Rule 26bis.3(e)):**

- within two months from the date on which the priority period expired.

3.  In the case where multiple priorities have been claimed, this notice relates to the following priority claim:

DE 03 November 2008 (03.11.2008) 10 2008 055 620

A copy of this Invitation/Notification is being sent to the receiving Office.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Deprez Isabelle e-mail pt05.pct@wipo.int Telephone No. +41 22 338 74 05
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ANNEX A TO FORM PCT/IB/316

International application No.  
PCT/EP2009/003004

The International Bureau has found the following defects in the priority claim(s):

1. Failure to Comply with the Requirements of Rule 4.10

a.  National application

- Missing indication of the filing date of the earlier application.
- Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.\*
- Missing indication of the number of the earlier application.\*\*
- Missing indication of the country party to the Paris Convention for the Protection of Industrial Property, or of the Member of the World Trade Organization that is not party to that Convention, in which the earlier national application was filed.
- The country indicated is neither a party to the Paris Convention for the Protection of Industrial Property nor a Member of the World Trade Organization.

b.  Regional application

- Missing indication of the filing date of the earlier application.
- Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.\*
- Missing indication of the number of the earlier application.\*\*
- Missing indication of the authority entrusted with the granting of regional patents under the applicable regional patent treaty.
- The authority indicated as the authority entrusted with the granting of regional patents does not grant regional patents.
- The priority claim in relation to the ARIPO application does not indicate either at least one country party to the Paris Convention for the Protection of Industrial Property, or at least one Member of the World Trade Organization, for which the earlier application was filed.

c.  International application

- Missing indication of the filing date of the earlier application.
- Filing date indicated for the earlier application does not fall within the period of 12 months preceding the international filing date.\*
- Missing indication of the number of the earlier application.\*\*
- Missing indication of the receiving Office with which it was filed.

2. Inconsistency with the Corresponding Indications in the Priority Document\*\*

a.  Inconsistency with regard to the filing date of the earlier application:

The request indicates:

The priority document indicates:

b.  Inconsistency with regard to the number of the earlier application:

The request indicates: 10 2008 055 620

The priority document indicates: 10 2008.055 620.3

c.  Inconsistency with regard to the country party to the Paris Convention for the Protection of Industrial Property or the Member of the World Trade Organization in which the national application was filed:

The request indicates:

The priority document indicates:

d.  Inconsistency with regard to the authority entrusted with the granting of regional patents under the applicable regional patent treaty:

The request indicates:

The priority document indicates:

e.  Inconsistency with regard to the receiving Office with which the international application was filed:

The request indicates:

The priority document indicates:

\* If the international filing date is later than the date on which the priority period expired, but is within two months from that expiration date, the priority claim will not be considered void (Rule 26bis.2(c)(iii)).

\*\* Even if this defect is not corrected in response to this invitation, the priority claim concerned will not be considered void (Rule 26bis.2(c)(i) and (ii)).

ANNEX B TO FORM PCT/IB/316

International application No.  
PCT/EP2009/003004

**NOTIFICATION OF POSSIBILITY TO REQUEST RESTORATION OF RIGHT OF PRIORITY**  
(Rule 26bis.3)

The international filing date of the international application is later than the date on which the priority period (Rule 2.4) expired but is within two months from that date. If the filing date of the earlier application has been indicated correctly and no request for correction of that filing date is submitted under Rule 26bis.1(a), the applicant may submit to the receiving Office, within the time limit indicated below, a request to restore the right of priority.

**REQUEST TO RESTORE THE RIGHT OF PRIORITY**

The request to restore the right of priority must be filed with the receiving Office **within two months** from the date on which the priority period expired provided that, where the applicant makes a request for early publication under Article 21(2)(b), the request must be submitted before technical preparations for international publication have been completed (Rule 26bis.3(e)).

The request to restore the right of priority must state the reasons for the failure to file the international application within the priority period; where required by the receiving Office, the request to restore the right of priority should preferably already be accompanied by a declaration or other evidence in support of the statement of reasons referred to in Rule 26bis.3(b)(iii) and the applicable fees should be paid (Rule 26bis.3(d)).