PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

<table>
<thead>
<tr>
<th>Applicant’s or agent’s file reference</th>
<th>FOR FURTHER ACTION</th>
<th>See item 4 below</th>
</tr>
</thead>
<tbody>
<tr>
<td>E057661</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>International application No.</th>
<th>International filing date (day/month/year)</th>
<th>Priority date (day/month/year)</th>
</tr>
</thead>
</table>

International Patent Classification (8th edition unless older edition indicated)
See relevant information in Form PCT/ISA/237

Applicant
FILLSHAPE S.R.L.

---

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).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

   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.

3. This report contains indications relating to the following items:

   - Box No. I  Basis of the report
   - 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 Article 35(2) 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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 83bis.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).

---

Date of issuance of this report
07 March 2017 (07.03.2017)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer  Cécile Chatel

e-mail: ro.ib@wipo.int

Form PCT/IB/373 (January 2004)
## PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA220

---

**PCT**

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA210 (second sheet)

---

Applicant's or agent's file reference
see form PCT/ISA220

**FOR FURTHER ACTION**
See paragraph 2 below

<table>
<thead>
<tr>
<th>International application No.</th>
<th>International filing date (day/month/year)</th>
<th>Priority date (day/month/year)</th>
</tr>
</thead>
</table>

International Patent Classification (IPC) or both national classification and IPC
INV. B65B43/14 B31B1/94

Applicant
FILLSHAPE S.R.L.

---

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 and 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 usually 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/ISA220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA220.

---

Name and mailing address of the ISA:
European Patent Office
D-80296 Munich
Tel. +49 89 2399 - 0
Fax: +49 89 2399 - 4465

Date of completion of this opinion
see form PCT/ISA210

Authorized Officer
Schelle, Joseph
Telephone No. +49 89 2399-0

Form PCT/ISA237 (Cover Sheet) (January 2015)
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 English, 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 43bis.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:
   a. □ forming part of the international application as filed:
      □ in the form of an Annex C.ST.25 text file.
      □ on paper or in the form of an image file.
   
   b. □ furnished together with the international application under PCT Rule 13ter.1(a) for the purposes of international search only in the form of an Annex C.ST.25 text file.

   c. □ furnished subsequent to the international filing date for the purposes of international search only:
      □ in the form of an Annex C.ST.25 text file (Rule 13ter.1(a)).
      □ on paper or in the form of an image file (Rule 13ter.1(b) and Administrative Instructions, Section 7(13)).

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 forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:
<table>
<thead>
<tr>
<th>Box No. V</th>
<th>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Statement</td>
<td></td>
</tr>
</tbody>
</table>
| Novelty (N) | Yes: Claims 1-10  
No: Claims |
| Inventive step (IS) | Yes: Claims 1-10  
No: Claims |
| Industrial applicability (IA) | Yes: Claims 1-10  
No: Claims |
| 2. Citations and explanations | see separate sheet |

<table>
<thead>
<tr>
<th>Box No. VIII</th>
<th>Certain observations on the international application</th>
</tr>
</thead>
</table>

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:

see separate sheet
Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

D1 EP 0 872 421 A1 (HOEFLIGER HARRO VERPACKUNG [DE])


2 The method according to claim 1 meets all of the criteria of Article 33(1) PCT

2.1 Novelty, Article 33(2) PCT:

The closest prior art is shown by document D1 (see in particular: abstract; figures 1, 2).

The method according to claim 1 differs from the method known from D1 essentially in that the "second zone" along which a plurality of pouches is being positioned belongs to "second means (4) for feeding the pouches to the carousel (5)".

2.2 Inventive step, Article 33(3) PCT:

The technical effect of the above differentiating feature is identified in claim 1.

Owing to the "second means (4) for feeding the pouches to the carousel (5)" the pouches placed in the "second zone" can already be moved into a position behind the pouches placed in the "first zone" during the step of picking up the pouches from the "first zone" by means of the carousel.

In the method known from D1 the pouches placed in the "second zone" can only be moved towards the carousel when the pouches placed in the "first zone" after the step of picking up the pouches from the "first zone" by means of the carousel.

The objective technical problem solved by the claimed solution consists in increasing the productivity whilst minimising the costs of the system.

There is no available prior art including a hint towards the claimed method.

2.3 Industrial applicability, Article 33(4) PCT:

The method according to claim 1 is undoubtedly industrially applicable.
3 If claim 10 included a definition of the "first zone" and the "second zone" in accordance with claim 1 (see item VIII below), the above reasoning would apply mutatis mutandis to the device according to claim 10.

4 The claims 2 to 9 are dependent and as such also meet the criteria of patentability.

Re Item VIII

Certain observations on the international application

Claim 10 is unclear, contrary to Article 6 PCT, given the fact that it lacks a definition of the first zone and the second zone in accordance with claim 1.