

STATEMENT UNDER ART.19(1) AND R.46.4 PCT

Novelty (Art. 33(2) PCT) and Inventive Step (Art. 33(3) PCT)

In view of the examiner's novelty and inventive step objections considering D1 – US 6,639,039 B1 and D2 – US 2011/033635 A1, the applicant wishes to address that the amended claim 1 further distinguishes the technical features of the present application, which are not anticipated or suggested in any of the cited documents, namely regarding an anti-scratch and photochromic coating comprising a composition with such elements as additives. These additives allow the coating to improve its technical behaviour. This anti-scratch and photochromic coating is therefore completely different from the one disclosed in D1 and/or D2 allowing to overcome problems reducing the risk of crack formation and also allows reducing the response time of the lens to light stimulus, by making either colouration or discolouration faster. Therefore, the problem to be solved is completely different from the one disclosed in any of the cited documents.

The dependent claims 2-7 are used to define additional embodiments of the independent claim, and therefore they are also new and inventive. Indeed, according to the PCT international search and preliminary examination guidelines, Part IV, Chapter 15, point 15.27, it is recognized that if the independent claim is new and inventive, there is no need to investigate the novelty and inventive step of the dependent claims. The same argument can be applied to the Independent claim 8 and dependent claims 9-14.