

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 8017002762	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/MY2017/000015	International filing date (<i>day/month/year</i>) 04.04.2017	Priority date (<i>day/month/year</i>) 20.01.2017	
International Patent Classification (IPC) or national classification and IPC INV. C11B1/02			
Applicant Sime Darby Plantation Sdn. Bhd.			
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. ☒ (<i>sent to the applicant and to the International Bureau</i>) a total of <u>9</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which have been amended and/or sheets containing rectifications authorized by this Authority, unless those sheets were superseded or cancelled, and any accompanying letters (see Rules 46.5, 66.8, 70.16, 91.2, and Section 607 of the Administrative Instructions).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 ☐ superseded sheets and any accompanying letters, where this Authority either considers that the superseding sheets contain an amendment that goes beyond the disclosure in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. ☐ (<i>sent to the International Bureau only</i>) 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 3<i>ter</i> 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 27.02.2018		Date of completion of this report 08.01.2019	
Name and mailing address of the international preliminary examining authority:  European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016		Authorized officer Rooney, Kevin Telephone No. +31 70 340-3931	



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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

1-11 as originally filed

Claims, Numbers

1-12 filed with the letter of

27-02-2018

Drawings, Sheets

1 as originally filed

- ☐ 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. 13
 - ☐ 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)).

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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 11.12.2018 (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>1-12</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>1-12</u>
	No: Claims	
Industrial applicability (IA)	Yes: Claims	<u>1-12</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 | AU 2016 101 771 A4 (NOVOZYMES AS) 10 November 2016 (2016-11-10) |
| D5 | WO 2016/162510 A1 (NOVOZYMES AS [DK]) 13 October 2016 (2016-10-13) |
| D6 | WO 2016/162507 A1 (NOVOZYMES AS [DK]) 13 October 2016 (2016-10-13) |

2. The document D1 is considered as being the prior art closest to the subject-matter of claim 1, and discloses and teaches the use of a system for extracting oil from palm fruitlets. The system comprises means to thresh the fruitlets, enzyme dosing means, maceration means, a digester and a press unit. The system employs an enzyme delivery means. The enzyme composition has xylanase and cellulase activities. After digestion the mixing conveyor removes the mixture to a press stage where palm oil is extracted (see D1: as cited in the search report). The subject-matter of claim 1 therefore differs from this known system in that the an enzyme dosing unit is present and defined (particularly in terms of temperature) and configured to spray enzyme on to macerated fruitlets (i.e not before extracting crude palm oil). Claim 1 is therefore new (Article 33(2) PCT).

3. The problem to be solved by the present invention may be regarded as that of improving oil extraction from palm fruitlets. The solution offered by the present application appears to be non-obvious. The enzyme addition step takes place onto threshed palm fruitlets. This can be seen as a non-obvious step in the light of prior art documents such as D5 and D6 (see D5 and D6: the whole documents) which indicate that the addition of enzymes in similar palm oil extraction systems is preferable not done onto threshed fruitlets (Article 33(3) PCT).