

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

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

International application No.
PCT/NO2017/050302

International filing date (day/month/year)
22.11.2017

Priority date (day/month/year)
30.05.2017

International Patent Classification (IPC) or both national classification and IPC
INV. A63C9/086 A63C9/20 ADD. A63C9/00

Applicant
ROTTEFELLA AS

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 43*bis*.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 66.1*bis*(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:



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Date of completion of this opinion

see form
PCT/ISA/210

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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	<u>4-16, 18</u>
	No: Claims	<u>1-3, 17</u>
Inventive step (IS)	Yes: Claims	<u>5-11, 14-16, 18</u>
	No: Claims	<u>1-4, 12, 13, 17</u>
Industrial applicability (IA)	Yes: Claims	<u>1-18</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

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:

see separate sheet

Re Item 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 US 3 977 688 A (IMAGAWA KATSUHIKO) 31 August 1976
(1976-08-31)

D2 Anonymous: "Catalog | Vist / Speed Lock System",
, 15 August 2016 (2016-08-15), pages 6-7, XP055459075,
Retrieved from the Internet:
URL:<http://www.visttech.it/catalog/>
[retrieved on 2018-03-13]

D3 EP 1 310 276 A2 (BENETTON SPA [IT]) 14 May 2003
(2003-05-14)

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

D1 discloses (column 2, line 57 - column 4, line 14; figure 1):

A ski binding (3,5) attachment (2,431,51) comprising: - an attachment plate (2,4) designed to be mounted on a ski (1): - an exchangeable fastening element (31,51) designed to be detachably mounted on a forward part of the attachment plate (2), where the attachment plate (2) and fastening element (31) comprise respectively one or more first locking elements (32a) and one or more second locking elements (22,23), the first locking elements and the second locking elements engaging with each other and locking the fastening element (3,31) in the longitudinal (to the front) and lateral (all directions) direction of the attachment plate (2,4) when the fastening element (31,51) is arranged from above and down (figure 1) onto the attachment plate (2).

Remark 1: It is not excluded by the claim to have a second movement to achieve final position of the fastening elements.

Remark 2: claim 1 is also not new in view of D2 and D3

- 3 Dependent claims 2-4, 12, 13, 17 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, see:
- claim 2: see D1 reference 32a.
 - claim 3: see D1, the screw 34 locks the attachment in vertical direction since it fixes the 2 parts in the slot 23
 - claim 4: see D2, where the shape of the locking elements can easily be changed to a pin by the skilled man
 - claim 12: see D2, that uses an over-center position for the locking lever to lock this lever in it's locking position.
 - claim 13: see D2, where the locking plate moves in lengthwise direction compared to the plate it is integrated into.
 - claim 17: see D1 where 23 and 22 are part of 21).
- 4 The combination of the features of dependent claims 5-11, 14-16, 18 is neither known from, nor rendered obvious by, the available prior art. no state of the art discloses that the ski binding attachment where the attachment plate has a longitudinal upward directed first edge on one side, where
- the first edge has varying width such that a second area (a) of the first edge forms the second locking element, the edge comprising at least one first area (d) adjacent to the second area (a), where the first area (d) is wider than the second area (a), and where the first area (d) has a longitudinal channel designed to receive the vertical lock. Claims 6-11 being dependent on claim 5.

It is noted that this suggestion is only for assisting the applicant in his decision on how to proceed. It in no way precludes consideration of alternative solutions submitted by the applicant. The responsibility for determining the text of the application and in particular for defining the subject-matter for which protection is sought remains with the applicant.

Re Item VII

Certain defects in the international application

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1, D2 and D3 is not mentioned in the description, nor is this document identified therein.

Re Item VIII

Certain observations on the international application

- 1 Claim 1 broadly defines the feature ski binding in terms of its function: "A ski binding ..., the first locking elements and the second locking elements engaging with each other and locking the fastening element in the longitudinal and lateral direction of the attachment plate when the fastening element is arranged from above and down onto the attachment plate".

However, the description and drawings convey the impression that this ski binding can be defined in terms of technical features.

Hence, product claim 1 is not clear as required by Article 6 PCT.

- 2 In claim 10, reference sign "c" should be replaced by "e" (fifth area). Article 6 PCT.
- 3 In claim 12, the expression lock (44a) should be replaced by "vertical lock (44a)" to be consistent with the rest of the application. Article 6 PCT.