

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year)	06.10.2015
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Applicant's or agent's file reference 1549472	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/BR2015/050102	International filing date (day/month/year) 24.07.2015	Priority date (day/month/year) 28.07.2014
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International Patent Classification (IPC) or both national classification and IPC
B67D 1/04 (2006.01), A47J 31/44 (2006.01), B01F 3/04 (2006.01), B01F 15/00 (2006.01)

Applicant
WHIRLPOOL S.A.

1. This opinion contains indications relating to the following items:

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|-------------------------------------|--------------|--|
| ☒ | 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 or 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/BR	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

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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 filed or furnished:
 - a. (means)
☐ on paper
☐ in electronic form
 - b. (time)
☐ in the international application as filed
☐ together with the international application in electronic form
☐ subsequently to this Authority for the purposes of search
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 in 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 or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-4	YES
	Claims	None	NO
Inventive step (IS)	Claims	1-4	YES
	Claims	None	NO
Industrial applicability (IA)	Claims	1-4	YES
	Claims	None	NO

2. Citations and explanations:

None of the documents cited in the international search discloses an improvement made to a carbonating tower for beverage dispensers, as claimed in claims 1-4.

Consequently, these claims satisfy the requirements in respect of novelty and industrial applicability (PCT Article 33(2) and (4)).

Furthermore, the fact that the carbonating tower comprises:

- a substantially elongate body comprising at least one tube provided with at least two holes, said tube being rigidly connected to a base comprising at least one nozzle, said base also cooperating with a cover of a lower compartment; said cover additionally comprising at least one encircling toroidal rib cooperating with at least one lower nozzle of the tank, and the water and carbon dioxide/CO₂ being sucked through the upper edge of the tube and/or through the holes and expelled in a trajectory orthogonal to the axis of suction through the at least one nozzle;

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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

is not obvious for a person skilled in the art in consideration of the cited prior art documents, taken individually or in any combination. Consequently, the invention defined in claim 1 and in claims 2-4, which are dependent thereon, involve an inventive step (PCT Article 33(3)).

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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:

In the description, the Portuguese word "**tubo (40)**" is rendered as "**tudo (40)**" in several places, resulting in a lack of clarity when interpreting same, contravening PCT Article 5.

These typographical errors are also present in the claims, contravening PCT Article 6, and in the abstract.