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[Continued on next page]

(54) Title: CONTAINMENT BODY FOR MAKING A CAPSULE FOR MAKING BEVERAGES AND METHOD FOR MAKING CAPSULES WITH DIFFERENT QUANTITIES OF POWDERED FOOD SUBSTANCE USING A SINGLE TYPE OF CONTAINMENT BODY

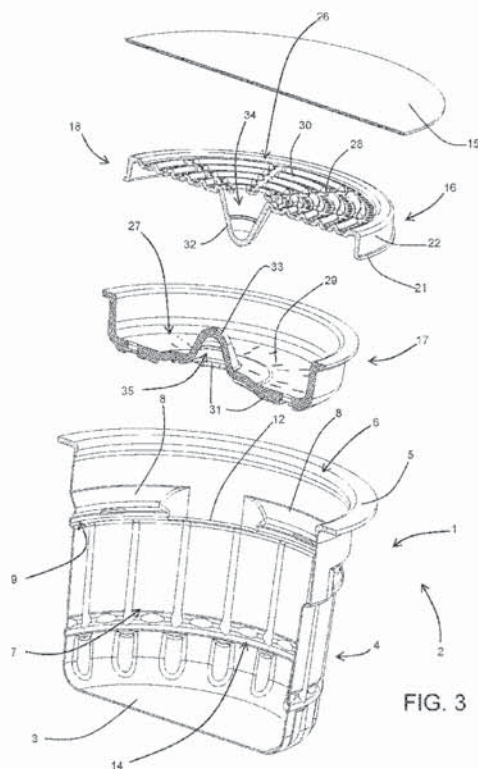


FIG. 3

(57) Abstract: A containment body for making a cup-shaped capsule for making beverages comprising a lateral wall (4) that, in a zone of it closer to an upper edge (5) than to a bottom wall (3), is provided with one or more retaining elements (8) projecting towards the central axis in a plane substantially perpendicular to the central axis, the one or more retaining elements (8) forming between them and the bottom wall (3) an undercut seat (9); and a method for making capsules comprising different quantities of powdered food substance using said containment body (1) and positioning an upper filtering element (16) either coupled to the undercut seat (9) or positioned close to a lid (15).

Published:

— with international search report (Art. 21(3))

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference V036-12WO30	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/IB2015/059015	International filing date (day/month/year) 20.11.2015	Priority date (day/month/year) 03.12.2014	
International Patent Classification (IPC) or national classification and IPC INV. B65D85/804			
Applicant Caffitaly System S.P.A.			
1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: a. ☒ (sent to the applicant and to the International Bureau) a total of <u>12</u> sheets, as follows: ☒ sheets of the description, claims and/or drawings which have been amended and/or sheets containing rectifications authorized by this Authority, unless those sheets were superseded or cancelled, and any accompanying letters (see Rules 46.5, 66.8, 70.16, 91.2, and Section 607 of the Administrative Instructions). ☐ sheets containing rectifications, where the decision was made by this Authority not to take them into account because they were not authorized by or notified to this Authority at the time when this Authority began to draw up this report, and any accompanying letters (Rules 66.4bis, 70.2(e), 70.16 and 91.2). ☐ superseded sheets and any accompanying letters, where this Authority either considers that the superseding sheets contain an amendment that goes beyond the disclosure in the international application as filed, or the superseding sheets were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in item 4 of Box No. I and the Supplemental Box (see Rule 70.16(b)). b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing, in the form of an Annex C/ST.25 text file, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3ter of Annex C of the Administrative Instructions).			
4. This report contains indications relating to the following items: ☒ Box No. I Basis of the report ☐ 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 Article 35(2) 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			
Date of submission of the demand 15.09.2016		Date of completion of this report 22.11.2016	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465		Authorized officer Brochado Garganta, M Telephone No. +49 89 2399-8935	



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/IB2015/059015

Box No. I Basis of the report

1. With regard to the **language**, this report is based on
- ☒ 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 (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a) and (b))
2. With regard to the **elements*** of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

Description, Pages

1, 3-13	as originally filed	
2, 2a	filed with the letter of	15-09-2016

Claims, Numbers

1-18	filed with the letter of	15-09-2016
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Drawings, Sheets

1/10-10/10	as originally filed
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- ☐ a sequence listing - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (c-bis)):
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
5. ☐ This report has been established:
- ☐ taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rules 66.1(d-bis) and 70.2(e)).
 - ☐ without taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91(Rules 66.4bis and 70.2(e)).

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/IB2015/059015

6. ☒ With regard to top-up searches (Rules 66.1 *ter* and 70.2(f)):
- ☒ A top-up search was carried out by this Authority on 31.10.2016 (all discovered documents are listed in the Supplemental Box Relating to Top-up Search).
 - ☐ Additional relevant documents have been discovered during the top-up search.
 - ☐ No top-up search was carried out by this Authority because it would serve no useful purpose.
7. ☐ Supplementary international search report(s) from Authority(ies) has/have been received and taken into account in establishing this report (Rule 45bis.8(b) and (c)).

* If item 4 applies, some or all of those sheets may be marked "superseded".

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>1-18</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>1-18</u>
	No: Claims	
Industrial applicability (IA)	Yes: Claims	<u>1-18</u>
	No: Claims	

2. Citations and explanations (Rule 70.7):

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 EP 1 344 722 A1 (SCHIFFERLE RENE [CH]) 17 September 2003
(2003-09-17)
- D2 WO 2013/068242 A1 (NESTEC SA [CH]) 16 May 2013 (2013-05-16)
- D3 WO 2013/060656 A1 (NESTEC SA [CH]) 2 May 2013 (2013-05-02)
- D4 WO 2014/029884 A1 (NESTEC SA [CH]) 27 February 2014 (2014-02-27)

2. The amendments filed on 15.09.2016 do not introduce additional subject-matter, which extends beyond the content of the application as filed. Therefore, the amendments meet the requirements of Article 34(2)(b) PCT.

3. Novelty and inventive step

D1, which is considered the closest prior art to the subject-matter of claim 1, discloses a containment body for making a capsule for making beverages, comprising a bottom wall (7); a lateral wall connected to the bottom wall (7) at a peripheral portion of it; and an upper edge (6) connected to the lateral wall on a side opposite to the bottom wall (7) and delimiting an access opening for accessing an inner space of the containment body, the inner space being delimited at the bottom by the bottom wall (7) and laterally by the lateral wall, in use a powdered food substance for making a beverage and one or more filtering elements being insertable in the inner space;

a central axis of the containment body being identifiable between a central point of the bottom wall and a central point of the access opening (6); being the lateral wall, which is located in a zone of it closer to the upper edge (6) than to the bottom wall, provided with one or more retaining elements (5a) projecting towards the central axis in a plane substantially perpendicular to the central axis (see claim 1 and figures 1, 2 and 5).

The difference between the subject-matter of claim 1 and the disclosure in D1 is the fact that the one or more retaining elements form between them and the bottom wall (7) **an undercut seat** (32) relative to the line of extension of the central axis. Thus, claim 1 is novel (Article 33(2) PCT).

The existence of an undercut seat as retaining element for the filter limits the movement of the filter not only towards the bottom but also towards the lid of the capsule.

The problem to be solved by the present application may therefore be considered to provide an improved capsule body for making a capsule for making beverages.

In D1 the shoulder 5a (see figure 4), which can also be considered a retaining element, is there as support for the filter, so that it doesn't moves towards the bottom. Only the lid can stop the filter from moving towards the upper surface. Also D2 and D3 fail to disclose such an undercut seat but refer more possible variations to reduce or change the volume of the capsules (see figure 1a and figure 1, respectively). In D4 an undercut seat can be seen (see 14 in figure 4b), but this structure cannot be considered a retaining element, as no filter is present. It is there for allowing elasticity and deformation of the capsule. This Thus, claim 1 is considered to be inventive (Article 33(3) PCT).

The same reasoning applies, *mutatis mutandis*, to the subject-matter of the corresponding independent claims 7 and 13, relating to the capsule and to a method for making such capsules. which therefore are also considered as being inventive (Article 33(3) PCT). Thus, dependent claims 2-12 and 14-18 are also inventive (Article 33(3) PCT).

RUFFINI PONCHIROLI E ASSOCIATI

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THE NETHERLANDS

Our Ref.: V036-12WO30

Verona, 15 September 2016

**Re: International application No. PCT/IB2015/059015 in the name of
CAFFITALY SYSTEM S.p.A.
Enclosure to the Demand for International Preliminary Examination
Reply to the Written Opinion enclosed to the International Search Report**

Dear Sirs,

With reference to the International Search Report and the Written Opinion issued for the case referred to above, a Demand for international preliminary examination is filed, together with the following comments to the Written Opinion accompanying the relevant International Search Report of February 19, 2016.
International preliminary examination is to be based on the application as filed apart from amendments here enclosed.

AMENDMENTS

Description

The description has been amended to identify D1.

Claims

Claim 8 has been amended to improve English translation from original Italian text by replacing "interference" with "interference fit".

Claim 13 has been amended by replacing "smaller quantity" and "larger quantity" respectively with "first quantity" and "second quantity" and by specifying that the second quantity is larger than the first quantity.

CLARITY

Claim 1 has been stated to be unclear due to the presence of expressions "in use" and "closer". Such an objection can't be followed.

In detail, nothing in the PCT provisions and praxis (nor in European ones) forbids the use of expression relating to an activity, provided that they are inserted in the proper form.

RUFFINI PONCHIROLI E ASSOCIATI

In the present case, claim 1 clearly indicates that "in use" the powdered substance and filtering elements are "insertable" in the inner space, and not that they are "inserted", as foreseen by rules and praxis (a detailed discussion about differences of the two wordings is provided in the European Guidelines F IV 4.14; even if Guidelines are obviously valid for EP application not PCT ones, the same principles there disclosed are valid for PCT applications).

As regard the word "closer", in the context it is used it is indeed not as a relative term, that is it not a word with a meaning which could depend on the interpretation of the reader. Claim 1 is in fact very clear in stating that the zone is "closer to the upper edge (5) than to the bottom wall (3)" so establishing an unambiguous and objective mathematical relationship between two distances.

As regard claim 8, it is submitted that the definition coupling with interference was a bad translation of the original Italian wording, while a more appropriate translation would have been coupling with interference fit (which has its normal meaning well-recognised in mechanics). Claim 8 has then been amended accordingly.

As regard claim 13, it has been amended to overcome the objection arisen in the Written Opinion.

NOVELTY

In the Written Opinion a lack of clarity has been contested as regard claims 1, 7 and 13, in view of the disclosure of D1.

However, this objection is completely unfounded.

D1 in fact does not disclose any of the characterizing features of claim 1.

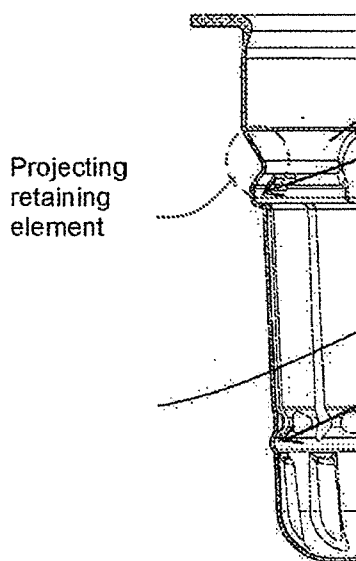
In particular, according to claim 1, *"the lateral wall (4), in a zone of it closer to the upper edge (5) than to the bottom wall (3), is provided with one or more retaining elements (8) projecting towards the central axis in a plane substantially perpendicular to the central axis, the one or more retaining elements (8) forming between them and the bottom wall (3) an undercut seat (9) relative to the line of extension of the central axis"*.

Those characterizing features are clearly shown in the pictures in the next page which reproduce part of figure 4 of the application as filed and an enlarged view of a particular thereof.

D1, on the contrary, only discloses capsules comprise neither undercut seats nor any corresponding retaining elements (it must be remembered that an undercut seat is a seat in which the access opening extends radially less than the internal part of the seat so that if something rigid occupies the whole internal seat is impossible to take it out of the seat without deforming either the object of the seat – the most famous kind of undercut seat is probably the dovetail joint).

In addition to that, correspondences identified in the Written Opinion between the features of claim 1 and D1 can't be followed.

First of all, in the Written Opinion retaining elements 8 have been identified with shoulder 5a of D1, which is defined by a fold in the lateral wall. Shoulder 5a, however both is unable to retain anything in the capsule (it is unable to prevent anything from exiting the capsule if the cover is not present), and does not define any undercut seat.

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Enlarged view

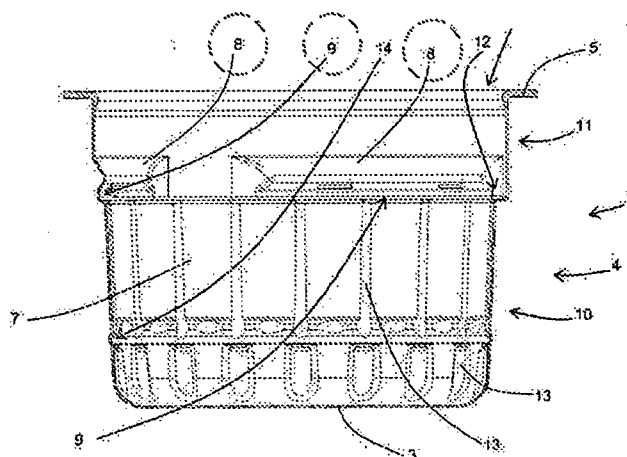


Figure 4

Shoulder 5a only acts as a supporting surface for a filter posed on it, but it is completely unable to keep the filter in the capsule; only cover 4 acts as a retaining element for what is contained in the capsule.

Moreover, in the Written Opinion the undercut seat has been identified with element 32 of D1; however element 32 of D1 is not a part of the capsule body nor is a seat (or cavity or anything similar), but is only a structure which is part of a special filter which can be used according to D1 to reduce the internal volume in which the food powdered substance can be stored.

What above is clear not only in the text of D1 but also in figures 4 and 5 of D1 (here below reported) where shoulder 5a and structure 32 can be clearly seen.

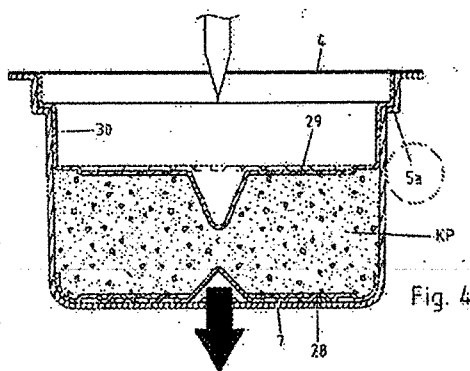


Fig. 4

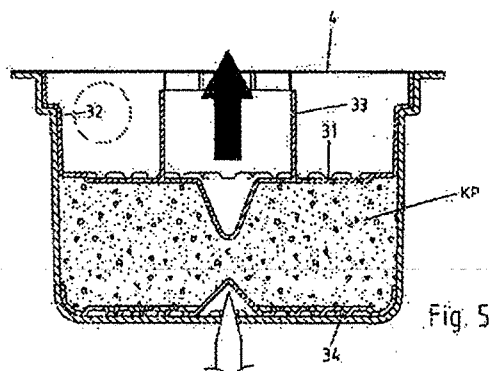


Fig. 5

In view of the above remarks it is then clear that claim 1 is absolutely new over D1.

As a consequence, also all other claims (7 and 13 included) are new since all of them incorporate all the features of claim 1.

RUFFINI PONCHIROLI E ASSOCIATIINVENTIVE STEP

As regard the aim of the present invention, the Applicant can only in part agree with the Written Opinion.

Indeed, the aim of the present invention is that of allowing the production of capsules with different storing volumes by using the same elements (capsule body and filtering elements).

Such a result is not obtained by D1, where different volumes can be obtained only by changing the filtering element used (see figures 3-6 of D1).

As regard D2 and D3, contrary to what is stated in the Written Opinion, they do not face the matter of changing the storing volume of the capsule, nor disclose anything which could be used to that aim. In both of them, in fact, the only filter present is always placed in one and the same position. D1 and D2 are then completely irrelevant to the present invention.

In view of what above, it is clear that none of the available prior arts could have ever prompted the skilled person towards the solution of claim 1 in order to solve the technical problem of allowing the production of capsules with different storing volumes using the same structural components.

Claim 1 is then clearly inventive over the available prior art, as well as all other claims of the present application which all incorporate all features of claim 1.

CONCLUSIONS

In the previous paragraphs it has been showed that the present application as amended complies with the requirements of PCT.

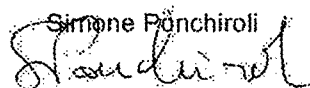
Therefore, a positive International Preliminary Examination Report (IPER) is expected.

Should the Examiner disagree, the issuance of an additional Written Opinion pursuant to Article 34(2)(c) PCT and another opportunity to submit arguments or amendments pursuant to Rule 66.4 PCT is kindly requested.

The Applicant is also available for a telephone interview if needed.

Yours sincerely

Encl.

Simone Ponchioli


coffee powder, a good American coffee needs around 11 g of coffee powder. More generally, whilst optimal preparation of limited quantities of beverages ("short" beverages such as espresso coffee) may require the use of a relatively small amount of powdered food substance, optimal preparation of
5 larger quantities of beverage ("long" beverages like American coffee, hot chocolate, tea, etc.) normally requires the use of larger quantities of powdered food substance.

Over the years, this problem has brought to the market parallel systems for making beverages, some with relatively small capsules to be used in
10 suitable machines, and others with relatively large capsules for use with different machines dedicated to them.

As regards the structure of the capsules, those of interest for this invention generally comprise a cup-shaped containment body (made with one or more parts), closed at the top by a lid. Inside the containment body, in addition to
15 the powdered food substance, there may be filtering elements that can be positioned either between the powdered food substance and the bottom wall of the containment body, or between the powdered food substance and the lid. Depending on the direction in which the water flows inside the capsule, which in this context is usually from the lid towards the bottom wall or vice
20 versa, the filtering element may act either as a water distributor in the powdered food substance, or as a filter for the beverage coming out to prevent the powdered food substance from accidentally coming out.

However, the current market situation has several obvious disadvantages.

In particular, any company that wants to be present on the market both with
25 capsules for making "short" beverages and with capsules for making "long" beverages must have two product lines both for the capsules and for the machines. <INSERT PAGE 2a>

Similarly, the end user is forced to purchase a machine for each type.

In this context, the technical purpose that forms the basis of this invention is
30 to make a containment body for making a capsule for making beverages and

As an alternative EP 1 344 722 discloses the use of a single capsule body to produce capsules with different amounts of powdered food substance. To that aim, each capsule is provided with a different kind of filtering element.

- 5 While completely filled capsules are provided with mainly flat filtering elements, partially filled capsules are provided with a top or lower filtering element provided of projecting elements designed to support the filtering element against, respectively, the cover of the capsule or the lower wall of the capsule body.

10

2a

CLAIMS

1. A containment body for making a capsule for making beverages, comprising:

a bottom wall (3);

5 a lateral wall (4) connected to the bottom wall (3) at a peripheral portion of it; and

an upper edge (5) connected to the lateral wall (4) on a side opposite to the bottom wall (3) and delimiting an access opening (6) for accessing an inner space (7) of the containment body (1), the inner space (7) being
10 delimited at the bottom by the bottom wall (3) and laterally by the lateral wall (4), in use a powdered food substance for making a beverage and one or more filtering elements being insertable in the inner space (7);

a central axis of the containment body (1) being identifiable between a central point of the bottom wall (3) and a central point of the access opening
15 (6);

characterised in that the lateral wall (4), in a zone of it closer to the upper edge (5) than to the bottom wall (3), is provided with one or more retaining elements (8) projecting towards the central axis in a plane substantially perpendicular to the central axis, the one or more retaining elements (8)
20 forming between them and the bottom wall (3) an undercut seat (9) relative to the line of extension of the central axis.

2. The containment body according to claim 1, characterised in that the lateral wall (4) is provided with a plurality of said retaining elements (8) which are distributed about the central axis in said plane substantially
25 perpendicular to the central axis, and which are spaced relative to one another.

3. The containment body according to claim 1 or 2, characterised in that the lateral wall (4) comprises, from the bottom wall (3) towards the upper edge (5), a first portion (10) and a second portion (11), the first portion (10)
30 at least mainly having a frustoconical shape, and the second portion (11)

having a substantially cylindrical shape, the second portion (11) having an internal diameter which is larger than a maximum internal diameter of the first portion (10), and in that the one or more retaining elements (8) and the undercut seat (9) are all made at the second portion (11).

- 5 4. The containment body according to claim 3, characterised in that the first portion (10) comprises a plurality of stiffening profiles (13).
5. The containment body according to any one of the preceding claims, characterised in that at a zone of it closer to the bottom wall (3) than to the access opening (6), the lateral wall (4) also comprises a hooking seat (14)
- 10 formed by a portion of it projecting towards the central axis and/or away from the central axis.
6. The containment body according to any one of the preceding claims, characterised in that it is at least mainly constituted of a thermoformed multi-layer material.
- 15 7. A capsule for making beverages, containing a powdered food substance which allows a beverage to be made by passing hot water through it, the capsule (2) comprising:
- a containment body (1) made according to any one of the preceding claims;
- a lid (15) fixed to the upper edge (5) which closes the top of the inner space
- 20 (7);
- said powdered food substance being contained in the inner space (7) of the containment body (1);
- at least an upper filtering element (16) comprising at least an annular peripheral edge (18) associated with the lateral wall (4), the upper filtering
- 25 element (16) dividing the inner space (7) into a main chamber (19) delimited between the upper filtering element (16) and the bottom wall (3), and into a secondary chamber (20) delimited between the upper filtering element (16) and the lid (15), the powdered food substance being contained in the main chamber (19);
- 30 characterised in that the annular peripheral edge (18) is coupled to said

undercut seat (9) and in that the one or more retaining elements (8) limit the maximum movement of the upper filtering element (16) towards the lid (15).

8. The capsule according to claim 7, characterised in that the annular peripheral edge (18) is coupled to the retaining elements (8) and/or to the undercut seat (9) with interference fit.

9. The capsule according to claim 7 or 8, characterised in that the annular peripheral edge (18) comprises one or more radial teeth (21) extending in a plane substantially perpendicular to the central axis and which are inserted in the undercut seat 9.

10. The capsule according to claim 7 or 8, characterised in that the annular peripheral edge (18) comprises an outer retaining portion (23) which, in a cross-section plane passing through the central axis, comprises an inner first stretch (24) extending away from a plane perpendicular to the central axis, and an outer second stretch (25) which is bent over the first stretch (24) and which together with the first stretch (24) forms a V shape, at least at the second stretch (25) the retaining portion (23) being elastically deformable in such a way as to allow the second stretch (25) to be drawn near to the first stretch (24), the retaining portion (23) being coupled to the lateral wall (4) at the undercut seat (9) in such a way that the retaining portion (23) is elastically deformed and the second stretch (25) is near to the first stretch (24).

11. The capsule according to claim 10, characterised in that the retaining portion (23) is inserted in the undercut seat (9) at least at its own second stretch (25).

12. The capsule according to any one of claims 7 to 11, characterised in that the upper filtering element (16) is hooked in a snap-in fashion to the one or more retaining elements (8).

13. A method for making capsules for making beverages, containing a ~~smaller~~ first quantity or a ~~larger~~ second quantity larger of the first quantity, of at least one powdered food substance which allows a beverage to be made

by passing hot water through it, using a single type of containment body (1), comprising the steps of:

taking a containment body (1) made according to any one of claims 1 to 6;

5 taking at least an upper filtering element (16) comprising at least an annular peripheral edge (18) couplable to the undercut seat (9) in such a way that the one or more retaining elements (8) limit the maximum movement of the upper filtering element (16) towards the lid (15), when the annular peripheral edge (18) is coupled to the undercut seat (9) the upper
10 filtering element (16) dividing the inner space (7) into a main chamber (19) delimited between the upper filtering element (16) and the bottom wall (3), and into a secondary chamber (20) delimited between the upper filtering element (16) and the access opening (6);

taking a first quantity of powdered food substance which occupies a
15 volume not greater than that of the main chamber (19), or respectively a second quantity of powdered food substance which occupies a volume greater than that of the main chamber (19) and not greater than the sum of the volumes of the main chamber (19) and the secondary chamber (20);

inserting in the inner space (7) the first quantity or respectively the
20 second quantity of powdered food substance, through the access opening (6);

then inserting in the inner space (7), through the access opening (6), the upper filtering element (16) above the powdered food substance, positioning the annular peripheral edge (18) so that it is facing the lateral wall (4); and

25 closing the access opening (6) by fixing a lid (15) to the upper edge (5);

when the quantity of powdered food substance inserted in the capsule (2) is equal to the first quantity, the upper filtering element (16) being inserted in the containment body (1) in such a way that the annular peripheral edge (18) is coupled to the undercut seat (9); whilst

30 when the quantity of powdered food substance inserted in the capsule

(2) is equal to the second quantity, the upper filtering element (16) being positioned close to the access opening (6).

14. The method according to claim 13, characterised in that the same type of filtering element is taken both for making capsules (2) with the first
5 quantity of powdered food substance and for making capsules (2) with the second quantity of powdered food substance.

15. The method according to claim 13 or 14, characterised in that it comprises the step of taking an upper filtering element (16) whose annular peripheral edge (18) comprises one or more radial teeth (21) extending in a
10 plane substantially perpendicular to the central axis and which are couplable to the undercut seat (9).

16. The method according to claim 13 or 14, characterised in that it comprises the step of taking an upper filtering element (16) whose annular peripheral edge (18) comprises an outer retaining portion (23) which, in a
15 cross-section plane passing through the central axis, comprises an inner first stretch (24) and an outer second stretch (25) which is bent over the first stretch (24) and which together with the first stretch (24) forms a V shape, at least at the second stretch (25) the retaining portion (23) being elastically deformable in such a way as to allow the second stretch (25) to be drawn
20 near to the first stretch (24), at least in the case in which the capsule (2) contains the first quantity of powdered food substance, after the step of inserting the upper filtering element (16) in the inner space (7), the retaining portion (23) being coupled to the lateral wall (4) at the undercut seat (9) in such a way that the retaining portion (23) is elastically deformed and the
25 second stretch (25) is near to the first stretch (24).

17. The method according to claim 16, characterised in that even in the case in which the capsule (2) contains the second quantity of powdered food substance, after the step of inserting the upper filtering element (16) in the inner space (7), the retaining portion (23) is coupled to the lateral wall (4)
30 with the retaining portion (23) elastically deformed with the second stretch

(25) near to the first stretch (24).

18. The method according to claim 17, characterised in that when the quantity of powdered food substance inserted in the capsule (2) is equal to the first quantity, the upper filtering element (16) is inserted in the
5 containment body (1) in such a way that the annular peripheral edge (18) is hooked in a snap-in fashion to the one or more retaining elements (8).