

| INFORME DE BÚSQUEDA DE PATENTES                                                                                                                                                                                                                                                                                                                                                              |                             |                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| N° de solicitud: 16-158550-00000-0000                                                                                                                                                                                                                                                                                                                                                        |                             |                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
| CRITERIOS PARA LA BÚSQUEDA (Anexar pantallazo o reporte en PDF, junto con los boléanos utilizados*. Para el caso de secuencias, anexar alineamientos)                                                                                                                                                                                                                                        |                             |                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
| PALABRAS CLAVE UTILIZADAS                                                                                                                                                                                                                                                                                                                                                                    |                             | Sorbate AND pet_food AND palatability                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
| CLASIFICACIONES UTILIZADAS PARA LA BÚSQUEDA                                                                                                                                                                                                                                                                                                                                                  |                             | CIP: A23K 1/00, A23K 1/16, A23K 1/18                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                              |                             | CPC:                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
| DOCUMENTOS CONSIDERADOS RELEVANTES (documentos patentes, literatura no patente, etc...)                                                                                                                                                                                                                                                                                                      |                             |                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
| Informes/Base de datos                                                                                                                                                                                                                                                                                                                                                                       | N° de solicitud/<br>Autor** | Fecha de<br>Publicación/Presentación<br>(DD/MM/AAAA) | Reiv. afectadas (Con indicación, si procede, de las partes relevantes o números de secuencias)                                                                                                                                                                                                                                                                                                                                                                                           | Categorías especiales de los documentos citados*** |
| SIPI (Obligatoria)                                                                                                                                                                                                                                                                                                                                                                           | 16133450                    | 20/05/2016                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A                                                  |
| ISA                                                                                                                                                                                                                                                                                                                                                                                          | US5532010                   | 02/07/1996                                           | 1 a 4, 6, 11 a 15<br>(Rev. 5, 6)                                                                                                                                                                                                                                                                                                                                                                                                                                                         | X                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              |                             |                                                      | 7 a 10<br>(Rev. 5, 6)                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Y                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              | WO2004047555                | 10/06/2004                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A                                                  |
| ISA<br>USPTO                                                                                                                                                                                                                                                                                                                                                                                 | US4020187                   | 26/04/1977                                           | 7 a 10<br>(Ejemplo 1; Rev. 1)                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Y                                                  |
| ISA                                                                                                                                                                                                                                                                                                                                                                                          | US6238726                   | 29/05/2001                                           | 1, 4, 5<br>(Ejemplo 1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | X                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              | US2004099224                | 27/05/2004                                           | 1, 3 a 5<br>(Tabla 1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | X                                                  |
| USPTO                                                                                                                                                                                                                                                                                                                                                                                        | US RE38155                  | 24/06/2003                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              | US2014154356                | 05/06/2014                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | P                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              | US20050106285               | 19/05/2005                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              | US20090246320               | 01/10/2009                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | A                                                  |
| EPOQUENET                                                                                                                                                                                                                                                                                                                                                                                    | CN106720958                 | 31/05/2017                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | E                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              | CN106615884                 | 10/05/2017                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | E                                                  |
|                                                                                                                                                                                                                                                                                                                                                                                              | CN106212859                 | 14/02/2016                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | E                                                  |
| *** Categorías especiales de documentos citados:                                                                                                                                                                                                                                                                                                                                             |                             |                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |
| <p>“A” documento que define el estado general de la técnica no considerado como particularmente relevante.</p> <p>“E” solicitud de patente o patente anterior pero publicada en la fecha de presentación internacional o en fecha posterior.</p> <p>“P” documento publicado antes de la fecha de presentación internacional pero con posterioridad a la fecha de prioridad reivindicada.</p> |                             |                                                      | <p>“X” documento particularmente relevante; la invención reivindicada no puede considerarse nueva o que implique una actividad inventiva por referencia al documento aisladamente considerado.</p> <p>“Y” documento particularmente relevante; la invención reivindicada no puede considerarse que implique una actividad inventiva cuando el documento se asocia a otro u otros documentos de la misma naturaleza, cuya combinación resulta evidente para un experto en la materia.</p> |                                                    |
| **** Indicar entre paréntesis la Autoridad que realizó la búsqueda o el informe preliminar Ejs: EPO, JP, INAPI.                                                                                                                                                                                                                                                                              |                             |                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                    |

|                                                                                                           |  |
|-----------------------------------------------------------------------------------------------------------|--|
| <b>Literatura no patente</b><br>**Se incluye entre otros, toda la referencia de la literatura no patente. |  |
|-----------------------------------------------------------------------------------------------------------|--|

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| Fecha del reporte de búsqueda: | 05/02/2018 |
|--------------------------------|------------|

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)

International application No.

PCT/IB2014/066969

**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 5 532 010 A (SPANIER HENRY C [US] ET AL) 2 July 1996 (1996-07-02)
- D2 WO 2004/047555 A1 (MARS INC [US]; SURAWSKI JOHN [TH]) 10 June 2004 (2004-06-10)
- D3 US 4 020 187 A (MCCULLOCH MICHAEL G ET AL) 26 April 1977 (1977-04-26)
- D4 US 6 238 726 B1 (FISCHER KURT F [US]) 29 May 2001 (2001-05-29)
- D5 US 2004/099224 A1 (RUSSELL-MAYNARD JOHN [FR] ET AL) 27 May 2004 (2004-05-27)

| Número de Concesión / Certificado                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                       |                                   |                                                       |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
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| Título                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | MASCOTA*                                              |                                   |                                                       |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Fecha de presentación                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | desde <input type="text"/> hasta <input type="text"/> | Número de prioridad               | <input type="text"/>                                  |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Fecha de orden de publicación                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | desde <input type="text"/> hasta <input type="text"/> | Fecha de prioridad                | desde <input type="text"/> hasta <input type="text"/> |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Fecha de Concesión                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | desde <input type="text"/> hasta <input type="text"/> | País de prioridad                 | <input type="text"/>                                  |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Fecha de Vencimiento para Anualidad                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | desde <input type="text"/> hasta <input type="text"/> | Vigencia                          | desde <input type="text"/> hasta <input type="text"/> |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Fecha de publicación                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | desde <input type="text"/> hasta <input type="text"/> | Fecha de entrada en fase nacional | desde <input type="text"/> hasta <input type="text"/> |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Estado(s)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Seleccionar                                           |                                   | Clasificación IPC                                     |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Sector Tecnológico                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="text"/>                                  |                                   | Texto IPC                                             |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Tipo de solicitud                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="text"/>                                  |                                   | Ver la clasificación completa del IPC                 |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Tipo de Patente                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="text"/>                                  |                                   |                                                       |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| Solicitante/Titular de la patente                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Apoderado                                             |                                   |                                                       |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
| <table><thead><tr><th>Número de identificación</th><th>Nombre(s)</th><th>Apellido(s)</th><th></th></tr></thead><tbody><tr><td></td><td>NESTEC S.A.</td><td></td><td> Suprimir</td></tr><tr><td></td><td>NESTEC S.A.</td><td></td><td> Suprimir</td></tr><tr><td></td><td>NESTEC S.A.</td><td></td><td> Suprimir</td></tr><tr><td></td><td>NESTEC S.A.</td><td></td><td> Suprimir</td></tr><tr><td></td><td>Nestec S.A.</td><td></td><td> Suprimir</td></tr><tr><td></td><td>NESTEC S.A.</td><td></td><td> Suprimir</td></tr></tbody></table> |                                                       |                                   |                                                       | Número de identificación | Nombre(s) | Apellido(s) |  |  | NESTEC S.A. |  | Suprimir |  | NESTEC S.A. |  | Suprimir |  | NESTEC S.A. |  | Suprimir |  | NESTEC S.A. |  | Suprimir |  | Nestec S.A. |  | Suprimir |  | NESTEC S.A. |  | Suprimir |
| Número de identificación                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Nombre(s)                                             | Apellido(s)                       |                                                       |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | NESTEC S.A.                                           |                                   | Suprimir                                              |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Nestec S.A.                                           |                                   | Suprimir                                              |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | NESTEC S.A.                                           |                                   | Suprimir                                              |                          |           |             |  |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |  |             |  |          |

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| 4 Casos asociados                                                                                                    |                                                                                                                    |                                                                                     |                       |                      |           |
|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------------------|----------------------|-----------|
| Expediente No.                                                                                                       | Título                                                                                                             | Figura Característica                                                               | Fecha de presentación | Estado(s)            | Titular   |
| <input type="checkbox"/> 16133450                                                                                    | COMPOSICIONES Y MÉTODOS PARA REVESTIR CROQUETAS DE ALIMENTOS SECOS PARA MASCOTAS                                   |                                                                                     | 20 may 2016           | Publicado sin pago   | NESTEC SA |
| <input type="checkbox"/> 16158550                                                                                    | COMPOSICIONES Y MÉTODOS PARA AUMENTAR LA PALATABILIDAD DE ALIMENTOS SECOS PARA MASCOTAS                            |                                                                                     | 16 jun 2016           | Bajo Examen de Fondo | NESTEC SA |
| <input type="checkbox"/> NC2016/0000456                                                                              | PRODUCTOS ALIMENTICIOS CÁRNICOS PARA MASCOTAS QUE CARECEN DE GLUTEN DE TRIGO                                       |  | 28 jul 2016           | Bajo Examen de Fondo | NESTEC SA |
| <input type="checkbox"/> NC2017/0006666                                                                              | PRODUCTOS DE EMULSIÓN DE CARNE, MÉTODOS PARA FABRICARLOS Y ALIMENTOS PARA MASCOTAS QUE CONTIENEN DICHOS PRODUCTOS. |  | 30 jun 2017           | Publicado sin pago   | NESTEC SA |
| <a href="#">Seleccionar todo</a> - <a href="#">Ninguno</a> <input type="button" value="Mostrar / Ocultar columnas"/> |                                                                                                                    |                                                                                     |                       |                      |           |

Application/Control Number: 14/571,362

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Art Unit: 1791

**3. Claims 1-4 and 6 are rejected under 35 U.S.C. 103 as being unpatentable over Burke et al. (US Pub 2014/0154356) in view of Brown et al. (US Patent RE38155).**

Burke claims a dry pet food that includes sorbic acid, as in instant claims 1, 4 and 6 because Burke discloses coating dry pet food with sorbic acid as a palatability enhancer (as in instant claim 6). See claim 1. Burke discloses kibble as the dry pet food but does not disclose the ingredients of the kibble. However, such ingredients as recited in claim 1 are held by the prior art as being “typical” ingredients and therefore, by disclosing the use of kibble, the reference of Burke renders obvious the inclusion of protein, fat and carbohydrates. See Brown et al. that brings evidence to this fact: (col. 3, lines 65-66), “As those skilled in the art know, dry pet foods, typically dry dog foods, normally contain protein, fat, fiber, non-fiber carbohydrates, minerals, vitamins and

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PN- CN106720958 A 20170531

PR- CN20171107892 20170227

AP- CN20171107892 20170227

DT- I

PA- QINGDAO MYJIAN FOODSTUFF CO LTD

TI- **Pet food** and preparation method thereof

AB- The invention discloses a **pet food** and a preparation method thereof. The **pet food** comprises a fish skin layer and a content matter, wherein the content matter is coated by the fish skin layer; the weight part ratio of the fish skin layer to the content matter is (2 to 3):(7 to 8); the content matter comprises livestock and poultry meat, salmon meat, corn starch, soy protein, sorbitol, potassium sorbate, glycerin, 95% edible alcohol, citric acid, dry flour, taurine, vitamin B3, vitamin C, green tea powder, fresh ginger powder, choline chloride, and phosphatidylserine. The **pet food** has the advantages that by combining the fish meat and the livestock and poultry meat, the content in the food is increased, the meat flavor is realized, the **palatability** is improved, the content of the whole food is decreased, the fishy smell is thinned, the functional food is favorable for the pet health, the resistance ability of the pet is enhanced, the bone is strong, the tear is reduced, and the wools are clean and bright; the phosphatidylserine is suitable for improving brain nutrient, and promoting the brain development.

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History - Internal

| Database | SS | Status | Results            |
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| EPODOC   | 1  |        | 0 SORBIC ACID      |
|          | 2  |        | 5105 SORBATE       |
|          | 3  |        | 0 PET FOOD         |
|          | 4  |        | 4128 PET_FOOD      |
|          | 5  |        | 11747 PALATABILITY |
|          | 6  |        | 3 2 AND 4 AND 5    |

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