

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
(PCT Rules 44bis.3(c) and 72.2)

To:

HOFSTETTER, Alfons
Hofstetter, Schurack & Partner Patent- und
Rechtsanwaltskanzlei, PartG mbB
Balanstr. 57
81541 München
ALLEMAGNE

Date of mailing (day/month/year)

01 February 2018 (01.02.2018)

Applicant's or agent's file reference

58183

IMPORTANT NOTIFICATION

International application No.

PCT/EP2016/066902

International filing date (day/month/year)

15 July 2016 (15.07.2016)

Applicant

MAYR-MELNHOF KARTON AG

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IR, IS, JP, KE, KG, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OA, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SA, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer

Nora Lindner

e-mail: pct.team5@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 58183	FOR FURTHER ACTION	See item 4 below
International application No. PCT/EP2016/066902	International filing date (<i>day/month/year</i>) 15 July 2016 (15.07.2016)	Priority date (<i>day/month/year</i>) 20 July 2015 (20.07.2015)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant MAYR-MELNHOF KARTON AG		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																								
2.	This REPORT consists of a total of 6 sheets, including this cover sheet.																								
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																									
3.	This report contains indications relating to the following items: <table style="width: 100%;"> <tr> <td style="width: 5%; text-align: center;">☒</td> <td style="width: 25%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	☒	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
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☐	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 23 January 2018 (23.01.2018) Authorized officer Nora Lindner e-mail: pct.team5@wipo.int
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From the INTERNATIONAL SEARCHING AUTHORITY

To:

PCTWRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 58183		Date of mailing (day/month/year)	31 October 2016
		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/EP2016/066902	International filing date (day/month/year) 15 July 2016	Priority date (day/month/year) 20 July 2015	
International Patent Classification (IPC) or both national classification and IPC D21H 27/30(2006.01)i; D21H 27/38(2006.01)i; B32B 29/00(2006.01)i; B32B 29/08(2006.01)i; D21F 11/04(2006.01)i; D21C 5/02(2006.01)i; D21H 11/12(2006.01)i; D21H 19/00(2006.01)i			
Applicant MAYR-MELNHOF KARTON AG			

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

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will 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/	Date of completion of this opinion	Authorized officer

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2016/066902

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed.
 - ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 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:
 - a. ☐ forming part of the international application as filed:
 - ☐ in the form of an Annex C/ST.25 text file.
 - ☐ on paper or in the form of an image file.
 - b. ☐ furnished together with the international application under PCT Rule 13*ter*.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.
 - c. ☐ furnished subsequent to the international filing date for the purposes of international search only:
 - ☐ in the form of an Annex C/ST.25 text file (Rule 13*ter*.1(a)).
 - ☐ on paper or in the form of an image file (Rule 13*ter*.1(b) and Administrative Instructions, Section 713).
4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2016/066902

Box No. V

Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 1-15 YES

Claims NO

Inventive step (IS)

Claims 1-15 YES

Claims NO

Industrial applicability (IA)

Claims 1-15 YES

Claims NO

2. Citations and explanations :

See Supplemental Box

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/EP2016/066902**Box No. VII Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

See Supplemental Box

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/EP2016/066902**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Box V

Reasoned statement with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1	WO 2005/042840 A2 (SPEZIALPAPPENFABRIK ROSEGG BET [AT]; CHRIST WOLFGANG [DE]; SCHMALFUSS) 12 May 2005 (2005-05-12)
D2	EP 2 821 547 A1 (MAYR MELNHOF KARTON AG [AT]) 7 January 2015 (2015-01-07)

1. The present application relates to a multi-layer cardboard material (claims 1 to 9), a method of production (claims 10 to 14) and the use of a specific fibrous-material layer for the production of a cardboard material (claim 15).

2. Documents D1 and D2 are considered to be the prior art closest to the subject matter of independent claims 1, 10 and 15.

D1 describes the production of cardboard materials. It specifies, inter alia, that not only cellulose, but also secondary fibrous materials, such as coconut fibres, can be used for the production. The use of coir pith and a specific particle size is not addressed.

D2 describes a method for the production of multi-layer fibrous webs, particularly a cardboard web, wherein, as in claim 10, a first fibrous-material suspension is applied to a conveyor belt and this suspension is then pressed together with a second fibrous-material layer forming a multi-layer fibrous-material web. Contrary to the present application, D2 does not include any indication of the use of coir pith and also does not indicate any particle size.

The subject matter of the independent claims is thus novel (PCT Article 33(2)).

The problem to be solved by the present invention can be seen in the provision of a method for the production of a multi-layer cardboard material which may be produced or executed cost-effectively and in a manner that conserves resources.

D1 here does not go beyond the level of knowledge indicated in the application, that is to say that the use of coconut fibres as a filler material is known. However, the use of the waste product from the production of coconut fibres is not addressed - that is to say the use of coir pith of a specific particle size.

According to the present application, a volume increase is obtained by precisely this use, through which for its part the strength/stiffness of the multi-layer cardboard material is increased.

This is not suggested by the documents cited and hence the solution according to the application appears to be inventive.

The subject matter of claims 1, 10 and 15 therefore meets the requirements of PCT Article 33(3).

Claims 2 to 9 and 11 to 14 are dependent on claims 1 and 10 and therefore also meet the requirements of the PCT in respect of novelty and inventive step.

Box VII

Certain defects in the international application

It has not been possible to find the document IN00788CH2011 cited in the application. The applicant is requested to clarify or to submit the document.