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एकस्व/PATENTS|अभिकल्प/DESIGNS|
व्यापार चिह्न/TRADE MARKS|भौगोलिक
उपदर्शन/GEOGRAPHICAL INDICATIONS



भारत सरकार
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सं.संख्या/Ref.No /आवेदन संख्या/Application No/ 201741032361

दिनांक/Date of Dispatch/Email: 08/07/2020

सेवा मे, /To

Dr.Sudhir,

201, 2ND FLOOR, RV DENTAL COLLEGE STAFF QUARTERS, RV DENTAL COLLEGE CAMPUS, JP
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विषय: एकस्व अधिनियम, 1970 की धारा 12 व 13 तथा एकस्व नियम, 2003 के अधीन परीक्षण रिपोर्ट

Subject: Examination report under sections 12 & 13 of the Patents Act, 1970 and the Patents Rules, 2003.

1. उपर्युक्त आवेदन के संदर्भ में परीक्षण रिपोर्ट (अर्थात्, एकस्व नियम, 2003 (यथा संशोधित) के नियम 24-ख(3) में विनिर्दिष्ट आपत्तियों का प्रथम कथन) इसके साथ संलग्न है। यह रिपोर्ट परीक्षण हेतु अनुरोध दिनांक 13/09/2017 के उत्तर में जारी की गयी है। परीक्षण रिपोर्ट का उत्तर दाखिल करने की अंतिम तिथि (अर्थात्, इस रिपोर्ट में लगाई गयी सभी आवश्यकताओं के अनुपालन की अवधि) आवेदक को आपत्तियों का प्रथम कथन जारी होने की तिथि से छः माह है।

Please find enclosed herewith an Examination Report (i.e. a first statement of objections as specified in Rule 24-B(3) of The Patents Rules, 2003 (as amended)) in respect of above-mentioned application. This report is issued with reference to a request for examination dated 13/09/2017. The last date for filing a response to the Examination Report (i.e. a period to comply with all the requirements raised in this examination report) is six months from the date on which the first statement of objections is issued to the Applicant.

2. यदि रिपोर्ट के अंतर्गत लगाई गयी आवश्यकताओं का अनुपालन एकस्व नियम, 2003 (यथा संशोधित) के नियम 24 ख(5) में विनिर्दिष्ट अवधि के भीतर अंदर अनुपालन नहीं किया गया तो एकस्व अधिनियम 1970 की धारा 21(1) के अधीन वर्तमान आवेदन को परित्यक्त माना जाएगा।
The instant application shall be deemed to have been abandoned under Section 21(1) of The Patents Act, 1970, unless all the requirements raised in this report are complied with in the period as specified in Rule 24-B (5) of The Patents Rules, 2003 (as amended).
3. आपका ध्यान एकस्व नियम, 2003 के नियम 24 ख(6) के प्रावधानों की ओर भी आमंत्रित किया जाता है।
Your attention is also invited to the provisions of Rule 24-B (6) of the Patents Rules 2003.
4. आपको सलाह दी जाती है कि शीघ्र निपटान हेतु अपना उत्तर शीघ्र प्रस्तुत करें।
You are advised to file the reply at the earliest for early disposal.

C Naveen Andrew
नियंत्रक पेटेंट/ Controller of Patents

संलग्न/Enclosed: अपरोक्त अनुसार/As above

टिप्पणी: यह इलेक्ट्रॉनिक रूप से उत्पन्न रिपोर्ट है।

NOTE: This is an electronically generated report.

सभी पत्राचार नियंत्रक एकस्व को उपरोक्त लिखित पते पर भेजा जाये।

All communications should be sent to the Controller of Patents at the above mentioned address.

परीक्षण रिपोर्ट / Examination Report

आवेदन संख्या /Application Number	201741032361
दाखिल करने की तिथि /Date of Filing	13/09/2017
पूर्विका दिनांक /Date of Priority	--
पीसीटी अंतर्राष्ट्रीय आवेदन की संख्या व दिनांक / PCT International Application No. & Date	--
आवेदक /Applicant	Dr.SUDHIR .R
परीक्षण हेतु अनुरोध की संख्या व दिनांक /Request for Examination No. & Date	R20174026966 13/09/2017
प्रकाशन की तिथि /Date of Publication	29/09/2017

इस परीक्षण रिपोर्ट के चार भाग हैं, अर्थात रिपोर्ट का सारांश, विस्तृत तकनीकी रिपोर्ट, औपचारिक आवश्यकताएँ तथा रिकॉर्ड में दस्तावेज़ /
This examination report consists of four parts, namely summary of the report, detailed technical report, formal requirements and documents on record.

भाग -1: रिपोर्ट का सारांश

PART-I: SUMMARY OF THE REPORT

क्र. सं. /Sl. No.	अधिनियम के तहत आवश्यकताओं पर विस्तृत टिप्पणियाँ /Requirements under the Act	दावों की संख्या /Claim Numbers	टिप्पणी /Remarks	
1.	धारा 2(1)(ग) के तहत आविष्कार /Invention u/s 2(1)(j)	नवीनता /Novelty	दावे /Claims: दावे /Claims: 1-10	हाँ /Yes नहीं /No
		आविष्कारी कदम / Inventive step	दावे /Claims: दावे /Claims: 1-10	हाँ /Yes नहीं /No
			औद्योगिक उपयोगिता /Industrial Applicability	दावे /Claims: 1-10 दावे /Claims:
		धारा 3 के अधीन पेटेंट-अयोग्यता (यदि हाँ, खंड 3(क-त) /Non-patentability u/s 3 (if yes, specify section3(a-p))		दावे /Claims: 1-10
			दावे /Claims:	नहीं /No
		3.	धारा 10(4) के अधीन प्रकटन की दक्षता (हाँ/नहीं निर्दिष्ट करें) /Sufficiency of disclosure u/s 10 (4) (Specify Yes/No)	N
4.	[धारा 10(5) व 10(4) (ग)] के अधीन दावे /Claims [u/s 10(5) & 10(4) (c)]	स्पष्टता/ संक्षिप्तता /Clarity / Conciseness	दावे /Claims: दावे /Claims: 1-10	हाँ /Yes नहीं /No
		क्षेत्र /Scope	दावे /Claims: दावे /Claims: 1-10	हाँ /Yes नहीं /No

भाग -II विस्तृत तकनीकी रिपोर्ट

PART-II: DETAILED TECHNICAL REPORT

क. उद्धरित दस्तावेजों की सूची /A.List of documents cited:

(क) पेटेंट साहित्य / (a). Patent Literature :

क्र. सं. / Sl.no	दस्तावेजों का विवरण /Details of documents	प्रकाशन तिथि(दिन/माह/वर्ष) / Publication date	उद्धरित दस्तावेज का प्रासंगिक विवरण (पृष्ठ व अनुच्छेद संख्या) / Relevant description (page and paragraph no.)	उद्धरित दस्तावेज के प्रासंगिक दावे / Relevant claims of cited document	अधिकथित आविष्कार के दावे /Claims of alleged invention
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			of cited document	
1	D1:US5911520A	15/06/1999	whole document	1-10
2	D2:JP2570454Y2	06/05/1998	whole document	1-10
3	D3:CN203468999U	12/03/2014	whole document	1-10

(ख) गैर-पेटेंट साहित्य / (b). Non-patent literature

कोई दस्तावेज़ उद्धृत नहीं है / No Document Cited

ख. अधिनियम के तहत आवश्यकताओं पर विस्तृत टिप्पणियाँ / B. Detailed observations on the requirements under the Act:

(1). नवीनता / NOVELTY:

(I) ऊपर उद्धरित दस्तावेज़ के संदर्भ (1-10) में दिये गए प्रकटन के पूर्वानुमान को ध्यान में रखते हुए, निम्नलिखित कारणों से दावा(वों) (1-10) में नवीनता की कमी है /

Claim(s) (1-10) lack(s) novelty, being anticipated in view of disclosure in the document cited above under reference for the following reasons:

Subject matter of claims 1-10 does not constitute an invention under section 2(1)(j) of the Patents Act, 1970 (as amended) because it is not novel in view of D1.

D1:US5911520A

Pub Date:-15/06/1999

D1 is the closest prior art to the instant application. As in the instant application, apparatus in D1 comprising pressure vessel capable of withstanding pressure of 50 psi. See the abstract part of D1. Said vessel may hold 1-21/4 gallon of water is having emptying opening and a combination handle and manual pressurizing pump. The vessel has a pressurized fluid outlet fitting and includes an elongate liquid discharge conduit. Pressure gauge is also installed through a vessel wall to monitor the pressure. See the line of D1 "the means for pressuring the vessel also, or alternatively, includes a pump disposed in the vessel and which is connected for manual operation by the handle".

See figs 1-3 of D1. Following correspondence can be made between figs 1-3 of D1 and claims 1-10: Item 24/30 of D1 corresponds to handle 1, vessel 12 of D1 corresponds to air tight container 16, Item 46 of D1 corresponds to pressure gauge 3, 42 of D1 corresponds to water 15, opening 25 of D1 corresponds to lid 4. Also see the line of description: "Preferably, as depicted in FIG. 3, handle sub-assembly 24, which releasable locks to vessel body 22". This line shows the locking system of D1. In view of D1 claims 1-10 are lacking novelty.

(2). आविष्कारी कदम / INVENTIVE STEP:

(I) ऊपर उद्धरित दस्तावेज़(जों) के संदर्भ में स्पष्ट अध्यापन(जों) को ध्यान में रखते हुए, निम्नलिखित कारणों से दावा(वों) (1-10) में आविष्कारी कदम की कमी है

Claim(s) (1-10) lack(s) inventive step, being obvious in view of teaching (s) of cited document(s) above under reference for the following reasons:

The subject matter of claims 1-10 lacks inventive step u/s 2(1)(ja) of The Patent Act, 1970, as amended in view of disclosure of D1 as stated above.

Moreover subject matter of claims 1-10 is very obvious for a person skilled in the art. Main claimed inventive feature of generation of pressure by pumping is very well known fact. Hence under section 2(1)(ja) of The Patents Act, 1970 the instant application is non-Patentable.

Without prejudice following documents are also disclosing similar type of apparatus.

D2:JP2570454Y2 Pub date:-06/05/1998

D3:CN203468999U Pub date:-12/03/2014

Hence all main features of instant application are disclosed in documents D1, D2 and D3. If teaching of these documents are used, a person skilled in the art, without being inventive would readily arrive at the subject matter of claims 1-10. Therefore these claims lack inventive step under section 2(1) (ja) of, The Patents Act, 1970. Therefore instant application does not constitute an invention under section 2(1) (j) of, The Patents Act, 1970.

(3).पेटेंट अयोग्यता /NON PATENTABILITY:

(I) निम्नलिखित कारणों से धारा 3 के खंड (2(1)(ja), 3(f)) के प्रावधान के तहत दावा(ते) (1-10) सांविधिक रूप से पेटेंट योग्य नहीं हैं / Claim(s) (1-10) are statutorily non-patentable under the provision of clause (2(1)(ja), 3(f)) of Section 3 for the following reasons:

1. The instant application is non-patentable in view of its obviousness to a person skilled in the art under section 2(1)(ja) of The Patents Act, 1970. There is nothing new and inventive in this instant application. As claimed in the claims 1-10, generation of pressure in an airtight container by using handle is basic and known fact in the field of physics. Pressure gauge for monitor of pressure is a known instrument. Lid for pouring of water is a frivolous feature. Moreover it is basic thing that once the pressure will be maintained in a chamber or a container then water will flow out through a pipe.
2. Instant application is non-Patentable under section 3(f) of The Patents Act, 1970 as the claimed apparatus is mere arrangement or rearrangement of metal rod in an air tight container having lid for pouring of water, a pipe connected to the container for flow of water. Pressure gauge is also a known instrument for pressure monitoring.

(4).प्रकटन की दक्षता /SUFFICIENCY OF DISCLOSURE:

(I) विनिर्देश पूर्णतया: व विशेषकर आविष्कार तथा इसके संचालन तथा विधि के निष्पादन के संबंध में विवरण नहीं देते हैं।

The complete specification does not fully and particularly describe the invention and its operation and the method by which it is to be performed in respect of:

1. The word MEANS shall be referenced with numerals
2. Claim 10 shall be made dependent in claim 1

(5).क्षेत्र /SCOPE:

(I) दावा(ते) 1-10 आविष्कार के उस क्षेत्र जिस के लिए संरक्षण का दावा किया गया है उसे निम्नलिखित कारणों से परिभाषित नहीं करता(ते) है। Claim(s) 1-10 does/do not define the scope of invention for which the protection is claimed for the following reasons:

1. By claiming 'means for manually generating the required pressure' and 'means for locking' etc in the independent claim 1, the applicant is making the claim too broad which doesn't define clearly the scope of the invention with conciseness, precision and accuracy.

(6).स्पष्टता एवं संक्षिप्तता /CLARITY AND CONCISENESS:

(I) दावा(वे) 1-10 के संबंध में स्पष्ट रूप से परीभाषित नहीं हैं।

Claim(s) 1-10 are not clearly worded in respect of:

1. Proper antecedents should be used while framing of claims.
2. Reference numerals should be supplemented in parenthesis to enhance the intelligibility of Claims and clearly define the scope of the invention, in accordance with section 10(4) (c) of The Patents Act 1970 as amended by the Patents (Amendment) Act 2005.
3. The complete specification shall fully and particularly describe the invention and its operation or use and the method by which it is to be performed and disclose the best method of performing the invention w.r.t the illustrations provided. A detailed description of all illustrations shall be provided which in turn provide a clear support for the claims.
4. Claims do not sufficiently define the invention. The inventive features should be incorporated in the principal claim and the corresponding subsidiary claims shall be made dependent upon the principal claim so as to make the invention sufficiently definitive.
5. In the dependent claim 2, term “the handle” is used. Making it definite. But handle is not used in independent claim 1 or dependent claim 2 before this. Same objection hold for the term “the required pressure” in claim 1, term “the locking system” is claim 4, “the lid” in claim 7. Term “one unit” in independent claim 4 is indefinite and not disclosed anywhere in claims 1-10.
6. It should be cleared how the pressure is pumped. Whether by pushing and pulling or by rotating the handle.
7. Claim 9 is not related to the matter to which the invention is related.
8. Multiple independent claims (1 & 10) with overlapping of scope not allowed under prevailing act and rules.

भाग – III: औपचारिक आवश्यकताएँ /PART-III: FORMAL REQUIREMENTS

आपत्तियाँ /Objections	टिप्पणी /Remarks
Time line of Application	form 1 shall be filed Proof of right shall be filed with petn ./ fee
Priority Details (No. of Priorities claimed at the time of filing, Validity of Country, Date, etc.)	Priority , if any shall be filed
Statement & Under Taking (Form 3 Details)	form 3 shall be filed
Power of Attorney (Whether GPA, SPA, Stamped, requisite fee etc.)	PA, if needed shall be filed

भाग-IV: रिकॉर्ड में दस्तावेज़ /PART-IV: DOCUMENTS ON RECORD

निम्नलिखित दस्तावेज़ों के आधार पर यह परीक्षण रिपोर्ट तैयार की गयी है

The examination report has been prepared based on the following documents:

कार्यसूची तिथि / Docket Date	कार्यसूची संख्या /Docket Number	प्रविष्टि संख्या विवरण /Entry Number Description
13 Sep 2017	57215	1-New Application For Patent With Provisional /Complete Specification
13 Sep 2017	57215	2-Complete After Provisional Specification - Form 2 Check For No.

THE PATENT OFFICE

13 Sep 2017	57215	OF Pages & Claims
13 Sep 2017	57215	OTHERS(NON CASH)
13 Sep 2017	57215	12-Request For Early Publication - Form 9
13 Sep 2017	57215	3-Statement & Undertaking - Form 3
13 Sep 2017	57215	28(i)-Request For Examination After 18 months Publication - Form 18

नियंत्रक का नाम /Name of the Controller: [C Naveen Andrew](#)

नियंत्रक स्थान /Controller Location: [Chennai](#)

टिप्पणी: परीक्षण रिपोर्ट का उत्तर दाखिल करने की अंतिम तिथि / Note: Last date for filing response to the Examination Report:
08/01/2021