

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.

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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:

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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

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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

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.