

PATENT COOPERATION TREATY

† From the
INTERNATIONAL SEARCHING AUTHORITY

To: 100192 Suite B 1601A, 8 Xue Qing Rd., Haidian, Beijing, 100192, CHINA AFD CHINA INTELLECTUAL PROPERTY LAW OFFICE

PCT

**WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY**

(PCT Rule 43 *bis*.1)

Date of mailing (day/month/year) 09 Sep. 2010 (09.09.2010)

Applicant's or agent's file reference 181001380	FOR FURTHER ACTION See paragraph 2 below
--	--

International application No. PCT/CN2010/073386	International filing date(day/month/year) 31 May. 2010(31.05.2010)	Priority date (day/month/year) 10 Jul. 2009(10.07.2009)
--	---	--

International Patent Classification (IPC) or both national classification and IPC H04J3/06(2006.01)i

Applicant ZTE CORPORATION et al.

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 43*bis*.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 66.1*bis*(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/CN The State Intellectual Property Office, the P.R.China 6 Xitucheng Rd., Jimen Bridge, Haidian District, Beijing, China 100088 Facsimile No. 86-10-62019451	Date of completion of this opinion 26 Aug. 2010 (26.08.2010)	Authorized officer LI, Zhenhua Telephone No. (86-10)62411495
--	---	---

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/CN2010/073386

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - the international application in the language in which it was filed.
 - 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)).
2. 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))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:
 - a. a sequence listing filed or furnished
 - on paper
 - in electronic form
 - b. time of filing or furnishing
 - contained in the applicant as filed
 - filed together with the application in electronic form
 - furnished subsequently to this Authority for the purposes of search
4. In addition, in the case that more than one version or copy of a sequence listing 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.
5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/CN2010/073386

Box No. II Priority

1. The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules **43bis.1** and **64.1**). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:
After verified, the priority of the application is valid.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/CN2010/073386

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	1-13	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-13	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims	NONE	NO

2. Citations and explanations

The documents cited in this written opinion are:

D1: CN101299609A; D2: CN101098220A; D3: CN101079629A; D4: US7358783B1.

D1 discloses a phase detector, phase detecting method and phase locked loop. D2 discloses a clock synchronization method and system based on the digital phase locked loop. D3 discloses a digital phase locked device for realizing seamless switching between clock plates of SDH product. D4 discloses a phase-locked loop circuit.

Novelty:

D1 is the closest prior art to the technical solutions of the independent claims 1 and 8, comparing to D1, the different features in the independent claims 1, 8 are: performing the frequency division processing on the clock signal, which is obtained by performing frequency division processing on the global working clock, to obtain a local clock signal by using the first frequency division factor. Therefore the independent claims 1 and 8 are novel, and comply with the PCT Article 33(2). And thus the dependent claims 2-7 and 9-13 of the independent claims 1 and 8 have novelty and comply with the PCT Article 33(2).

Inventive step:

For the person skilled in the art, the prior art D1-D4 do not teach or fairly suggest the technical solutions defined by claims 1 and 8, and the technical solutions defined by claims 1 and 8 can not be obtained by the combination of the D1-D4 and the common knowledge in the art. So the independent claims 1 and 8 have an inventive step and comply with the PCT Article 33(3). And thus the dependent claims 2-7 and 9-13 of the independent claims 1 and 8 have an inventive step and comply with the PCT Article 33(3).

Industrial applicability:

Claims 1-13 have industrial applicability under PCT Article 33(4), because the technical solutions claimed can be made or used in the industry.