

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:
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Date of mailing (day/month/year)	04-04-2018
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Applicant's or agent's file reference D249-INPCT		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/IB2017/057714	International filing date (day/month/year) 07-12-2017	Priority date (day/month/year) 27-09-2017
International Patent Classification (IPC) or both national classification and IPC D02G1/00,D02G3/28,D02G3/30 Version=2018.01		
Applicant MANDAWEWALA, ABHISHEK ,AYM SYNTEX LTD		

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/ Indian Patent Office Plot No. 32, Sector 14, Dwarka, New Delhi-110075 Facsimile No.	Date of completion of this opinion 04-04-2018	Authorized officer Nitish Mandal Telephone No. +91-1125300200
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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 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:

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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>1-21</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	<u>1-21</u>	NO
Industrial applicability (IA)	Claims	<u>1-21</u>	YES
	Claims	_____	NO

2. Citations and explanations:

Documents cited in the International Search Report:

D1: US4341063A (MILIKEN RESEARCH CORP) July 27, 1982 (27/07/1982)

D2: JPH09250034 A (TEIJIN LTD , SANWA BANK LTD) September 22, 1997 (22/09/1997)

D3: US20030059611A1 (ASAHI KASEI CORP) March 27, 2003 (27/03/2003)

Novelty

Claims 1-21 of the present application are novel in the sense of Article 33(2) of PCT because D1 which is considered as a closest prior art does not disclose all the technical features of the claims.

Inventive Step

The present application fails to meet the requirements of PCT Article 33(3) because the subject matter of independent claims 1 and 14 does not involve an inventive step in view of the disclosures of D1, D2 and D3.

Document D1 discloses a process for manufacturing twisted and textured yarns, the process comprising ; drawing a first material yarn from a first supply source under predetermined tension (implicit, see Figure 1); heatingly extending the first material yarn through at least one first heating godet (34, Figure 1); drawing a second material yarn from a second supply source under predetermined tensions(implicit, see Figure 1); heatingly extending the second material yarn through at least one second heating godet(46, Figure 1); feeding at least one of the first material yarn and the second material yarn in an air textured unit (14) to obtain a third material yarn; winding the third material yarn exiting from the air textured unit, twisting the first

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Box No. VII Certain defects in the international application

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

1. The features of the claims may be provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 6.2(b) Regulations under the PCT).
2. Prior art, known to the applicant, may be given in the description (Rule 5.1(a) (ii) Regulations under the PCT).

Supplemental Box

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

Continuation of:

Continuation of Citation and Explanation(Box5)

material yarn (36), the second material yarn (48) and the third material yarn (Claim 1; Figure 1); and winding the third material yarn.

But, D1 fails to disclose the twisting module for final material yarn and winding is a pirn winding process. However, document D2 discloses a process for manufacturing twisted and textured yarns wherein the process includes a twisting module (9) for final yarn and winding process is a pirn winding (13) (See Figure 1; Abstract). Similarly, document D3 discloses pirn winding process for final drawn textured yarn (See Figures 3 & 4).

Therefore, starting only from the teachings of D1, it would be obvious to a person skilled in the art to combine the teachings of D2 or D3 with D1 to arrive at the subject matter of the independent Claim 1. Hence, the said claim lacks inventive step.

Essentially, the same considerations are repeated for independent claim 14 related to a device corresponding to the treatment method as in claim 1. Thus, the subject matter of claim 14 also lacks inventive step.

The dependent Claims 2-13 & 15-21 do not contain any features which in combination with the features of any independent claim to which they refer, meet the requirements of the PCT in respect of inventive step, see the passages of the documents D1-D3 cited in the ISR. These features relate to details known or obvious for a skilled man.

Industrial Applicability

The subject matter of claims 1-21 is considered to be industrially applicable and meets the requirements of Article 33(4) PCT.