

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year)	26.06.2018
-------------------------------------	-------------------

Applicant's or agent's file reference P01274PCT	FOR FURTHER ACTION See paragraph 2 below
---	--

International application No. PCT/JP2018/013582	International filing date (day/month/year) 30.03.2018	Priority date (day/month/year) 20.04.2017
---	---	---

International Patent Classification (IPC) or both national classification and IPC
B43K27/12 (2006.01) i

Applicant
MARIO DEL MARE ARCHITECT INC.

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 or 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/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2018/013582

Box No. I Basis of this 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:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No. PCT/JP2018/013582
--

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)	Claims	6, 9-10	YES
	Claims	1-5, 7-8	NO
Inventive step (IS)	Claims	9	YES
	Claims	1-8, 10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims	_____	NO
2. Citations and explanations:			
<p>Document 1: US 3079895 A (GORDON, Travis. C) 05 March 1963, columns 3-6, fig. 1-7 (Family: none)</p> <p>Document 2: US 2003/0189149 A1 (LEFFERS JR., Murray Jones) 09 October 2003, fig. 1-4 (Family: none)</p> <p>Document 3: GB 2264901 A (LIN, Idea) 15 September 1993, fig. 1-4 (Family: none)</p> <p>Document 4: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 091001/1980 (Laid-open No. 13278/1982) (WATANABE, Shinji) 23 January 1982, page 4, lines 6-20, fig. 4, 5 (Family: none)</p> <p>(1) The invention as in claims 1-5 and 7-8 lacks novelty and does not involve an inventive step in light of document 1 cited in the ISR.</p> <p>Document 1 describes a feature in which "ink tube units 15" are exposed from the outer peripheral surfaces of both side surfaces of a "holder 11", and a feature in which each "ink tube unit 15" is attached to and detached</p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2018/013582

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

from the holder 11, and the like.

The "holder 11 and the "ink tube unit 15" correspond to the "base member" and the "core" in claim 1.

In addition, in document 1, the "ink tube unit 15" is locked in a "groove 14" of the "holder 11".

Therefore, the locking portion corresponds to the "locking means" in claim 2.

Further, in document 1, a "protrusion" is formed by forming the "groove 14" in the "holder 11", and the "protrusion" is formed so as to be contiguous to the inner peripheral surface of the "groove 14". Therefore, the novelty of the invention as in claim 4 is negated.

In addition, an "open-ended sleeve 21" in document 1 encircles the "ink tube unit 15" in contact therewith, and therefore corresponds to the "annular member" in claim 5.

Further, the "ink tube unit 15" in document 1 is movable in the longitudinal direction if the ink tube unit 15 is pulled out with a force greater than a frictional force.

(2) The invention as in claim 4 does not involve an inventive step in light of document 1 and document 2 cited in the ISR.

Document 2 discloses a groove having an arc-shaped cross section and a protrusion in terms of a locking relation between a writing instrument and a holder. Therefore, it would be easy for a person skilled in the art to apply the locking structure to the locking structure in document 1, thus arriving at the configuration of a protrusion that is formed so as to be contiguous to the inner peripheral surface of a groove

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

and that suppresses the outer peripheral surface of a core.

(3) The invention as in claims 6 and 10 does not involve an inventive step in light of document 1 and document 3 cited in the ISR.

Document 3 discloses a feature in which an "end piece 20" is brought into contact with the rear end of a core of a ballpoint pen.

It would be easy for a person skilled in the art to apply the "end piece 20" in document 3 to the rear end of the core in document 1, thus configuring the "contact surface" in claim 6 and the "engagement protrusion" in claim 10.

(4) The invention as in claim 9 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art.

Document 1 describes grasping a "tip 18" and removing the "ink tube unit 15" from the "groove 14".

Document 4 describes a card-type ballpoint pen, wherein a cutout 2a is formed at an edge of a card material 2 so as to expose the middle portion of an ink holding pipe 3, and the middle portion is picked up by fingers for making vertical movement.

It is not assumed that the "ink tube unit 15" is made vertical movement in the "groove 14" in document 1. Therefore, it cannot be said that it would be easy for a person skilled in the art to apply the cutout 2a in document 4 to the base member in document 1.

Further, the invention as in claim 9 exhibits a significant effect of, by forming a "recess", making it

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2018/013582

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**

easy to perform work for grasping a portion in the vicinity of the center of the core and for removing the portion from the base member.