

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year)	24.01.2012
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Applicant's or agent's file reference P615651P0	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/JP2011/006167	International filing date (day/month/year) 04.11.2011	Priority date (day/month/year) 25.03.2011
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International Patent Classification (IPC) or both national classification and IPC [See Supplemental Box]
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Applicant PANASONIC CORPORATION

1.	This opinion contains indications relating to the following items:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">☒</td> <td style="width: 20%;">Box No. I</td> <td>Basis of the opinion</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. V</td> <td>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	☒	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 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
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2.	FURTHER ACTION	If a demand for international preliminary examination is made, this opinion will 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.																								
3.	For further details, see notes to Form PCT/ISA/220.																									

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2011/006167

Box No. I Basis of this 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 filed or furnished:
 - a. (means)
 - ☐ on paper
 - ☐ in electronic form
 - b. (time)
 - ☐ in the international application as filed
 - ☐ together with the international application in electronic form
 - ☐ subsequently to this Authority for the purposes of search
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 in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

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Box No. IV

Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:
- ☐ paid additional fees
 - ☐ paid additional fees under protest and, where applicable, the protest fee
 - ☐ paid additional fees under protest but the applicable protest fee was not paid
 - ☒ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:

In order to satisfy the requirement of unity of invention, the group of inventions described in the claims needs to have a special technical feature that links the group of inventions so as to form a single general inventive concept, but the group of inventions described in claims 1-20 is considered to be linked only by the feature described in claim 1.

However, this feature is described in the prior art document JP 2008-042092 A (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.) 21 February 2008, paragraphs [0074]-[0123], fig. 1-5) and thus cannot serve as a special technical feature.

That being the case, there is no special technical feature among the group of inventions described in claims 1-20 which links the group of inventions so as to form a single general inventive concept. Therefore, the group of inventions described in claims 1-20 clearly does not fulfill the requirement of unity of invention.

[See Supplemental Box]

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☐ all parts
 - ☒ the parts relating to claims Nos. 1-7, 15, 16

**WRITTEN OPINION OF THE
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**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)	Claims	5-7, 15	YES
	Claims	1-4, 16	NO
Inventive step (IS)	Claims	5-7, 15	YES
	Claims	1-4, 16	NO
Industrial applicability (IA)	Claims	1-7, 15, 16	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2008-042092 A (MATSUSHITA ELECTRIC
INDUSTRIAL CO., LTD.) 21 February 2008,
paragraphs [0074]-[0123], fig. 1-5

Claims 1-4 and 16

The invention as in claims 1-4 and 16 is described in document 1 (paragraphs [0074]-[0123], fig. 1-5) cited in the ISR, and therefore lacks novelty and does not involve an inventive step.

Claims 5-7 and 15

The invention as in claims 5-7 and 15 is not described in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: International Patent Classification (IPC)

H01L21/8234(2006.01)i, H01L21/28(2006.01)i,
H01L21/76(2006.01)i, H01L21/8238(2006.01)i,
H01L21/8244(2006.01)i, H01L27/088(2006.01)i,
H01L27/092(2006.01)i, H01L27/10(2006.01)i,
H01L27/11(2006.01)i, H01L29/423(2006.01)i,
H01L29/49(2006.01)i

Continuation of: Box IV.3

Next, when examining the number of groups of inventions so linked as to form a general inventive concept, in other words, the number of inventions described in the claims of this international application, the claims of this international application are considered to describe five inventions: claims 1-7, 15 and 16, claim 8, claims 9-13, claim 14 and claims 17-20.