

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 15.115/1	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2017/000167	International filing date (<i>day/month/year</i>) 07 February 2017 (07.02.2017)	Priority date (<i>day/month/year</i>) 09 February 2016 (09.02.2016)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant REHAU AG + CO			

<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 5 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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<p align="center">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 338 82 70</p>	<p>Date of issuance of this report 14 August 2018 (14.08.2018)</p>
	<p>Authorized officer</p> <p align="center">Nora Lindner</p> <p>e-mail: pct.team5@wipo.int</p>

From the INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing <i>(day/month/year)</i> 10 May 2017	
Applicant's or agent's file reference 15.115/1	FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/EP2017/000167	International filing date <i>(day/month/year)</i> 07 February 2017
Priority date <i>(day/month/year)</i> 09 February 2016	
International Patent Classification (IPC) or both national classification and IPC E06B 9/11(2006.01)i; E06B 9/15(2006.01)i	
Applicant REHAU AG + CO	

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 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/	Date of completion of this opinion	Authorized officer

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2017/000167

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 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 forming part of 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/EP2017/000167

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**

1. Statement

Novelty (N)	Claims	<u>1-14</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1-14</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1-14</u>	YES
	Claims	_____	NO

2. Citations and explanations :

See Supplemental Box

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Box 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 1 516 997 A2 (LUDEWIG GMBH [DE]) 23 March 2005
D3	DE 27 04 346 A1 (ERNST THEUERKAUFF FA) 3 August 1978
D4	FR 2 913 713 A1 (BUBENDORFF SA [FR]) 19 September 2008

- [2] Document **D1** is considered to be the prior art closest to the subject matter of claim 1 and discloses:
a closure assembly (*cf. figures 1-4; the abstract*), in particular for cabinets, comprising a furniture body (2, 3, 4, 5) having an opening, and comprising a closure element (1), in particular blinds, roller shutters, and the like, which has lamellae (1a) arranged parallel to one another and which is guided in guide elements (10) arranged at an opening in the furniture body, wherein each of the lamellae have a connection device (9) on their end faces, at the free ends of which connection device a first opening (9c) and a second opening (*cf. figure 2*) are arranged.
- [3] Therefore, the subject matter of claim 1 differs from this known closure assembly in that at least two connection devices, which are arranged adjacently to each other in the closure element, are interconnected via at least one separate connection element which is arranged in the first opening and the second opening in the connection device.
It is therefore novel (PCT Article 33(2)).
- [4] The problem addressed by the present invention can be considered that of being able to individually replace the lamellae by removal.
- [5] The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) for the following reasons:
No known closure assembly which comprises a furniture body discloses the difference of paragraph 3. No document provides a person skilled in the art with a suggestion of modifying or adapting the closest prior art specifically in such a way that the alternative solution of claim 1 of the application is achieved.
Although the concept of **D3** or the concept of **D4** are close to the concept of the application, a person skilled in the art would not consider these two documents, because they belong to other technical fields – roller shutter for display cabinets, exhibition spaces or garage doors – and because the design measures related thereto would be too complex for combination in the context of a furniture body in order to use all measures without exercising inventive skill.
- [6] Claims 2-14 are dependent on claim 1 and therefore likewise meet the requirements of the PCT in respect of novelty and inventive step.