

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/IB2019/052347

International filing date (day/month/year)
22.03.2019

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC
INV. A47F3/00 A47F7/02 A47F7/024 A47F7/03 A45C11/10 ADD. H04N7/18 A47F5/025

Applicant
PREGARZ DR. MASSIMO

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>2-4, 10, 13, 14</u>
	No: Claims	<u>1, 5-9, 11, 12, 15, 16</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-16</u>
Industrial applicability (IA)	Yes: Claims	<u>1-16</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

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 8 301 022 B1 (MCGUIRE JONATHAN G [US] ET AL) 30 October 2012 (2012-10-30)
- D2 US 2005/254037 A1 (HASKE MARTIN D [US]) 17 November 2005 (2005-11-17)
- D3 EP 1 524 864 A1 (CANON EUROPA NV [NL]; CANON GIESSEN GMBH [DE]) 20 April 2005 (2005-04-20)
- D4 EP 3 131 280 A1 (CHRONEXT SERVICE GERMANY GMBH [DE]) 15 February 2017 (2017-02-15)
- D5 US 8 462 206 B1 (MCGUIRE JONATHAN G [US] ET AL) 11 June 2013 (2013-06-11)

2 **Independent claim 1**

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claim 1** is not new in the sense of Article 33(2) PCT. Document D1 discloses (see fig. 1-9):

An apparatus (300) for (suitable for, see Guidelines 5.23) the safekeeping and viewing of a wrist watch when not being worn,

wherein

it comprises:

- at least a support (106) on which a watch is housable (see col. 5, l. 55);*
- rotating means (motor, col. 5, l. 21) of said support (106) configured for rotating the support (106) about a rotation axis;*
- at least an acquisition device (164) having a visualisation angle facing directly towards said support (see fig. 3) for acquiring an image of the watch, and configured to generate an image or video signal relative to said image (col. 5, l. 27);*
- movement means (rotating carousel, see col. 11, l. 42) of the*

acquisition device (164) configurable (see col. 11, l. 42-45) at least in a synchronised condition of the acquisition device (164) with the rotation of said support (106), wherein said support (106) and said acquisition device (164) have the same rotation direction and the same angular velocity ("both as needed to point the active camera at the object");
- a control unit (308) connected to said acquisition device (164) and configured to receive the image or video signal, said control unit (308) comprising a communication module (network 326) programmed for sending said image or video signal towards a receiving apparatus (retail server 322) for remote viewing; wherein said acquisition device (164) generates said image or video signal of the watch in real time; said communication module (5) being programmed for sending said image or video signal in real time towards the receiving apparatus, which is configured to receive said image or video signal for live remote viewing of the watch.

3 **Dependent claims**

- 3.1 The subject-matter of dependent claims 5-9, 11, 12, 15, 16 is not new in the sense of Articles 33(1) and (2) PCT. Document D1 further discloses all the features of these claims, as follows:
- **claim 5:** see fig. 3.
 - **claims 6 and 7:** see col. 11, l. 35-45.
 - **claim 8:** col. 9, l. 15, "zoom lens".
 - **claim 9:** light source 136.
 - **claim 11:** col. 11, l. 35-45.
 - **claim 12:** see fig. 3.
 - **claim 15:** box. 102.
 - **claim 16:** remote receiving apparatus is the image processing workstation 320.
- 3.2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of dependent claims **2, 3, 4, 10 and 13-14** does not involve an inventive step in the sense of Article 33(3) PCT.

- 3.3 The installation of the acquisition device containing the rotation axis of the support (**claim 2**) appears to be a normal design option without a surprising effect, see for example document D2 fig. 1 and 4. The person skilled in the art would thus introduce this feature into D1 without exercising an inventive skill.
- 3.4 The use of a frame for the rotation of the acquisition device (**claim 3**) with an actuator (**claim 4**) is well known in the art, see e.g. document D3 fig. 3. The person skilled in the art would thus introduce this feature into D1 without exercising an inventive skill.
- 3.5 The use of a light source with a circular shape (**claim 10**) appears to be a normal design option without a surprising effect, see e.g. D4 item 104. The person skilled in the art would thus introduce this feature into D1 without exercising an inventive skill.
- 3.6 The use of multiple supports with multiple (**claim 13**) or single (**claim 14**) acquisition devices is well known in the art, see for example document D5 fig. 1-10.

4 **Re Item VII**

4.1 **Certain defects in the international application**

- 4.2 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1 is not mentioned in the description, nor are these documents identified therein.