

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

# PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

To: ADE & COMPANY INC. 2157 Henderson Highway WINNIPEG, Manitoba Canada, R2G 1P9
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Date of mailing <i>(day/month/year)</i>	13 July 2016 (13-07-2016)
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Applicant's or agent's file reference 80215-57PCT
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<b>FOR FURTHER ACTION</b> See paragraph 2 below
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International application No. <b>PCT/CA2016/050642</b>	International filing date <i>(day/month/year)</i> 06 June 2016 (06-06-2016)	Priority date <i>(day/month/year)</i> 02 July 2015 (02-07-2015)
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International Patent Classification (IPC) or both national classification and IPC IPC: <b>A01K 7/06</b> (2006.01), <b>A01K 39/04</b> (2006.01), <b>A01K 5/02</b> (2006.01), <b>A01K 7/00</b> (2006.01)
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Applicant CRYSTAL SPRING COLONY FARMS LTD.
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1. This opinion contains indications relating to the following items:  <input checked="" type="checkbox"/> Box No. I    Basis of the opinion <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 Rule 43 <i>bis</i> .1(a)(i) 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  2. <b>FURTHER ACTION</b>  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 66.1 <i>bis</i> (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/CA Canadian Intellectual Property Office Place du Portage I, C114 - 1st Floor, Box PCT 50 Victoria Street Gatineau, Quebec K1A 0C9 Facsimile No.: 001-819-953-2476	Date of completion of this opinion  <p style="text-align: center;">12 July 2016 (12-07-2016)</p>	Authorized officer  <p style="text-align: center;">Simon Webster (819) 956-6135</p>
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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:

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 13*ter*.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 13*ter*.1(a)).

on paper or in the form of an image file (Rule 13*ter*.1(b) and Administrative Instructions, Section 713).

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:

**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 1-11, 15, 17, 18, 20-27	YES
	Claims 12-14, 16, 19	NO
Inventive step (IS)	Claims 1-11, 15, 17, 18, 23, 25, 26	YES
	Claims 12-14, 16, 19-22, 24, 27	NO
Industrial applicability (IA)	Claims 1-27	YES
	Claims None	NO

2. Citations and explanations:

D1 - CN104430041A, 25 March 2015 (25-03-2015), D2 - US3698685A, 17 October 1972 (17-10-1972)

Novelty (N):

Claims 12-14, 16, and 19 are not novel and therefore do not comply with PCT Article 33(2). Document D1 discloses a valve member comprising: a housing through which the water passes (1); a component (3) mounted in the housing and having a portion operable by the animal movable between an open position and a closed position for control by the animal of the dispensing of the water and; the component being held in the closed position by a spring force provided by a resilient body (4) in the housing defining a convoluted water flow path therethrough or thereon which path is longer than a straight path through the body for flow of water along the flow path through the housing with the flow path defining a rate of flow of the water. Therefore, claims 12-14, 16, and 19 are not novel.

Claims 1-11, 15, 17, 18, and 20-27 are novel and therefore comply with PCT Article 33(2). Document D1 is considered to represent the closest prior art. D1 does not disclose the housing having an adjustment member for adjusting application of pressure to the resilient body to change an amount of compression of the resilient body so as to distort the water flow path and change the rate of flow and the flow path being longer than 3.0 inches. Claims 1-11, 15, 17, 18, and 20-27 are therefore novel.

Inventive step (IS):

Claims 12-14, 16, and 19 do not involve an inventive step and therefore do not comply with PCT Article 33(3). Given the above novelty objection, claims 12-14, 16, and 19 do not involve an inventive step.

Claims 20, 21, 22, 24, 27 do not involve an inventive step and therefore do not comply with PCT Article 33(3). Document D1 discloses a valve member comprising: a housing through which the water passes (1); a component (3) mounted in the housing and having a portion operable by the animal movable between an open position and a closed position for control by the animal of the dispensing of the water and; the component being held in the closed position by a spring force provided by a resilient body (4) in the housing defining a convoluted water flow path therethrough or thereon which path is longer than a straight path through the body for flow of water along the flow path through the housing with the flow path defining a rate of flow of the water. Document D1 does not disclose the flow path being longer than 3.0 inches. This feature, however, fails to provide any unexpected result and is considered a mere design choice available to a person skilled in the art.

Claims 20, 21, 22, and 27 do not involve an inventive step and therefore do not comply with PCT Article 33(3). D2 discloses a valve (10) member comprising: a housing (11) through which the water passes; a component (18) mounted in the housing and having a portion operable by the animal movable between an open position and a closed position for control by the animal of the dispensing of the water and; the component being held in the closed position by a spring force provided by a resilient body (19). Document D1 does not disclose the flow path being longer than 3.0 inches. This feature, however, fails to provide any unexpected result and is considered a mere design choice available to a person skilled in the art.

Claims 1-11, 15, 17, 18, 23, 25, 26 involve an inventive step and therefore comply with PCT Article 33(3). Document D1 is considered to represent the closest prior art. D1 does not disclose the housing having an adjustment member for adjusting application of pressure to the resilient body, a helical flow path, and the path includes at least a part which is located as a recessed channel on a surface of the body which is in contact with a surface of the housing so that the compression of the body presses the surface of the body onto the surface of the housing to reduce a transverse dimension of the channel and therefore of the path. Claims 1-11, 15, 17, 18, 23, 25, and 26 are therefore involve an inventive step.

Industrial applicability (IA):

The subject matter of claims 1-27 is considered to be industrially applicable and thus complies with the requirements of PCT Article 33(4).