

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:
Santi, Filippo
BARZANÒ & ZANARDO ROMA S.P.A.
Via Piemonte 26
00187 Roma
ITALIE

(PCT Rule 44.1)

Date of mailing (day/month/year)		20 May 2020 (20-05-2020)
Applicant's or agent's file reference PCT42402	FOR FURTHER ACTION	See paragraphs 1 and 4 below
International application No. PCT/IT2020/050019	International filing date (day/month/year)	4 February 2020 (04-02-2020)
Applicant PELLEGRINO, CLAUDIA		

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/itime_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 PHIELIX, Willem Tel: +31 (0)70 340-3217
--	--

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference PCT42402	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/IT2020/050019	International filing date (day/month/year) 4 February 2020 (04-02-2020)	(Earliest) Priority Date (day/month/year) 5 February 2019 (05-02-2019)
Applicant PELLEGRINO, CLAUDIA		

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 3 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:

DEVICE FOR CONDITIONING THE METABOLISM, THE CIRCADIAN RHYTHMS AND THE CELL VIABILITY, CONFIGURED AS A CLOCK

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/IT2020/050019

A. CLASSIFICATION OF SUBJECT MATTER

INV. G04B19/08

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)

G04B

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.
Y	CN 2 136 487 Y (WANG HONGFU [CN]) 16 June 1993 (1993-06-16) page 5, line 9; figure 1 -----	1
Y	DE 201 16 299 U1 (WIESENFELDER FRANK [DE]) 3 January 2002 (2002-01-03) page 2, lines 1-5; figure 1 -----	1

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

12 May 2020

Date of mailing of the international search report

20/05/2020

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

Cavallin, Alberto

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/IT2020/050019

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
CN 2136487	Y	16-06-1993	NONE	

DE 20116299	U1	03-01-2002	NONE	

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/IT2020/050019

TITLE: DEVICE FOR CONDITIONING THE METABOLISM, THE CIRCADIAN RHYTHMS AND THE CELL VIABILITY, CONFIGURED AS A CLOCK

APPLICANT: PELLEGRINO, CLAUDIA

IPC CLASSIFICATION: G04B19/08

EXAMINER: Cavallin, Alberto

CONSULTED DATABASES: WPI, EPODOC

CLASSIFICATION SYMBOLS DEFINING EXTENT OF THE SEARCH:

IPC:

CPC: G04B19/085

FI/F-TERMS:

KEYWORDS OR OTHER ELEMENTS FEATURING THE INVENTION:

Watch comprising hours and minutes hands moving anticlockwise on a 24 hours scale and a 120 minutes scale.

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/T2020/050019	International filing date (day/month/year) 04.02.2020	Priority date (day/month/year) 05.02.2019
International Patent Classification (IPC) or both national classification and IPC INV. G04B19/08		
Applicant PELLEGRINO, CLAUDIA		

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 P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	Date of completion of this opinion see form PCT/ISA/210	Authorized Officer Cavallin, Alberto Telephone No. +31 70 340-0
--	--	---



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:
 - 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:

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>1</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1</u>
Industrial applicability (IA)	Yes: Claims	<u>1</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

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

- 1 Preamble : the seconds display (seconds hand and seconds circle) are entirely optional, i.e. not necessarily present, being preceded by the word "possibly". Moreover, the addition of a seconds hand for the display of seconds against an already present minutes circle is not normally considered as offering any contribution to the solution of a technical problem, because in most timepieces the seconds scale traditionally coincides with the minutes scale.

- 2 Reference is made to the following documents:
 - D1 CN 2 136 487 Y (WANG HONGFU [CN]) 16 June 1993 (1993-06-16)

 - D2 DE 201 16 299 U1 (WIESENFELDER FRANK [DE]) 3 January 2002 (2002-01-03)

- 2.1 The present application does not meet the criteria of Article 33(3) PCT, because the subject-matter of claim 1 does not involve an inventive step. The reasons are the following.
- 2.2 D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses (page 5, line 9 and figure1):
- 2.3 a device for conditioning the metabolism, the circadian rhythms and the cell viability, which is configured as a clock, with a quadrant in which the 24 hours of the day are arranged in a circle following a ~~counter~~**clockwise** direction, in the position of the circle arranged vertically above the center of the circle being positioned the number **12** ~~1~~, ~~which indicates 1:00 a.m.~~, the minutes are arranged on the same circle or on one or two different circles following a ~~counter~~**clockwise** order, on the minute circle being reported 120 minutes (outermost indexes of dial in figure 1), that is, the minutes making up two hours, in the position of the circle arranged vertically above the center of the circle being positioned the number **60** ~~0~~, which indicates the beginning of the minute circle, and/or the number **60** ~~120~~, which indicates the end of the minute circle, the first half of the minute circle containing the minutes making up the odd hours

and the second half of the minute circle containing the minutes making up the even hours; the device also includes an hour hand, a minute hand, all of them running around the quadrant with a ~~counter~~**clockwise** rotating movement.

The subject-matter of claim 1 differs from the device made known by D1 in that:

- (i) the hours and the minutes displays (hands and index circles) are counterclockwise, not clockwise;
- (ii) the 24 hours of the day are arranged being positioned, in the position of the circle arranged vertically above the center of the circle, the number 1, not 12 as in D1;
- (iii) the minutes are arranged being positioned with the number 0 and/or 120, not 60 as in D1, which indicates the beginning/end of the minute circle, vertically above the center of the circle. Here we need to specify that the angular speed of the minutes hand is the same in the present application and in D1: thus this difference simply is that the even minutes are assigned numerals 61-120 instead of numerals 1-60 as in D1.

On the one hand the differences (ii) and (iii) merely imply a different naming of the hours and the minutes, which is a purely intellectual activity devoid of technical character, on the other hand the difference (i) relates to a way of presenting a temporal information and no technical character associated to it could be identified.

Furthermore, D2 (page 2 lines 1-5) teaches to invert the ordering of the numbers on the dial and the direction of rotation of the hands in a clock similar to that of D1.

Therefore the solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT).

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.
