

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)	14.08.2012
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Applicant's or agent's file reference 12F01358WO	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/JP2012/063308	International filing date (day/month/year) 24.05.2012	Priority date (day/month/year) 22.06.2011
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International Patent Classification (IPC) or both national classification and IPC
H01M14/00, C07D487/04, C09B23/00, C09B57/10, H01L31/04

Applicant
FUJIFILM 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/JP2012/063308

Box No. I Basis of this 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 43*bis*.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 sequence listing filed or furnished:
 - a. (means)
 - on paper
 - in electronic form
 - b. (time)
 - in the international application as filed
 - together with the international application in electronic form
 - 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/JP2012/063308

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>1-13</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> <tr> <td style="padding: 2px;">Inventive step (IS)</td> <td style="padding: 2px;">Claims <u>1-13</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> <tr> <td style="padding: 2px;">Industrial applicability (IA)</td> <td style="padding: 2px;">Claims <u>1-13</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>1-13</u>	YES		Claims _____	NO	Inventive step (IS)	Claims <u>1-13</u>	YES		Claims _____	NO	Industrial applicability (IA)	Claims <u>1-13</u>	YES		Claims _____	NO	
Novelty (N)	Claims <u>1-13</u>	YES																	
	Claims _____	NO																	
Inventive step (IS)	Claims <u>1-13</u>	YES																	
	Claims _____	NO																	
Industrial applicability (IA)	Claims <u>1-13</u>	YES																	
	Claims _____	NO																	
2. Citations and explanations:																			
<p>Document 1: JP 2000-195570 A (FUJI PHOTO FILM CO., LTD.) 14 July 2000, entire text</p> <p>Document 2: JP 2000-103978 A (FUJI PHOTO FILM CO., LTD.) 11 April 2000, entire text</p> <p>Document 3: JP 62-290184 A (FUJI ELECTRIC CO., LTD.) 17 December 1987, entire text</p> <p>Document 4: FR 96399 A1 (CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE) 16 June 1972, entire text</p> <p>(1) The invention as in claims 1-13 is not disclosed in any of the documents cited in the ISR and thus is novel and involves an inventive step. In particular, none of the documents discloses a dye represented by formula (1) in claims 1 and 13. Furthermore, the dye could not be easily conceived of by a person skilled in the art.</p>																			

Box No. VIII **Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

(1) Claim 3 recites "a photoelectric conversion element set forth in claim 1 or 2, wherein the aforementioned n22 and n31 are 0". Meanwhile, the invention as set forth in claim 2 specifies that P1 is P11-1 or P12-1. Therefore, "n22" and "n31" are not present. As a result, claim 3, which specifies "the photoelectric conversion element set forth in claim 2" wherein "the aforementioned n22 and n31 are 0", is unclear.

(2) With regard to the inventions as set forth in claims 1-13, compounds that are specifically disclosed in the description are compounds (1-126). The description only evaluates the initial conversion efficiency and the like of a portion of these compounds. Generally, in the field of chemistry, a chemical property is predicted to be significantly different if the type of a substituent introduced is significantly different or if an element in the skeleton is replaced. Taking into account this matter, with regard to compounds that satisfy general formula (I) other than the compounds that are specifically discussed and assessed in the invention as in claim 1 of the present application, the invention as in dependent claims thereof and the invention as in claim 13, the description is not considered to give sufficient explanation so as to allow a person skilled in the art to reproduce and examine the inventions in order to see the effects thereof without excessive burden or so as to allow a person skilled in the art to recognize the effects thereof. Therefore, the invention as set forth in claims 1-13 is not considered to be sufficiently

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International application No.

PCT/JP2012/063308

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supported by the description.