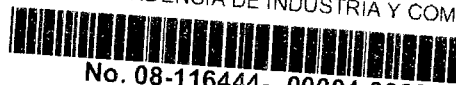


SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 08-116444- -00004-0000

Fecha: 2010-05-14 16:08:37 Dep. 2020 DIR.NUEVASCR
Tra. 11 PATENTEIYII Eve: 378 FASENACIONALI
Act. 329 CTOINFORMACION Folios: 11

Señora

Alix Carmenza Céspedes de Vergel

Jefe de División de Nuevas Creaciones

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

E. _____ S. _____ D. _____

Referencia: Expediente No. 08.116.444

Solicitud de Patente de Invención titulada: "Métodos y aparatos para facilitar la instalación de componentes"

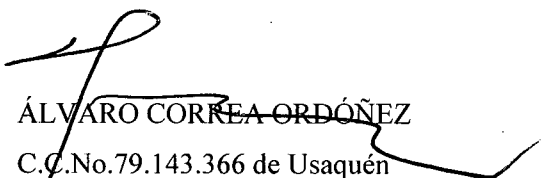
Solicitante: Tyco Safety Products Canadá LTD

MEMORIAL DE COMPLEMENTACIÓN

ÁLVARO CORREA ORDÓÑEZ, mayor de edad y vecino de Bogotá D.C., identificado tal como aparece al pie de mi firma, en mi carácter de apoderado de la sociedad en referencia, según lo acredita el documento de poder presentado en esa división, me permito allegar:

Copia del Reporte Europeo suplementario para la Patente Europea No.06840552.1.

Atentamente,


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Date

15.04.10

Reference P524159EPPCT/DP	Application No./Patent No. 06840552.1 - 1242 / 2008504 PCT/CA2006002126
Applicant/Proprietor Tyco Safety Products Canada Ltd.	

Communication

The extended European search report is enclosed.

The extended European search report includes, pursuant to Rule 62 EPC, the supplementary European search report (Art. 153(7) EPC) and the European search opinion.

Copies of documents cited in the European search report are attached.

☒ 0 additional set(s) of copies of such documents is (are) enclosed as well.

Refund of the search fee

If applicable under Article 9 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





SUPPLEMENTARY
EUROPEAN SEARCH REPORT

Application Number
EP 06 84 0552

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
X	US 6 135 618 A (TAI JEN-LUNG DAVID [US]) 24 October 2000 (2000-10-24) * column 2, line 38 - column 4, line 44; figures 1-4 *	1-9, 12-14	INV. H05K5/02 H02B1/44 H05K5/03 H02G3/14 H05K5/00
X	EP 1 450 592 A2 (ORION ELECTRIC CO LTD [JP]) 25 August 2004 (2004-08-25) * paragraphs [0017] - [0022]; figures 1-3 *	1,2,4-9, 12-14	
X	EP 1 306 506 A2 (HOERMANN KG ANTRIEBSTECHNIK [DE]) 2 May 2003 (2003-05-02) * paragraphs [0016] - [0023], [0028]; figures 1-8 *	1-4, 6-11,13, 14	
E	EP 1 964 226 B1 (BOCCHIOTTI S P A SOCIETA PER L [IT]) 17 March 2010 (2010-03-17) * paragraphs [0001], [0002], [0033] - [0055]; figures 1-4 *	1-6,8-13	
X,P	US 2006/137908 A1 (HSU WEN-HUA [US]) 29 June 2006 (2006-06-29) * the whole document *	1-14	TECHNICAL FIELDS SEARCHED (IPC) H02G H05K
A	EP 1 113 713 A2 (CARRIER CORP [US]) 4 July 2001 (2001-07-04) * the whole document *	1-14	
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search The Hague		Date of completion of the search 7 April 2010	Examiner Kaluza, Andreas
CATEGORY OF CITED DOCUMENTS X: particularly relevant if taken alone Y: particularly relevant if combined with another document of the same category A: technological background O: non-written disclosure P: intermediate document T: theory or principle underlying the invention E: earlier patent document, but published on, or after the filing date D: document cited in the application L: document cited for other reasons &: member of the same patent family, corresponding document			

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EPO FORM 1503 02/02 (P04C04)

ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.

EP 06 84 0552

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

07-04-2010

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 6135618	A	24-10-2000	US 6259025 B1	10-07-2001
EP 1450592	A2	25-08-2004	JP 4309149 B2	05-08-2009
			JP 2004253710 A	09-09-2004
			US 2004163834 A1	26-08-2004
EP 1306506	A2	02-05-2003	DE 20116631 U1	20-02-2003
EP 1964226	B1	17-03-2010	EP 1964226 A1	03-09-2008
			WO 2007072519 A1	28-06-2007
US 2006137908	A1	29-06-2006	CN 1819370 A	16-08-2006
EP 1113713	A2	04-07-2001	DE 60033364 T2	21-06-2007
			US 6362953 B1	26-03-2002

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Sheet 1
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Anmelde-Nr:
Application No: 06 840 552.1
Demande n°:

The examination is being carried out on the following application documents

Description, Pages

1-6 filed with entry into the regional phase before the EPO

Claims, Numbers

1-14 filed with entry into the regional phase before the EPO

Drawings, Sheets

1/4-4/4 as published

- 1 Reference is made to the following documents; the numbering will be adhered to in the rest of the procedure:

- D1 US 6 135 618 A (TAI JEN-LUNG DAVID [US]) 24 October 2000 (2000-10-24)
- D2 EP 1 450 592 A2 (ORION ELECTRIC CO LTD [JP]) 25 August 2004 (2004-08-25)
- D3 EP 1 306 506 A2 (HOERMANN KG ANTRIEBSTECHNIK [DE]) 2 May 2003 (2003-05-02)
- D4 EP 1 964 226 A1 (BOCCHIOTTI S P A SOCIETA PER L [IT]) 3 September 2008 (2008-09-03)
- D5 US 2006/137908 A1 (HSU WEN-HUA [US]) 29 June 2006 (2006-06-29)

- 2 The amendment filed upon entry into the European phase introduces subject - matter which extends beyond the content of the application as filed contrary to Article 123(2) EPC.
The application does not meet the requirements of Article 84 EPC, because claims 1 and 8 are not clear.
Furthermore, the subject-matter of claims 1 and 8 is not new within the meaning of Article 54(1) and (2) EPC, and the requirements of Article 52(1) EPC are therefore not met.

- 3 The amendment filed upon entry into the European phase introduces subject-matter which extends beyond the content of the application as filed, contrary to Article 123(2) EPC. The amendments concerned are the following:
- 3.1 Claim 3:
The dependency of the mentioned claim was changed. Originally this claim depended on claim 2, while the amended claim depends on claim 1 or claim 2.
However, the application as filed does not disclose the combination of the features of claims 1 and 3 without the features of the claim 2.
- 3.2 Description page 3 line 3:
The features mentioned in that line are disclosed in the original application only combination with the features of claim 15. However, the combination with these features is missing in said passage of the amended description.
Therefore the amended application does not fulfil the requirements Article 123 (2) EPC.
- 3.3 These objections could be overcome by removing line 3 on page 3 of the description and by making the claim 3 dependent on claim 2.
- 4 Further amendments of the claims include a change of the dependency of the claims 4-6, 12 and 13, some changes in the wording of claims 3-8, the omission of optional features in claims 2 and 3 and amendments to the description on page 3 lines 1, 2, 4-12.
These amendments are considered to be allowable with respect to the requirements of Article 123(2) EPC.
- 5 Claims 1 and 8 are not clear (Article 84 EPC).
- 5.1 According to the description page 1 lines 4-20 wall mounted control panels are known, which have a cover and a base and a cable channeled through an aperture in the base plate to the cover. Such systems are difficult to assemble, because during installation the installer is required to support the cover, position the wire terminals and tighten for example termination screws. When supporting the cover with one hand and positioning the wire terminals with the other hand, no free hand is left to tighten the termination screws. It is clear from the description on page 1, that the current application seeks to overcome these difficulties.
It is therefore clear from the description on pages 1, 3 and 5 that the following features are essential to the definition of the invention:

- An electrical control panel
- a base configured to couple to a vertical wall surface
- a cover having a terminal block (304) coupled to it,
- and a cable (306) extending through an aperture (308) in the base (102) to said terminal block (304)

Since independent claims 1 and 8 do not contain these features they do not meet the requirement following from Article 84 EPC, taken in combination with Rule 43(1) and (3) EPC, that any independent claim must contain all the technical features essential to the definition of the invention.

6 The subject-matter of claim 1 is not new (Article 54(1) and (2) EPC).

6.1 Documents D1 discloses:

An electrical panel (Fig.1 (10), col 2 lines 42-45), comprising:
a base having a backwall (Fig.1 (12,20), col 2 lines 46-52) with a maintenance support member (Fig.1 (30,31), col 2 lines 59-67) provided thereon;
and a cover (Fig.1 (13)) configured to be joined to the base (12) in a closed position (Fig.3/4, col 3 lines 39-44) and separately to be supported by the base in a maintenance position (Fig.2, col 3 lines 27-34), the cover and base defining an enclosed chamber there between when joined in the closed position, the chamber being configured to retain electrical components (col 3 lines 1-10);
and a retention element provided on the cover (Fig.1 (41), col 3 lines 1-4), the retention element engaging the maintenance support member on the base to support the cover in the maintenance position at which an interior of the chamber is open and exposed (Fig.2 (31,41), col 3 lines 27-34), the retention element and the maintenance support member being disengaged from one another when the base and cover are joined in the closed position (Fig.3/4, col 3 lines 39-44).

The subject-matter of claim 1 is therefore not new (Article 54(1) and (2) EPC).

6.2 The subject-matter of claim 1 is also disclosed by documents D2 (Fig.1/2 (1,2,3,5,13,14,15), [0017]-[0020]) and D3 (Fig.1/2/8 (1,2,3,4,20,37), [0016]-[0019], [0023], [0028], maintenance support member: (37), retention element: (20)).

7 The subject-matter of claim 8 is disclosed by D1-D3 in the same way as the subject-matter of claim 1.

Therefore the subject-matter of claim 8 is not new (Article 54(1) and (2) EPC).

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Anmelde-Nr.
Application No: 06 840 552.1
Demande n°:

- 8 The document D4 published on 17.03.2010 (International Publication: 28.06.2007) claims the priority date of 23.12.2005. Its content as filed is therefore considered to be comprised in the state of the art relevant to the question of novelty, pursuant to Article 54(3) EPC.
- 8.1 This earlier application shows:
An electrical panel Fig.2 (10), [0002], [0033]), comprising: a base having a backwall with a maintenance support member having a channel (Fig.1 (31)) provided thereon (Fig.2 (101,107,3,103), [0033], [0049]);
and a cover (Fig.2 (102)) configured to be joined to the base in a closed position and separately to be supported by the base in a maintenance position (Fig.4), the cover and base defining an enclosed chamber there between when joined in the closed position, the chamber being configured to retain electrical components ([0001]);
and a retention element (Fig.1/2 (210)) comprising a flat tab (210) provided on the cover (Fig.1/2 (2,21,22,104), [0034]-[0035]), the retention element engaging the maintenance support member (3) on the base (101) to support the cover (102) in the maintenance position at which an interior of the chamber is open and exposed (Fig.4, [0052]), wherein the sidewall of the base (101) is aligned with the edge of the cover, the retention element (210) and the maintenance support member (3) being disengaged from one another when the base and cover are joined in the closed position.
- Thus, it is prejudicial to the novelty of the subject-matter of claims 1-6 of the present application.
- 8.2 The subject-matter of claims 8-13 is disclosed by D4 in the same way as the subject-matter of claims 1-6. They are therefore not new (Article 54(1-3) EPC).
- 9 Since the claimed date of priority 03.04.2006 of the current application is considered to be valid and document D5 filed on 23.12.2004 and published on 29.06.2006 is not an European application, the content of document D5 is not considered to be comprised in the state of the art pursuant to Article 54(3) EPC.
- 10 Dependent claims 2-7 and 9-14 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the EPC with respect to novelty. The reasons are the following:

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Anmelde-Nr:
Application No: 06 840 552.1
Demande n°:

- 10.1 The features of claims 2 and 3, a channel in the maintenance support member at a raised position with respect to the backwall and a flat tab on the retention element, is known for example from D3 (Fig.1/2 (28,37,20)).
- 10.2 The subject-matter of claims 4 and 5, the cover and the base being parallel in the closed position and separated when transitioning between the maintenance and the closed position, is known from D1 (Fig.1-4).
- 10.3 The features of claims 6 and 7, a support land extending from the back wall and aligned to an edge of the cover, which limits a downward movement of the retention element, is known from D1 (sidewalls (25,26) of base (12) extend from the backwall (20) and are parallel with the edge of the sidewall of cover (13), furthermore they prevent a downward movement of the cover).
- 10.4 The subject-matter of claims 9-14 is disclosed by D1-D3 in the same way as the subject-matter of claims 2-7.

Therefore the subject-matter of claims 2-7 and 9-14 is not new (Article 54(1) and (2) EPC).

- 11 Claim 1 could be amended by incorporating features from the description on page 1 lines 4/21, page 3 lines 21-24, page 4 lines 2/23-27, page 4 line 25- page 5 line 3 and page 5 lines 12-13 and thereby the above mentioned objections could be overcome.

Such an amended claim could be formulated as follows:

An electrical control panel, comprising:

a base having a backwall configured to couple to a vertical wall surface (104) and a cover having a terminal block (304) coupled to it,
and a cable (306) extending through an aperture (308) in the base (102) to said terminal block (304),

the cover (106) being configured to be joined to the base (102) in a closed position and separately to be supported by the base (102) in a maintenance position, the cover (106) and base (102) defining an enclosed chamber there between when joined in the closed position, the chamber being configured to retain electrical components;

a maintenance support member (208) provided on the backwall of the base and extending away from the backwall, the maintenance support member having a vertically lower opening (216);

and a retention element (206) provided on the cover (106) and extending away from a peripheral edge (212) of the cover (206),
characterised in that

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Anmelde-Nr:
Application No: 06 840 552.1
Demande n°:

the retention element (206) is inserted in the vertically lower opening (216) of the maintenance support member (208) to support the cover in the maintenance position at which an interior of the chamber is open and exposed and where the cover (106) is prevented from sliding vertically downwards and the retention element is prevented from disengaging the maintenance support member (208) by a friction force between the peripheral edge (212) of the cover and the backwall (200) and between the retention element (206) and the maintenance support member (208),
and in that the retention element and the maintenance support member are disengaged from one another when the base and cover are joined in the closed position.

- 12 In case the applicant intends to file amended claims to overcome the objections raised above, the following should be taken into account:
 - 12.1 The term "a channel raised from the backwall" used in claim 2 is unclear and leaves the reader in doubt as to the meaning of the technical feature to which it refers, thereby rendering the definition of the subject-matter of said claim unclear (Article 84 EPC).
 - 12.2 The terms "substantially flat", "substantially parallel" and "substantially limiting" used in claims 3, 4, 7 and 14 are vague and unclear and leave the reader in doubt as to the meaning of the technical feature to which they refer, thereby rendering the definition of the subject-matter of said claims unclear (Article 84 EPC).
This objection could be overcome by removing the word "substantially".
 - 12.3 The statement in the description on page 6 referring to the spirit of the claims implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in a lack of clarity of the claims (Article 84 EPC) when the description is used to interpret the claims (see Guidelines C-III, 4.4). This statement should therefore be removed.
 - 12.4 To meet the requirements of Rule 42(1)(b) EPC, documents D1, D3 and D4 should be identified in the description and the relevant background art disclosed therein should be briefly discussed.
 - 12.5 When filing amended claims the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, especially of the introductory portion and of any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).

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Anmelde-Nr:
Application No: 06 840 552.1
Demande n°:

- 12.6 In order to comply with the requirements of Rule 137(4) EPC, the applicant should clearly identify the amendments made, irrespective of whether they concern amendments by addition, replacement or deletion, and indicate the passages of the application as filed on which these amendments are based (see Guidelines E-II, 1).

If the applicant considers it appropriate, these indications could be submitted in handwritten form on a copy of the relevant parts of the application as filed.