

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference FM-912	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2012/065643	International filing date (<i>day/month/year</i>) 19 June 2012 (19.06.2012)	Priority date (<i>day/month/year</i>) 27 June 2011 (27.06.2011)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant MITSUBISHI GAS CHEMICAL COMPANY, INC.			

<p>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
<p>3. This report contains indications relating to the following items:</p> <table> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).</p>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<p align="center">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 338 82 70</p>	<p>Date of issuance of this report 07 January 2014 (07.01.2014)</p>
	<p>Authorized officer</p> <p align="center">Yukari Nakamura</p> <p>e-mail: pt07.pct@wipo.int</p>

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)	18.09.2012
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Applicant's or agent's file reference FM-912	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/JP2012/065643	International filing date (day/month/year) 19.06.2012	Priority date (day/month/year) 27.06.2011
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International Patent Classification (IPC) or both national classification and IPC
C08L77/06 (2006.01) i, B32B27/34 (2006.01) i, B65D65/40 (2006.01) i, B65D81/26 (2006.01) i, C08J5/18 (2006.01) i

Applicant
MITSUBISHI GAS CHEMICAL COMPANY, INC.

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/JP2012/065643

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/JP2012/065643
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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
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1. Statement			
Novelty (N)	Claims	3, 5-7	YES
	Claims	1, 2, 4, 8-12	NO
Inventive step (IS)	Claims	_____	YES
	Claims	1-12	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims	_____	NO

2. Citations and explanations:	
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Document 1: ARVANITTOYANNIS, I. et al., Polymer, 1995, vol. 36.no. 15, 2957-2967

Document 2: ARVANITTOYANNIS, I. et al., Studies in Polymer Science 12 (Biodegradable Plastics and Polymers), 1994, 562-569

Document 3: JP 8-319417 A (MITSUBISHI CHEMICAL CORP.) 03 December 1996, claims, paragraph [0001]

Document 4: JP 62-106926 A (TEIJIN LTD.) 18 May 1987, page 1, lower left column

Document 5: WO 2010/147097 A1 (MITSUBISHI GAS CHEMICAL CO., INC.) 23 December 2010, claims, paragraphs [0013]-[0017], [0082]

Claims 1, 2, 4 and 8-12

Documents 1 and 2 each disclose using a polyamide resin obtained by polymerizing 1,6-hexamethylenediamine/adipic acid/L-alanine as a food packaging material.

Forming a film by additionally using another resin when using a polyamide resin in a food packaging material is a well-known feature.

Therefore, the invention as in claims 1, 2, 4 and 8-12

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2012/065643

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

is not novel and does not involve an inventive step in the light of documents 1 and 2.

Claims 3 and 5-7

A person skilled in the art could easily incorporate a unit that is well known as a constituent unit of a polyamide resin used in the same application (a food packaging material) (for example, see documents 3-5) as appropriate in the polyamide resins disclosed in documents 1 and 2. In addition, it cannot be said that using such a constituent unit achieves a particularly remarkable effect.

Therefore, the invention as in claims 3 and 5-7 does not involve an inventive step in the light of documents 1-5.