

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
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INVITATION TO PAY ADDITIONAL FEES
 AND, WHERE APPLICABLE, PROTEST FEE
 (PCT Article 17(3)(a) and Rule 40.1 and 40.2(e))

	Date of mailing (day/month/year) 6 June 2018 (06-06-2018)
Applicant's or agent's file reference P46611WO/SPC	PAYMENT DUE within ONE MONTH from the above date of mailing
International application No. PCT/GB2018/050304	International filing date (day/month/year) 2 February 2018 (02-02-2018)
Applicant PETAINER LARGE CONTAINER IP LIMITED	

1. This International Searching Authority

(i) considers that there are 2 (number of) inventions claimed in the international application covered by the claims indicated on an extra sheet:

(ii) therefore considers that **the international application does not comply with the requirements of unity of invention** (Rules 13.1, 13.2 and 13.3) for the reasons indicated on an extra sheet:

(iii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:
see extra sheet

(iv) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. Consequently, the applicant is hereby **invited to pay**, within the time limit indicated above, the amount indicated below:

<u>EUR 1.875,00</u>	x	<u>1</u>	=	<u>EUR 1.875,00</u>
Fee per additional invention		number of additional inventions		currency/total amount of additional fees

3. The applicant is informed that, according to Rule 40.2(c), **the payment of any additional fee may be made under protest**, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive, where applicable, subject to the payment of a protest fee.
 Where the applicant pays additional fees under protest, the applicant is hereby invited, within the time limit indicated above, to pay a protest fee (Rule 40.2(e)) in the amount of EUR 875,00 (currency/amount)

Where the applicant has not, within the time limit indicated above, paid the required protest fee, the protest will be considered not to have been made and the International Searching Authority will so declare.

4. Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer LOVRECICH, Patrizia Tel: +49 (0)89 2399-8799
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This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-18, 24

Closure for a beverage keg wherein the outer housing wall and the inner duct are integrally formed together as part of a single housing component

2. claims: 19-23

Closure for a beverage keg with a venting system provided in the housing wall, separate from the inlet and configured to provide fluid communication between the headspace of the keg and an exterior of the closure

Document D1 discloses all the features which are in common between independent claims 1 and 19:

A closure 18 for a beverage keg (? 0008), the closure comprising an outer housing wall 54 defining at least a portion of a valve housing (Figure 15).

The potential special technical features of claim 1 are: the outer housing wall and the inner duct are integrally formed together as part of a single housing component. Said features are directed to the problem of obtaining a closure that is simpler to assemble with fewer parts. Said problem is mentioned in the current application, page 2, lines 29-31.

The potential special technical feature of claim 19 is: a venting system provided in the housing wall, separate from the inlet and configured to provide fluid communication between the headspace of the keg and an exterior of the closure. Said feature is directed to the problem of limiting the internal pressure. Said problem is mentioned in the current application, page 2, line 1.

Therefore the claims of each group do neither have a common potential special technical feature within the meaning of rule 13.2 PCT, nor define corresponding features since no technical relationship in the meaning of Rule 13.2 PCT between groups 1 and 2 of the claims can be seen. Thus there is a lack of unity of the invention according to Art. 17.3(a) and Rules 13.1 and 13.2 PCT.

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:
- see 'Invitation to pay additional fees'
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 2 450 307 A2 (APPS WILLIAM P [US]; HANSEN WAYNE MATTHEW [US]) 9 May 2012 (2012-05-09) paragraphs [0008], [0023]; figure 15 -----	1
X	WO 2012/062821 A1 (PETAINER LIDKOEPIG AB [SE]; AHLSTROEM KARL-JOHAN [SE]) 18 May 2012 (2012-05-18) page 9, line 18 - line 22; figures 6-10 -----	1-6, 8-12,24
X	GB 1 315 973 A (ALUMASC LTD) 9 May 1973 (1973-05-09) page 2, line 5 - line 49; figure 1 -----	1-11,24
X	WO 00/20326 A1 (LEER KONINKLIJKE EMBALLAGE [NL]; BOULANGE MICHEL [FR]; WILLINGHAM JOHN) 13 April 2000 (2000-04-13) page 4, line 31 - page 5, line 13 -----	1-6, 8-13,24
X	EP 0 102 701 A2 (GRUNDY TEDDINGTON LTD [GB]) 14 March 1984 (1984-03-14) page 5, line 10 - page 6, line 14; figure 1 -----	1-6, 9-11,24 14-16
Y	EP 2 505 546 A1 (SCHAEFER WERKE GMBH [DE]) 3 October 2012 (2012-10-03) paragraph [0014] - paragraph [0017] -----	14-16

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Patent Family Annex

Information on patent family members

International Application No

PCT/GB2018/050304

Patent document cited in search report	Publication date	Patent family member(s)	Publication date	
EP 2450307	A2	09-05-2012	CA 2757748 A1	09-05-2012
			CA 2997773 A1	09-05-2012
			EP 2450307 A2	09-05-2012
			EP 2599744 A2	05-06-2013
			ES 2451394 T3	26-03-2014
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			CA 2816914 A1	18-05-2012
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			GB 2485528 A	23-05-2012
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			US 2013334253 A1	19-12-2013
			US 2016039654 A1	11-02-2016
			WO 2012062821 A1	18-05-2012
			ZA 201303843 B	26-02-2014

GB 1315973	A	09-05-1973	AT 320459 B	10-02-1975
			BE 767007 A	01-10-1971
			CH 540447 A	15-08-1973
			DE 2123347 A1	02-12-1971
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			GB 2357496 A	27-06-2001
			WO 0020326 A1	13-04-2000

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			JP S5926491 A	10-02-1984
			NO 832460 A	09-01-1984
			PT 76976 A	01-08-1983
			US 4548343 A	22-10-1985

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			EP 2505546 A1	03-10-2012
			RU 2012112206 A	10-10-2013
			US 2012248109 A1	04-10-2012

Application no:
Demande n°: PCT/GB2018/050304
Anmelde-Nr:

DISCLAIMER

The attached provisional opinion on the patentability of the first invention searched serves only as information.
A reply addressing the points raised in the opinion is **not** required and will **not** be taken into account when issuing the final search report and opinion on patentability.

AVERTISSEMENT

L'avis provisoire ci-joint sur la brevetabilité de la première invention recherchée ne sert qu'à titre d'information.
Une réponse abordant les points soulevés dans l'avis n'est **pas** nécessaire et ne sera **pas** prise en compte lors de l'établissement du rapport final de la recherche et de l'avis sur la brevetabilité.

DISCLAIMER

Die beigefügte vorläufige Stellungnahme zur Patentierbarkeit der ersten geprüften Erfindung dient lediglich zur Information.
Eine Antwort auf die erhobenen Punkte in der Stellungnahme ist **nicht** erforderlich und bleibt bei der Erstellung des endgültigen Recherchenberichts und der Stellungnahme zur Patentierbarkeit **unberücksichtigt**.

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1 Claims 19-23 are not examined.

Claims 19-23 have not been the object of a search report and are therefore not examined for novelty and inventive step.

Re Item IV

Lack of unity of invention

2 The present application comprises two inventions.

Document D1 discloses all the features which are in common between independent claims 1 and 19:

A closure 18 for a beverage keg (§ 0008), the closure comprising an outer housing wall 54 defining at least a portion of a valve housing (Figure 15).

The potential special technical features of claim 1 are: the outer housing wall and the inner duct are integrally formed together as part of a single housing component. Said features are directed to the problem of obtaining a closure that is simpler to assemble with fewer parts. Said problem is mentioned in the current application, page 2, lines 29-31.

The potential special technical feature of claim 19 is: a venting system provided in the housing wall, separate from the inlet and configured to provide fluid communication between the headspace of the keg and an exterior of the closure. Said feature is directed to the problem of limiting the internal pressure. Said problem is mentioned in the current application, page 2, line 1.

Therefore the claims of each group do neither have a common potential special technical feature within the meaning of rule 13.2 PCT, nor define corresponding features since no technical relationship in the meaning of Rule 13.2 PCT between groups 1 and 2 of the claims can be seen. Thus there is a lack of unity of the invention according to Art. 17.3(a) and Rules 13.1 and 13.2 PCT.

The inventions are:

Group 1: claims 1-18, 24

Group 2: claims 19-23.

Re Item V

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

3 Cited documents

Reference is made to the following documents:

- D1 EP 2 450 307 A2 (APPS WILLIAM P [US]; HANSEN WAYNE MATTHEW [US]) 9 May 2012 (2012-05-09)
- D2 WO 2012/062821 A1 (PETAINER LIDKOEPIG AB [SE]; AHLSTROEM KARL-JOHAN [SE]) 18 May 2012 (2012-05-18)
- D3 GB 1 315 973 A (ALUMASC LTD) 9 May 1973 (1973-05-09)
- D4 WO 00/20326 A1 (LEER KONINKLIJKE EMBALLAGE [NL]; BOULANGE MICHEL [FR]; WILLINGHAM JOHN) 13 April 2000 (2000-04-13)
- D5 EP 0 102 701 A2 (GRUNDY TEDDINGTON LTD [GB]) 14 March 1984 (1984-03-14)
- D6 EP 2 505 546 A1 (SCHAEFER WERKE GMBH [DE]) 3 October 2012 (2012-10-03)

4 Claims 1-13, 24 lack novelty (Art. 33(2) PCT).

4.1 Claim 1

Document D2 discloses in the wording of claim 1:

A closure 100 (Figure 6) for a beverage keg 14 (abstract) the closure comprising an outer housing wall (in Figure 6, the cup-shaped element which surrounds spear connector 260) defining at least a portion of a valve housing (the valve element being indicated by reference sign 210) and an inner duct (the upper part of the collar surrounding 260) that is located within the outer housing wall and extends through at least a portion of the valve housing to define a flow path (for the beverage) through the closure, wherein the outer housing wall and the inner duct are integrally formed together as part of a single housing component.

Therefore claim 1 lacks novelty.

It is pointed out that also each of documents D3, D4 and D5 discloses all the features of claim 1:

D3, closure (Figure 1), keg 34, outer housing wall 26, valve housing 11, inner duct 20; D4, closure 12 (Figures 2, 3), keg 18, outer housing wall 57, inner duct 46, D5: reference sign 4, figure 1.

4.2 **Dependent claims 2-13, 24**

The features of claims 2-13, 24 are already known from D2, D3 or D4:

claims 2-4: D2, Figure 6 or alternatively D3, Figure 1 or alternatively D4, Figure 2, reference sign 44 or alternatively D5, Figure 1;

claim 5: D2, valve element 260, biasing device: page 9, lines 18-22 or alternatively D3 valve element 12, biasing device 13 or alternatively D4, valve element 50, biasing device 52 or alternatively D5, Figure 1;

claim 6: D2, Figure 6 (horizontal wall) or alternatively D3 Figure 1, or alternatively D4, reference sign 44 or alternatively D5, Figure 1;

claim 7: D3, reference sign 27;

claim 8: Figure 6, the lower part of the collar, which connects a spear via 260 or alternatively D3 Figure 1 or alternatively D4, reference sign 46;

claim 9: Figure 6 or alternatively D3, reference sign 26, Figure 1 or alternatively D4, Figure 3 or alternatively D5, Figure 1;

claims 10, 24: page 6, lines 21-23 or alternatively D3, neck 33, Figure 1 or alternatively D4, neck 16, Figure 1 or alternatively D5, Figure 1;

claim 11: D3, reference signs 15, 16 or alternatively D4, reference signs 22, 24, 32 or alternatively D5, Figure 1;

claim 12: D4, reference sign 35;

claim 13: D4, legs 62, clips 64 (page 4, line 31 - page 5, line 13).

Therefore claims 2-13, 24 lack novelty.

5 **Dependent claims 14-16 lack an inventive step (Art. 33(3) PCT).**

The features of claims 14, 15 are already known from D6, § 0014-0019 (reference sign 7). The combination of the features of D5 and D6 does not substantiate an inventive step.

The features of claim 16 are known from D5, reference sign 6.

6 Dependent claims 17, 18 are inventive (Art. 33(3) PCT).

6.1 Claim 17

The subject-matter of claim 17 differs from said known closure in that the head portion comprises an outer wall which extends around a portion of the outer housing wall, the outer wall at least partially covering the venting system.

The technical problem to be solved, starting from D1, is how to prevent the venting system to be accidentally actuated from the outside.

The technical effect is that the outer wall provides protection to the venting system when the closure 1 has been fully assembled.

D6 discloses addresses said problem by providing additional component 13. In order to solve the aforementioned technical problem the skilled person would not extend outer component 6 of D5 so as to cover the venting system, instead he would apply component 13 of D6 to the closure of D5.

Thus, claim 17 is inventive in the sense of Art. 33(3) PCT.

6.2 Claim 18

Claim 18 depends on claim 18 and therefore also benefits from its novelty and inventive step.

Re Item VII

Certain defects in the international application

7 No reference signs in the claims

The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

8 No two-part form

Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art being placed in the preamble (Rule 6.3(b)(i) PCT) and the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

9 Inconsistent terminology

According to the requirements of Rule 10.2 PCT, the terminology and the signs shall be consistent throughout the application. This requirement is not met in view of the use of the expressions "outer housing wall" in the claims and "outer wall" and "annular wall" in the description for the same feature.

The same objection applies for "valve housing" in the claims and "integrated housing component" in the description for the same feature.

The same objection applies for "outer component" and "separate outer component" in the claims and "attachment part" in the description for the same feature.