

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 KHPCT15012	FOR FURTHER ACTION		See item 4 below
International application No. PCT/CN2015/085772	International filing date (<i>day/month/year</i>) 31 July 2015 (31.07.2015)	Priority date (<i>day/month/year</i>) 01 August 2014 (01.08.2014)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant YANG, Bin			

<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 6 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 checked="" 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 checked="" 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
<input checked="" type="checkbox"/>	Box No. I	Basis of the report																						
<input checked="" 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																						

	Date of issuance of this report 07 February 2017 (07.02.2017)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Lingfei Bai
Facsimile No. +41 22 338 82 70	e-mail: pct.team2@wipo.int

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)	29.10.2015
-------------------------------------	-------------------

Applicant's or agent's file reference KHPCT15012	FOR FURTHER ACTION See paragraph 2 below
--	--

International application No. PCT/CN2015/085772	International filing date (day/month/year) 31.07.2015	Priority date (day/month/year) 01.08.2014
---	---	---

International Patent Classification (IPC) or both national classification and IPC
A23L 1/30 (2006.01) i

Applicant
YANG, Bin

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.

Name and mailing address of the ISA/CN	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CN2015/085772

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/CN2015/085772

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 43*bis*.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 43*bis*.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:
[1] Upon verification, the right of priority for this application is valid.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/CN2015/085772

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 <u>1-4</u>	YES
		Claims <u>None</u>	NO
	Inventive step (IS)	Claims <u>None</u>	YES
		Claims <u>1-4</u>	NO
	Industrial applicability (IA)	Claims <u>1-4</u>	YES
		Claims <u>None</u>	NO
2. Citations and explanations:			
<p>[1] 1) Cited document</p> <p>[2] D1: CN 1378794 A (XU, Tielong), 13 November 2002 (13.11.2002)</p> <p>[3] D1 discloses a nutritive and healthy cereal food, which is mainly in the form of packaged rice or flour, with nutritional additives of small packages, wherein the nutritional additives can be selected from the combination of one or more of calcium, iron, zinc, and the combination of one or more of vitamin A, B, C, D, E and V. The invention discloses nutritional foods such as high protein, plant cellulose, amino acid, nucleic acid, soybean and creamer (i.e. edible fat) prepared from the processes of grinding, gelatinising and drying (see claims 1-10).</p> <p>[4] 2) Novelty</p> <p>[5] D1 is the closest prior art. Claims 1-4 differ from D1 in that: the raw material in claims 1-4 is polished round-grained rice bran powder; in addition, carotene, copper, sodium, manganese, selenium, iodine, phosphorus, magnesium, fluorine,</p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/CN2015/085772

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

vitamins B1, B2, B6, B12, B3, K, H, and granulated sugar are also comprised. Furthermore, the content of each component is defined. Therefore, claims 1-4 are different from D1 in terms of technical solutions, and are novel under PCT Article 33(2).

[6] 3) Inventive step

[7] The technical problem to be solved by claims 1-4 is providing a cereal product with comprehensive nutrition. However, polished round-grained rice bran powder is a raw material obtained from polished round-grained rice; granulated sugar is a common sweetener; and D1 discloses that nutritional additives such as soybean, vitamins, minerals, protein, plant fibre, and creamer can be added to the rice. It would have been obvious for a person skilled in the art to select said several nutrients and granulated sugar in combination with polished round-grained rice bran powder, and to select and add common vitamins and minerals essential to the human body according to nutritional requirements. It cannot be seen from the description that any unexpected technical effect is produced from the current combination. On this basis, the content of each component can be determined through routine tests. Therefore, claims 1-4 would have been obvious and do not involve an inventive step under PCT Article 33(3).

[8] 4) Industrial applicability

[9] Claims 1-4 can be used in industry, and comply with the requirement of industrial applicability under PCT Article 33(4).