

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

Isern Jara, Jorge
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Avda. Diagonal 463 Bis 2º
08036 Barcelona
ESPAGNE

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing (day/month/year)		5 July 2018 (05-07-2018)
Applicant's or agent's file reference 18.1229	FOR FURTHER ACTION See paragraphs 1 and 4 below	
International application No. PCT/EP2018/060807	International filing date (day/month/year)	
26 April 2018 (26-04-2018)		
Applicant REY FARIAS, Fernando		

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

How? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70

For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Within **22 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer SCHLEMMER, Marie-Claude Tel: +49 (0)89 2399-8082
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 18.1229	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/EP2018/060807	International filing date (<i>day/month/year</i>) 26 April 2018 (26-04-2018)	(Earliest) Priority Date (<i>day/month/year</i>) 28 April 2017 (28-04-2017)
Applicant REY FARIAS, Fernando		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☒

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out 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))

b. ☐

This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6**bis**(a)).

c. ☐

With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐

Certain claims were found unsearchable (See Box No. II)

3. ☐

Unity of invention is lacking (see Box No. III)

4. With regard to the **title**,

☒

the text is approved as submitted by the applicant

☐

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒

the text is approved as submitted by the applicant

☐

the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 1

☒

as suggested by the applicant

☐

as selected by this Authority, because the applicant failed to suggest a figure

☐

as selected by this Authority, because this figure better characterizes the invention

b. ☐

none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No

PCT/EP2018/060807

A. CLASSIFICATION OF SUBJECT MATTER

INV. E04C1/39 E04B2/18 E04B2/26 E04B2/02
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

E04B E04C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 2 944 738 A1 (FIAUX PATRICE [CH]) 18 November 2015 (2015-11-18) figures 1,2 the whole document	1,5,8
X	----- US 2008/245013 A1 (CARLISLE GEOFFREY [AU]) 9 October 2008 (2008-10-09) figures 1-16 the whole document	1,5,14
X	----- CN 103 912 116 A (HUAJUN PLASTIC BUILDING MATERIAL CO LTD) 9 July 2014 (2014-07-09) figures 1,2 the whole document	1,14
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Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

27 June 2018

Date of mailing of the international search report

05/07/2018

Name and mailing address of the ISA/

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040,
Fax: (+31-70) 340-3016

Authorized officer

Klein, A

INTERNATIONAL SEARCH REPORT

International application No

PCT/EP2018/060807

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2015/084274 A1 (HOBİ ENDÜSTRİYEL ÜRÜN TASARIM UYGULAMA ÜRETİM İTHALAT İHRACAT LI [TR];) 11 June 2015 (2015-06-11) figures 1-23 the whole document -----	1,5,14
X	US 5 862 640 A (NEGRI YERMIYAHU [IL]) 26 January 1999 (1999-01-26) figures 1-5 the whole document -----	1,5
X	US 2010/212241 A1 (HOLROYD LESLIE STEWART [CA]) 26 August 2010 (2010-08-26) figures 1-10 the whole document -----	1-15

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/EP2018/060807

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 2944738	A1	18-11-2015	NONE	
US 2008245013	A1	09-10-2008	NONE	
CN 103912116	A	09-07-2014	NONE	
WO 2015084274	A1	11-06-2015	NONE	
US 5862640	A	26-01-1999	NONE	
US 2010212241	A1	26-08-2010	CA 2654992 A1 US 2010212241 A1	20-08-2010 26-08-2010

TITLE: INTERLOCKING CONSTRUCTION BLOCK

APPLICANT: REY FARIAS, Fernando

IPC CLASSIFICATION: E04C1/39, E04B2/18, E04B2/26, E04B2/02

EXAMINER: Klein, A

CONSULTED DATABASES: EPODOC, KIME, WPI

CLASSIFICATION SYMBOLS DEFINING EXTENT OF THE SEARCH:

IPC:

CPC: E04C1/397, E04B2/18, E04B2/26, E04B2002/0289

FI/F-TERMS:

KEYWORDS OR OTHER ELEMENTS FEATURING THE INVENTION:
INTERLOCKING CONSTRUCTION BLOCK

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/EP2018/060807

International filing date (day/month/year)
26.04.2018

Priority date (day/month/year)
28.04.2017

International Patent Classification (IPC) or both national classification and IPC
INV. E04C1/39 E04B2/18 E04B2/26 E04B2/02

Applicant
REY FARIAS, Fernando

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 usually 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:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0
Fax: +49 89 2399 - 4465

Date of completion of
this opinion

see form
PCT/ISA/210

Authorized Officer

Klein, A

Telephone No. +49 89 2399-0



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 43bis.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 13ter.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 13ter.1(a)).
 - ☐ on paper or in the form of an image file (Rule 13ter.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:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>10-13, 15</u>
	No: Claims	<u>1-9, 14</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-15</u>
Industrial applicability (IA)	Yes: Claims	<u>1-15</u>
	No: Claims	

2. Citations and explanations

see separate sheet

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 separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item VIII

1 Clarity objections

The application does not meet the requirements of Article 6 PCT, because **claims 1,2** are not clear.

- 1.1 The **terms** "*the distance*" (line 9), "*said exterior partition*" (lines 9,10), "*the inside surface*" (lines 12,13), "*the edge*" (line 13), "*the edges of the side panel*" (line 15), "*the inside edge*" (line 21) in **claim 1** and the **term** "*the upper edge*" in **claim 2** are **not previously defined** and leave the reader in doubt as to the meaning of the technical feature to which they refer, thereby rendering the definition of the subject-matter of said claim unclear (Article 6 PCT) : these terms lack antecedent basis.

Re Item V

Reference is made to the following documents:

- D1 EP 2 944 738 A1 (FIAUX PATRICE [CH]) 18 November 2015
(2015-11-18)
- D2 US 2008/245013 A1 (CARLISLE GEOFFREY [AU]) 9 October 2008
(2008-10-09)
- D3 CN 103 912 116 A (HUAJUN PLASTIC BUILDING MATERIAL CO LTD)
9 July 2014 (2014-07-09)
- D4 WO 2015/084274 A1 (HOBİ ENDÜSTRİYEL ÜRÜN TASARIM
UYGULAMA ÜRETİM İTHALAT İHRACAT Lİ [TR];) 11 June 2015
(2015-06-11)
- D5 US 5 862 640 A (NEGRI YERMIYAHU [IL]) 26 January 1999
(1999-01-26)
- D6 US 2010/212241 A1 (HOLROYD LESLIE STEWART [CA]) 26 August
2010 (2010-08-26)

2 Novelty objection for claims 1-9,14

2.1 **Novelty objection for independent claim 1**

Furthermore, taking into consideration the above-mentioned lack of clarity, the subject-matter of **claim 1** is not new in the sense of Article 33(2) PCT, and the criteria of Article 33(1) PCT are therefore not met.

2.1.1 Insofar as this claim can be understood, document **D1** shows the following features thereof :

a block (10) **wherein** it comprises:

- a- two side panels (11,12) of rectangular shape and of equal dimensions, facing each other and parallel to each other,
- b- an outer partition (13) located at 90° of said two side panels, said outer partition having a length equal to the height of the side panels, said outer partition having a width smaller than the distance the side panels, said exterior partition being attached to each of the side panels at its longitudinal ends by means of a first and a second tab, each of said tabs being perpendicular to the outer partition and attached to the inside surface of the edge that constitutes the height of the outer panel, said outer partition being attached to the side panels so that one of its edges extends beyond one of the edges of the side panel, said outer partition having at least one through hole (17),
- c- a third tab and a fourth tab projecting from the edge of the outer partition and beyond the edge of the side panels, perpendicular to said outer partition and without reaching the edge of each side panel that is farther from the outer partition, said third and fourth tabs being attached to the inside edge of the side panel,
- d- one or more inner partitions attached to the inside surfaces of the two side panels and of the third and fourth tabs, each of said inner partitions extending parallel to the outer partition, from the same end as the outer partition and having the same length as said outer partition, each of the inner partitions having at least one through hole, the inner partition that is farthest from the outer partition being attached to the end of the second and third tabs that is farther from the outer partition.

2.1.2 **Remark :**

documents **D2, D3, D4, D5, D6** also disclose a **block** as claimed in **claim 1** of the application.

2.2 Novelty objection for claims 2-9,14

Furthermore, taking into consideration the above-mentioned lack of clarity, these dependent claims do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, the reasons being as follows :

- all additional technical features of **claim 2-4,6,7,9** are known from **D6** (Fig. 1-10) ;
- all additional technical features of **claim 5** are known from **D1** (Fig. 1,2), **D2** (Fig. 1-16), **D4** (Fig. 1-23), **D5** (Fig. 1-5), **D6** (Fig. 1-10) ;
- all additional technical features of **claim 8** are known from **D1** (Fig. 1,2) ;
- all additional technical features of **claim 14** are known from **D2** (Fig. 1-16), **D3** (Fig. 1,2), **D4** (Fig. 1-23), **D6** (Fig. 1-10).

2.3 Inventive step objection for claims 10-13,15

Furthermore, taking into consideration the above-mentioned lack of clarity, these dependent claims do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows :

the features in **claims 10-13,15** are merely some of several straight forward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill.

Re Item VII

3 Formal issues

- 3.1 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the **relevant background art** disclosed in the documents of the **Search Report** is not mentioned in the description, nor are these documents identified therein.
- 3.2 According to the requirements of Rule 11.13 PCT, the **drawings** shall admit of direct reproduction. This requirement is not met in view of **Fig. 1** and **7**.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO/ISA)

General information

For all international applications, the competent International Searching Authority (**ISA**) will establish an international search report (**ISR**) accompanied by a written opinion of the International Searching Authority (**WO/ISA**). The **WO/ISA** may be responded to by

- filing informal comments with the **International Bureau of WIPO (IB)** (where no demand for international preliminary examination (**demand**) is filed)
- filing amendments under Art. 19 PCT (this can be done whether or not a **demand** is filed)
- filing amendments under Art. 34 PCT and/or formal observations in response to objections raised in the **WO/ISA** (where a **demand** is actually filed)

This document explains these possibilities.

Filing informal comments

After receipt of the **ISR** and **WO/ISA**, the applicant may file informal comments on the **WO/ISA**, **directly with the IB** (see International Search and Preliminary Examination Guidelines 2.15). These will be communicated to the designated/elected Offices, together with the International Preliminary Report on Patentability (**IPRP**) at 30 months from the priority date.

Amending claims under Art. 19 PCT

The applicant may file **amended claims** under Art. 19 PCT, **directly with the IB** by the later of the following dates:

- 2 months from the date of mailing of the **ISR** and the **WO/ISA**
- 16 months from the priority date

However, any such amendment received by the **IB** after the expiration of the applicable time limit shall be **considered to have been received on time** by the **IB**, if it reaches it **before** the technical preparations for international publication have been completed (the 15th day prior to the date of publication, see PCT Applicant's Guide, International Phase, 9.013).

For further information, please see Rule 46 PCT as well as form PCT/ISA/220.

Please also note that, when filing amended claims under Art. 19 PCT, such amendments shall be **accompanied by a letter** identifying the amendments made and also the basis for the amendments in the application as originally filed (Rule 46.5(b) PCT). Where a **demand** is filed, failure to comply with this requirement may result in the amendments being ignored in the International Preliminary Examination Report (**IPER**), see Rule 70.2(c-bis) PCT.
