

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

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| Date of mailing (day/month/year) | 09.04.2013 |
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| Applicant's or agent's file reference 24-1WO |
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| FOR FURTHER ACTION See paragraph 2 below |
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| International application No. PCT/JP2013/052788 | International filing date (day/month/year) 07.02.2013 | Priority date (day/month/year) 10.02.2012 |
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| International Patent Classification (IPC) or both national classification and IPC E02D5/56 (2006.01) i, E02D27/12 (2006.01) i |
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| Applicant GT SPIRAL CO., LTD. |
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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.

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| 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/JP2013/052788

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**

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| International application No. PCT/JP2013/052788 |
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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 | 4-6 | YES |
| | Claims | 1-3, 7-9 | NO |
| Inventive step (IS) | Claims | _____ | YES |
| | Claims | 1-9 | NO |
| Industrial applicability (IA) | Claims | 1-9 | YES |
| | Claims | _____ | NO |

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| 2. Citations and explanations: | |
|--------------------------------|--|

Document 1: JP 2009-197539 A (HASHIMOTO, Shigeharu) 03 September 2009, paragraphs [0022], [0024], fig. 7 (Family: none)

Document 2: CD-ROM of the specification and drawings annexed to the request of Japanese Utility Model Application No. 38998/1993 (Laid-open No. 12829/1995) (INADOME, Hizuru) 03 March 1995, paragraph [0008], fig. 1, 2 (Family: none)

Document 3: JP 2000-8536 A (SEKISUI HOUSE, LTD.) 11 January 2000, paragraph [0017], fig. 3 (Family: none)

The invention as in claims 1-3 is disclosed in document 1 cited in the ISR, and thus lacks novelty and does not involve an inventive step.

Document 1 discloses a configuration of providing a driving part, an upper end of a holding part, a bolt and a nut (see paragraph [0022]); fig. 7), a configuration of providing a gap in which a head part of the bolt is located between a head part of the driving part and the

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2013/052788

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

upper end of the holding part (see fig. 7), and a configuration wherein the holding part has a cylindrical shape (see paragraph [0022]; fig. 7).

The invention as in claims 4-5 does not involve an inventive step in the light of document 1 and document 2 cited in the ISR.

Document 2 (paragraph [0008]; fig. 1, 2) discloses a configuration wherein a groove part that engages with the head part of a bolt has a large hole that passes through the head part of the bolt. Consequently, it would be easy for a person skilled in the art to provide on the upper end of the holding part of document 1 a groove part that has a large hole and engages with the head part of a bolt, as in document 2.

The invention as in claim 6 does not involve an inventive step in the light of document 1 and document 3 cited in the ISR.

Document 3 (paragraph [0017]; fig. 3) discloses a slit for bolt insertion. Consequently, it would be easy for a person skilled in the art to provide the slit for bolt insertion of document 3 on the upper end of the holding part of document 1.

The invention as in claims 7-9 is disclosed in document 1, and thus lacks novelty and does not involve an inventive step.

Document 1 discloses a configuration wherein a base board is placed between the upper end of the holding part and the nut (see paragraph [0024]), a configuration wherein the base board is part of the holding tool for a

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2013/052788

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**

support (see fig. 1); and a configuration wherein the driving part twists a band plate to form a spiral shape (see paragraph [0022]).