

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 283298A-2	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2016/070635	International filing date (<i>day/month/year</i>) 01 September 2016 (01.09.2016)	Priority date (<i>day/month/year</i>) 04 September 2015 (04.09.2015)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant GE JENBACHER GMBH & CO. OG			

<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 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 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
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	Date of issuance of this report 06 March 2018 (06.03.2018)
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

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

To: see form PCT/ISA/220

Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference see form PCT/ISA/220	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/EP2016/070635	International filing date (day/month/year) 01.09.2016	Priority date (day/month/year) 04.09.2015
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International Patent Classification (IPC) or both national classification and IPC INV. F02D41/02 F02D41/04 F02B37/10 F02B39/10 F02D41/00

Applicant GE JENBACHER GMBH & CO. OG

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/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:  European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	Date of completion of this opinion see form PCT/ISA/210	Authorized Officer Röttger, Klaus Telephone No. +31 70 340-0
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Box No. I Basis of the 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 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 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 forming part of 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)	Yes: Claims	
	No: Claims	<u>1-8</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-8</u>
Industrial applicability (IA)	Yes: Claims	<u>1-8</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

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

Reference is made to the following documents:

- D1: WO 2005/093235 A1 (DAIMLER CHRYSLER AG [DE]; KEPPELER BERTHOLD [DE]; NOLTE ARNO [DE]) 6 October 2005
- D2: DE 101 39 526 A1 (DAIMLER CHRYSLER AG [DE]) 20 February 2003
- D3: DE 10 2010 011026 A1 (BAYERISCHE MOTOREN WERKE AG [DE]) 15 September 2011
- D4: US 2011/022289 A1 (HOFBAUER PETER [US]) 27 January 2011
- D5: WO 2011/023848 A1 (WAERTSILAE FINLAND OY [FI]; LEVANDER OSKAR [FI]; HAEGGMAN STEN-ERIK [F]) 3 March 2011

1 Independent claim 1

The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of independent claim 1 is not new.

1.1 Lack of novelty with regard to D1

Document D1 discloses the subject-matter of independent claim 1:

An internal combustion engine ("*Hubkolben-Brennkraftmaschine*") comprising:

- at least one piston-cylinder unit ("*Zylinder*") ,
- a turbocharger ("*Abgasturbolader 5*") having a shaft driven by an exhaust gas turbine ("*Abgasturbine 6*"), and
- a catalytic converter ("*Katalysator 4*") connected between the at least one piston-cylinder unit and the exhaust gas turbine, wherein there is provided an electrical machine connected to the shaft (*see page 6, lines 5-7: "ist gemäss der Erfindung der Abgasturbolader 5 über eine mechanische Antriebsverbindung 11 mit einer elektrischen Starter-Generator-Einheit 12 verbunden"*).

1.2 Further documents

Documents D2-D5 anticipate the subject-matter of independent claim 1 as well.

D2, (see Fig. 1 and 2) for example describes a catalytic burner 50 upstream of the turbine 8 of a turbocharger 4 which is provided with an electric machine 18 connected to the shaft. D3 shows in Fig. 1 a catalyst 9 (see paragraph [0023]) upstream of the turbine 3 of a turbocharger with an electric machine 11 (see paragraph [0016]). An engine as defined in claim 1 can be also found in D4 (see especially catalyst 116 upstream of turbine 212 of an electrically assisted turbocharger) and D5 (see page 4, lines 12-17).

1.3 **Dependent claims**

Dependent claims 2-8 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step for the following reasons:

- **Claim 2:**

All documents D1-D5 show a corresponding compressor, see e.g. Verdichter 7 in D1.

- **Claim 3:**

D1 already shows an injector 10 to add fuel to the exhaust gas.

- **Claim 4:**

See for example "Steuereinrichtung 29" in D2.

- **Claims 5-8**

Document D2 (see paragraph [0041]) already shows to activate the burner 50 and the electric machine during engine standstill. It is evident that the fuel injection device 54 or a corresponding fuel supply must be activated when the burner is activated. D2 shows in paragraph [0036] as well the use of a bypass 60 with a shut-off element 64.