

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

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

To: Araujo, Mario Boehmert & Boehmert Anwaltspartnerschaft mbB Pettenkoferstrasse 22 80336 München ALLEMAGNE		BOEHMERT & BOEHMERT München	
Eing.: 26. April 2023		Scan: Archiv: Sek: Anw: 855 (HA)	
Verfügung: 26.06.23 - A4.19		(PCT Rule 44.1)	
Frist: 10.10.23 - NP + Grw. 10		Date of mailing (day/month/year) 26 April 2023 (26-04-2023)	
Applicant's or agent's file reference C32462WO		FOR FURTHER ACTION See paragraphs 1 and 4 below	
International application No. PCT/EP2022/085316		International filing date (day/month/year) 12 December 2022 (12-12-2022)	
Applicant MONFORTE DUART, Andoni			

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 preferably through ePCT, or on paper to:
The International Bureau of WIPO, 34 chemin des Colombettes, 1211 Geneva 20, Switzerland

For more detailed instructions, see the *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 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 90bis.1 and 90bis.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 45bis.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 COMTE, Catherine Tel: +49 (0)89 2399-8598
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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 C32462WO	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/EP2022/085316	International filing date (<i>day/month/year</i>) 12 December 2022 (12-12-2022)	(Earliest) Priority Date (<i>day/month/year</i>) 10 December 2021 (10-12-2021)
Applicant MONFORTE DUART, Andoni		

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 43.6bis(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. 22



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/EP2022/085316

A. CLASSIFICATION OF SUBJECT MATTER

INV. A47J19/00 A47J19/02

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)

A47J

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	KR 2021 0060149 A (WANG OK JOO [KR]) 26 May 2021 (2021-05-26)	1-3, 5-7, 9-16
A	abstract; figures -----	4, 8, 17
X	WO 2014/042436 A1 (KANG EUISU [KR]) 20 March 2014 (2014-03-20)	1, 3, 6, 7, 9-12, 15-17
A	abstract; figures -----	2, 4, 5, 8, 13, 14
X	US 2020/323378 A1 (PATEL JAI [US]) 15 October 2020 (2020-10-15)	1-3, 6, 9-12, 15-17
A	paragraphs [0003], [0014] - [0023]; figures ----- -/--	4, 5, 7, 8, 13, 14

☒ 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

17 April 2023

Date of mailing of the international search report

26/04/2023

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

Acerbis, Giorgio

INTERNATIONAL SEARCH REPORT

International application No

PCT/EP2022/085316

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 2013/120813 A1 (MONFORTE DUART ANDONI [ES]) 22 August 2013 (2013-08-22)	1-3, 6, 9, 15, 17
A	cited in the application the whole document -----	4, 5, 7, 8, 10-12, 16

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/EP2022/085316

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
KR 20210060149 A	26-05-2021	NONE	
WO 2014042436 A1	20-03-2014	KR 101335216 B1 WO 2014042436 A1	29-11-2013 20-03-2014
US 2020323378 A1	15-10-2020	NONE	
WO 2013120813 A1	22-08-2013	AU 2013220486 A1 BR 112014019475 A2 CN 104125789 A ES 1076494 U MX 352430 B US 2015028140 A1 US 2019282019 A1 WO 2013120813 A1	28-08-2014 24-09-2019 29-10-2014 15-03-2012 24-11-2017 29-01-2015 19-09-2019 22-08-2013

Information on Search Strategy - Pilot phase (see OJ 2015, A86)

The type of information contained in this sheet may change during the pilot for improving the usefulness of this new service.

Application Number

PCT/EP2022/085316**TITLE: FILTERING BEAKER, KIT AND DEVICE FOR PRODUCING A LIQUID EMULSION****APPLICANT: MONFORTE DUART, Andoni****IPC CLASSIFICATION: A47J19/00, A47J19/02****EXAMINER: Acerbis, Giorgio****CONSULTED DATABASES: EPODOC, WPI****CLASSIFICATION SYMBOLS DEFINING EXTENT OF THE SEARCH:****IPC:****CPC: A47J19/005, A47J19/02****FI/F-TERMS:****KEYWORDS OR OTHER ELEMENTS FEATURING THE INVENTION:****filtering beaker**

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/EP2022/085316

International filing date (day/month/year)
12.12.2022

Priority date (day/month/year)
10.12.2021

International Patent Classification (IPC) or both national classification and IPC
INV. A47J19/00 A47J19/02

Applicant
MONFORTE DUART, Andoni

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

Acerbis, Giorgio

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 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.
 - b. ☐ furnished subsequent to the international filing date for the purposes of international search (Rule 13*ter*.1(a)),
 - ☐ accompanied by a statement to the effect that the sequence listing does not go beyond the disclosure in the international application as filed.
4. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established to the extent that a meaningful opinion could be formed without a WIPO Standard ST.26 compliant sequence listing.
5. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.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>4, 8, 14</u>
	No: Claims	<u>1-3, 5-7, 9-13, 15-17</u>
Inventive step (IS)	Yes: Claims	<u>4, 8</u>
	No: Claims	<u>1-3, 5-7, 9-17</u>
Industrial applicability (IA)	Yes: Claims	<u>1-17</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

1 **Re Item V**

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

1.1 Reference is made to the following documents:

- D1 KR 2021 0060149 A (WANG OK JOO [KR]) 26 May 2021 (2021-05-26)
- D2 WO 2014/042436 A1 (KANG EUISU [KR]) 20 March 2014 (2014-03-20)
- D3 US 2020/323378 A1 (PATEL JAI [US]) 15 October 2020 (2020-10-15)
- D4 WO 2013/120813 A1 (MONFORTE DUART ANDONI [ES]) 22 August 2013 (2013-08-22) cited in the application

1.2 The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of claim 1 is not new.

D1-D4 disclose (references apply to this document):

A filtering beaker (D1: 100; D2: fig 4; D3: 16; D4 fig 1) for producing a liquid emulsion comprising a main body with tubular geometry (D1: 120; D2: 21; D3: 16; D4: 1); and a filtering body (D1: 140; D2: 2; D3: 18; D4: 2) with a geometry matching the tubular geometry of the main body at least at a connecting portion (D1: fig 3; D2: edge of 2; D3: 46; D4: 5) of the filtering body, wherein the filtering body is removably attachable to the main body by the connecting portion thereof (D1: fig 3; §9: " [...] *The portion in which the food material filtered through the sieve is accommodated is formed to be detachable, and the juicer container that can eat or use the filtered food material by separating in a state in which the filtered food material is accommodated is proposed.*" D2: fig 5; D3: fig 4a, 4b, 5; D4: fig 1), wherein the filtering body is or comprises a base covering a cross-section of the filtering beaker, and wherein the filtering beaker, in particular the filtering body (D1: 140; D2: 2; D3: 18; D4: 2), comprises at least one filtering area (D1: 142; D2: fig 3; D3: fig 21; D4: 3) for filtering and emulsifying a liquid emulsion being produced with the filtering beaker.

- 2 Dependent claims 2, 3, 5-7, 9-17 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step.
- 2.1 D1-D4 further disclose:
- 2.2 The additional features of claim **2**, i.e. that the filtering body is removably attachable to the main body by means of a releasable coupling mechanism, preferably a threaded mechanism or a clipping mechanism. (D1: §17: "[...]. As for the coupling method, any configuration that can be coupled while maintaining watertightness, such as a screw coupling method by forming a screw thread on the coupled portion or a force fitting method with a difference in diameter, can be adopted."; D3: fig 4a,4b,5)
- 2.3 The additional features of claim **3**, i.e. that at least one filtering area (D1: fig 3; D2: fig 4; D3: fig 2; D4: fig 1) is arranged on the base of the filtering body and/or on at least one sidewall of the filtering beaker.
- 2.4 The additional features of claim **5**, i.e. that the main body has a longitudinal extension corresponding to at least 1-2 times, preferably at least 1-5 times, more preferably at least times a longitudinal extension of the filtering body (D1: 140, fig 3).
- 2.5 The additional features of claim **6**, i.e. that the main body comprises or is made of one or more first materials and the filtering body comprises or is made of one or more second materials different from the one or more first materials (D1: 120, §15: "*The base body 120 has an empty tubular shape inside and the inlet is opened up and down. It may be formed of a transparent material, but is not limited thereto.*"; D2: fig 5; D3: fig 2; D4: fig 1; *It is implicit in all documents that the sieve or filter is made of a different material than the one of the main body*).
- 2.6 The additional features of claim **7** i.e. that it further comprises one or more standing portions for supporting the filtering beaker on a substrate when the filtering beaker stands on said substrate, wherein the one or more standing portions extend in a longitudinal direction of the filtering beaker such that, when the filtering beaker stands on said substrate, a gap remains between the substrate and the filtering body and/or between the substrate and the base (D1: 220; D2: 30).
- 2.7 The additional features of claim **9**, i.e. that the filtering body a tubular geometry, wherein the base covering a cross-section of the filtering beaker comprises or is a filtering element comprising one or more of the at least one filtering area, wherein the filtering element is removably attachable to the rest of the filtering

body (D1: §21: ". [...] As a result, assembling and disassembling the sieve body 140 is possible only at the entrance of the base body 120 on one side."; D2: fig 5; D3: fig 2).

- 2.8 The additional features of claim **10**, i.e. that the at least one filtering area comprises at least one filtering mesh (D1:142; D2: fig 2; D3: fig 2; D4: 3) covering one or more windows in the filtering body; and/or wherein the at least one filtering area comprises a plurality of filtering pores formed in the filtering body.
- 2.9 The additional features of claim **11**, i.e. that the at least one filtering area comprises a plurality of filtering pores formed in the filtering body (D1:142; D2: fig 2; D3: fig 2; D4: 3).
- 2.10 The additional features of claim **12**, i.e. that at least one filtering area has a filtering size from 0.1 mm to 5 mm, preferably from 0.1 mm to 3 mm, more preferably from 0.1 mm to 0.8 mm, in particular 0.15 mm, 0.30 mm, 0.50 mm, 1 mm, 2 mm or 3 mm (D1: fig 3; D2: fig 2; D3: fig 2; D4: claim 1).
- 2.11 The additional features of claim **13**, i.e. the further provision of a kit (D1: fig 4) for producing a liquid emulsion comprising:
a filtering beaker according to any of the preceding claims,
wherein the kit comprises a plurality of different filtering bodies, each comprising at least one filtering area and being removably attachable to the main body of the filtering beaker (fig 4) and/or
wherein the kit comprises a plurality of different bases of the filtering body configured as different filtering elements, each comprising at least one filtering area and being removably attachable to the rest of the filtering body of the filtering beaker.
- 2.12 The additional features of claim **14**, i.e. that the filtering bodies of the plurality of filtering bodies and/or the filtering elements of the plurality of filtering elements differ by a filtering size thereof is considered to be well known to the skilled person and would be implemented where the circumstances make it desirable.
- 2.13 The additional features of claim **15**, i.e. the further provision of a device for producing a liquid emulsion comprising:
a filtering beaker according to any of claims 1 to 10 and/or a filtering kit according to any of claims 11 or 12 ;
a piston (D1: fig 4; D2: 3; D3: 64; D4: 6) configured for being received within the filtering beaker and covering an internal cross section of the filtering beaker at least in part; and/or

a container (D1: fig 1; D2: fig 5; D3: 12; D4: fig 2) for receiving the filtering beaker therein, such that a liquid emulsion being produced with the filtering beaker by the action of a blending device received within the filtering beaker can be collected in the container (D1: fig 4; D2: fig 5; D3: fig 5; D4: fig 2).

- 2.14 The additional features of claim **16**, i.e. that the device further comprises fastening means for fixating a position of the filtering beaker within the container (D1: fig 3; D2: fig 5; D3: fig 5).
- 2.15 The additional features of claim **17**, i.e. that a cross-section of the container is greater than a cross-section of the filtering beaker such that, when the filtering beaker is received within the container, at least one sidewall of the filtering beaker is separated from at least one sidewall of the container by a separation distance, wherein the separation distance preferably is from 1 cm to 15 cm, preferably from 2 cm to 10 cm (D2: fig 5; D3: fig 5; D4: fig 2).
- 2.16 The combination of the features of dependent claims **4, 8** is neither known from, nor rendered obvious by, the available prior art.
- 2.17 It is noted that this suggestion is only for assisting the applicant in his decision on how to proceed. It in no way precludes consideration of alternative solutions submitted by the applicant. The responsibility for determining the text of the application and in particular for defining the subject-matter for which protection is sought remains with the applicant.

3 Re Item VII

Certain defects in the international application

- 3.1 Independent claim 1 is not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art being placed in the preamble (Rule 6.3(b)(i) PCT) and the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
- 3.2 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1-D3 is not mentioned in the description, nor are these documents identified therein.

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.

Filing a demand for international preliminary examination

In principle, the **WO/ISA** will be considered to be the written opinion of the International Preliminary Examining Authority (**IPEA**). Where the **WO/ISA** issued by the **EPO** as **ISA** gives a positive opinion on the international application and the invention to which it relates, filing a **demand** with the **EPO** as **IPEA** would normally be unnecessary, since a positive **IPRP** would anyway be established by the **IB** based on the **WO/ISA** (see also further below).

If the applicant wishes to file a **demand** (for example, to allow him to argue his case in international preliminary examination with regard to objections raised in a negative **WO/ISA** before the **IPEA** issues an **IPER**), this must be done before expiration of **3 months after the date of mailing of the ISR and WO/ISA** or **22 months after priority date**, whichever expires later (Rule 54*bis* PCT). Amendments under Art. 34 PCT can be filed with the **IPEA**, normally at the same time as filing the demand (Rule 66.1(b) PCT) or within the time limit set for reply to any written opinion issued during international preliminary examination by the **IPEA**.

If a **demand** is filed at the **EPO** as **IPEA** and no comments/amendments have been received by the time the **EPO** starts drawing up the **IPER** (Rule 66.4*bis* PCT), the **WO/ISA** will be transformed by the **IPEA** into an **IPER** (also called the **IPRP (Chapter II)** which would merely reflect the content of the **WO/ISA** (OJ 10/2011, 532). The **demand** can still be withdrawn (Art. 37 PCT).

Please also note that, when filing amendments under Art. 34 PCT, such amendments shall be accompanied by a letter which identifies the amendments made and also the basis for the amendments in the application as originally filed (Rule 66.8(a) PCT). Failure to comply with this requirement may result in the amendments being ignored in the **IPER (IPRP (Chapter II))**, see Rule 70.2(c-*bis*) PCT.

Filing a request for supplementary international search

The applicant may, with the **IB**, file a request for **supplementary international search** under Rule 45*bis*.1 PCT. The present **ISR** and **WO/ISA** may also be taken into account in the execution of that supplementary international search, provided that these are available to the Authority charged with this task before it starts the supplementary search (Rule 45*bis*.5 PCT).

This kind of request **cannot be filed specifying the ISA** who did the international search.

More information on this topic can be found in the **PCT Applicant's Guide**, Chapter 8 (<http://www.wipo.int/pct/en/guide/ip08.html>).

End of the international phase

Where no **demand** is filed, at the end of the international phase, the **IB** will transform the **WO/ISA** into the **IPRP (PCT Chapter I)** (Rule 44*bis* PCT), which will then be transmitted together with possible informal comments to the designated Offices. Where a demand is filed, the **WO/ISA** is not transformed into an **IPRP (Chapter I)** by the **IB**, but rather the **IPEA** will establish an **IPER**, (the **IPER** is the same as the **IPRP (PCT Chapter II)**, see Rule 70.15 PCT).
