

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: Wray & Associates PO Box 6292 Hay Street EAST PERTH WA 6004	PCT
	INVITATION TO RESTRICT OR PAY ADDITIONAL FEES (PCT Article 34(3)(a) and Rule 68.2)
	Date of mailing (day/month/year) 20 March 2005
Applicant's or agent's file reference AX:789:JC	REPLY OR PAYMENT DUE within ONE MONTH from the above date of mailing
International application No. PCT/AU2004/123499	International filing date (day/month/year) 8 July 2004
Applicant LIONHEART, Richard	

1. This International Preliminary Examining Authority			
(i)	considers that the international application does not comply with the requirement of unity of invention (Rules 13.1, 13.2 and 13.3) for the reason indicated in the Annex.		
(ii)	therefore considers that there are two (2) inventions claimed in the international application as indicated in the Annex.		
(iii)	recalls that claims relating to inventions in respect of which no international search report has been established need not be the subject of international preliminary examination (Rule 66.1(e)).		
2. Consequently the applicant is hereby invited , within the time limit indicated above, to restrict the claims as suggested under item 3, below, or to pay the amount indicated below:			
\$590.00	X	1	=
Fees per additional invention		number of additional inventions	total amount of additional fees
The applicant is informed that, according to Rule 68.3(e), the payment of any additional fee may be made under protest , i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.			
3. If the applicant opts to restrict the claims , this Authority suggests the restriction possibilities indicated in the Annex, which in its opinion would be in compliance with the requirement of unity of invention.			
4. In the absence of any response from the applicant, this Authority will establish the international preliminary examination report on those parts of the international application indicated in the Annex which, in the opinion of this Authority, appear to relate to the main invention.			
Name and mailing address of the IPEA/AU IP Australia PO Box 200, Woden ACT 2606 AUSTRALIA E-mail address: pct@ipaaustralia.gov.au			Authorised officer Telephone No.:

Item 1 comment:

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single inventive concept. In coming to this conclusion the International Preliminary Examination Authority has found there are two inventions:

1) Claims 1-6 are directed to a reactor cooling system including a tube sheet connected to a header, with the end of the tube sheet protruding a distance into the header. It is considered that the protrusion of the sheet a distance into the header comprises a first "special technical feature".

2) Claims 7 and 8 are directed to a reactor cooling system including a tube sheet connected to header in which the tube sheet and header are attached to an insulated substrate by means of a plurality of snap-locking anchors. The attachment of the sheet and header to the substrate by snap-locking anchors s considered to comprise a second separate "special technical feature".

Since the abovementioned groups of claims do not share either of the technical features identified, a "technical relationship" between the inventions, as defined in PCT Rule 13.2 does not exist. Accordingly, the international application does not relate to one invention or to a single inventive concept.

Given the different search results for the two inventions mentioned, examination of the second-mentioned invention will involve more than a little additional examination effort over that for the first-mentioned invention and thus an additional examination fee is warranted.

Item 3 comment:

Possible restrictions include:

- a) restriction to the main invention of claims 1-6
- b) appending the minor features of the claims 7 and 8 group to the main invention, given the extensive art cited in the international search report against the second group.