

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

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TEE&HOWE INTELLECTUAL PROPERTY
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PCT

WRITTEN OPINION OF THE
 INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing <i>(day/month/year)</i> 13 February 2017	
Applicant's or agent's file reference UP-161655-59	FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/CN2016/082013	International filing date <i>(day/month/year)</i> 13 May 2016
International Patent Classification (IPC) or both national classification and IPC C09J 183/04(2006.01)i	
Applicant 3M INNOVATIVE PROPERTIES COMPANY et al	
Priority date <i>(day/month/year)</i>	

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/ STATE INTELLECTUAL PROPERTY OFFICE OF THE P.R.CHINA China 6, Xitucheng Rd., Jimen Bridge, Haidian District, Beijing 100088	Date of completion of this opinion 04 February 2017	Authorized officer LUO,Huijing
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PCT/CN2016/082013

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 filed or furnished:
 - a. (means)
 - on paper
 - in electronic form
 - b. (time)
 - in the international application as filed
 - together with the international application in electronic form
 - subsequently to this Authority for the purposes of search
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:

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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>2-4, 6, 9-23</u>	YES
	Claims	<u>1, 5, 7-8</u>	NO
Inventive step (IS)	Claims	<u>None</u>	YES
	Claims	<u>1-23</u>	NO
Industrial applicability (IA)	Claims	<u>1-23</u>	YES
	Claims	<u>None</u>	NO

2. Citations and explanations :

[1] D1: CN101346448A (14.01.2009)

[2] D2: US5512650A (30.04.1996)

[3] The reasoned statement with regard to novelty, inventive step and industrial applicability for claims 9-10, 20 is established on the reasonable expectation. Please see Column VIII for detailed reasons.

[4] **I. Novelty and Inventive Step**

[5] 1. D1 discloses an adhesive article (see the abstract, description, page 6, line 6 - page 9, line 24, page 22, line 3 - page 23, line 27):

[6] the adhesive article comprises:

[7] a substrate can be a single layer, suitable materials of the substrate include glasses, metals (corresponding to a thermally stable tape backing with a first major surface and a second major surface);

[8] an adhesive layer containing a polydiorganosiloxane polyoxamide (corresponding to at least one siloxane-based elastomeric), as the polydiorganosiloxane polyoxamide disclosed in D1 is identical to the substance describing in the description of the present application (description, page 6, line 6 - page 9, line 24), so the adhesive layer containing a polydiorganosiloxane polyoxamide can also be a self-wetting, tack-free adhesive layer,

[9] unchanged after heat aging of 180°C for 30 minutes, and be able to removably adhere to

[10] an optical or electronic device without leaving residue on the optical or electronic device;

[11] a primer layer can be positioned between the substrate and the adhesive layer (the primer layer coating on the first major surface of the thermally stable tape backing and the adhesive layer coating on the primer layer).

[12] D1 explicitly discloses all the elements of claim 1.

[13] Therefore, claim 1 lacks novelty and does not involve an inventive step in the sense of PCT Article 33(2) and Article 33(3).

[14] Claim 12 differs from D1 in that:

[15] A method of preparing an optical or electronic article comprises:

[16] providing an optical or electronic construction wherein the optical or electronic

[17] construction comprises at least a first major surface and a second major surface;

[18] adhering the tack-free adhesive layer of the protective film article to the second major surface of the optical or electronic construction to form a laminate;

[19] subjecting the optical laminate to at least one processing step; and cleanly removing the

[20] protective film article from the second major surface of the optical or electronic

[21] construction.

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Box No. V

Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

- [22] Since D1 does not explicitly or implicitly disclose all the features in the subject matter of independent claim 12, claims 12- 23 are novel and meet the criteria set out in PCT Article 33(2).
- [23] The different features of claim 12 are common knowledge to a person skilled in the art.
- [24] Therefore, claim 12 does not involve an inventive step in the sense of PCT Article 33(3).
- [25] 2. The additional features of claims 5, 7-8 are disclosed in D1 (description, page 6, line 6 - page 9, line 24, page 22, line 3 - line 7). Therefore, claims 5, 7-8 lack novelty and do not involve an inventive step in the sense of PCT Article 33(2) and Article 33(3).
- [26] Since D1 does not explicitly or implicitly disclose all the additional features of claims 2-4, 6, 9-11, claims 2-4, 6, 9-11 are novel and meet the criteria set out in PCT Article 33(2).
- [27] The additional features of claims 15, 17 are disclosed in D1 (description, page 6, line 6 - page 9, line 24, page 22, line 3 - line 7).
- [28] Some additional features of claims 6, 16 are disclosed in D2 (see the abstract, description, column 2, line 28 - column 7, line 10), the function is also to choose a suitable polymer for the adhesive article. It is obvious to a person skilled in the art to combine D2 in D1. The other features of claims 6, 16 are common knowledge to a person skilled in the art.
- [29] The additional features of claims 2-4, 9-11, 13-14, 18-23 are common knowledge to a person skilled in the prior art.
- [30] Therefore, claims 2-4, 6, 9-11, 13-23 do not involve an inventive step in the sense of PCT Article 33(3).
- [31] II. Industrial applicability:
- [32] Claims 1-23 meet the requirements of PCT Article 33(4).

Box No. VIII Certain observations on the international application

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:

- [1] Claims 9-10, 20 are unclear and do not meet the criteria set out in PCT Article 6 for the following detailed reasons. Dependent claims 9-10 cite their posterior claims 10-11, dependent claim 20 cites an inexistent claim 101.
- [2] the examiner expect that claim 9 cites claim 8, claim 10 cites claim 9, claim 20 cites claim 12, and establish the reasoned statement with regard to novelty, inventive step and industrial applicability for claims 9-10, 20 on the above reasonable expectation.