

PATENT COOPERATION TREATY

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

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/IB2020/051916

International filing date (day/month/year)
05.03.2020

Priority date (day/month/year)
26.03.2019

International Patent Classification (IPC) or both national classification and IPC
INV. E05B47/00 E05B63/00 E05B63/20 E05B63/04 ADD. E05B17/22 E05C19/16

Applicant
ALBAN GIACOMO S.P.A.

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 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 66.1bis(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:



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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>1-12</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>1-12</u>
	No: Claims	
Industrial applicability (IA)	Yes: Claims	<u>1-12</u>
	No: Claims	

2. Citations and explanations

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 WO 2017/158449 A1 (ALBAN GIACOMO SPA [IT]) 21 September 2017 - cited in the application
- D2 EP 2 634 330 A2 (WINKHAUS FA AUGUST [DE]) 4 September 2013 - cited in the application
- D3 DE 87 04 036 U1 (-) 2 July 1987 - cited in the application
- D4 GB 1 009 996 A (LICENTIA GMBH) 17 November 1965 - cited in the application
- D5 US 7 308 737 B2 (WASHIN OPTICAL CO LTD [JP]) 18 December 2007 - cited in the application

2 Document D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses (references in parentheses applying to this document):

- an automatic system (1) for closing windows or doors, comprising:
 - a counter-plate (2) installable on a fixed frame and provided with a first member (3);
 - a lock body (20) installable on a door or window leaf and having a front portion (20b) intended to face said counter-plate (2) when the door or window leaf is aligned with the fixed frame, wherein said lock body (20) is provided with closing means (4) movable between a release configuration, wherein the closing means (4) engages the counter-plate (2) when the counter-plate (2) is aligned with the lock body (20), and a retained configuration, wherein the closing means (4) is maintained inside the lock body (20) and does not engage the counter-plate (2);
 - a switch (5) mounted in the lock body (20), said switch (5) being configured to assume a locking configuration wherein the switch (5) locks the closing means (4) in the retained configuration and a unlocking

configuration wherein the switch unlocks the closing means (4), thereby activating the automatic movement of the closing means (4) from the retained configuration to the release configuration.

2.1 The subject-matter of claim 1 therefore differs from this known automatic system for closing windows or doors, in that :

- said switch and said first member are configured to exchange an activation magnetic-type action adapted to switch said switch from the locking configuration to the unlocking configuration **only in a final approaching step** of said lock body with respect to said counter-plate, which is a part of a closing step starting from when the lock body is partially facing the counter-plate and ending when the lock body is completely facing the counter-plate,

said switch having a first leaf-side magnetic pole active at the front portion of the lock body and said first member having a frame-side magnetic pole active at a front portion of said counter-plate, wherein said first leaf-side magnetic pole is active only on an opening side so as to magnetically interact with said first frame-side magnetic pole only in said final approaching step and exchange said activation magnetic-type action;

and is therefore new (Article 33(2) PCT).

2.2 The problem to be solved by the present invention may be regarded as providing an automatic closing system for windows or doors that is reliable and secure and able to prevent accidental unwanted exiting of the bolts.

2.3 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

- Starting from an automatic system for closing windows according to D1, the person skilled in the art would have to modify the switch of the automatic system in D1 by moving a first magnetic pole of the switch to a first leaf-side towards the opening side for activating the switch only in the final approaching step of the lock body with respect to said counter-plate, in order to arrive at the automatic system as described in claim 1. None of the cited documents D1-D5 shows any hint for the person skilled in the art to modify the automatic system in this sense. Documents D1-D3 show a magnetic pole aligned along a central axis of the door leaf, cfr. axis X in Fig. 5 of the application.

The stabilization magnetic-type action in an initial approaching step, followed by the activation magnetic-type action only in the final approaching step of the door or window leaf allows a safe and reliable switching of the switch, making sure the closing means are well positioned facing the counter-plate before bringing them into the release configuration.

- 3 Claims 2-12 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

- 4 The subject matter of claims 1-12 is industrially applicable in the field of automatic systems for closing windows or doors.