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30.10.20

Reference 4843P107EP_SG	Application No./Patent No. 20170368.3 - 1017
Applicant/Proprietor Meridian International Co. Ltd.	

Communication

The extended European search report is enclosed.

The extended European search report includes, pursuant to Rule 62 EPC, the European search report (R. 61 EPC) or the partial European search report/ declaration of no search (R. 63 EPC) and the European search opinion.

Copies of documents cited in the European search report are attached.

☒ 0 additional set(s) of copies of such documents is (are) enclosed as well.

The following have been approved:

☒ Abstract ☒ Title

☐ The Abstract was modified and the definitive text is attached to this communication.

The following figure(s) will be published together with the abstract: 1

Refund of search fee

If applicable under Article 9 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.

Should you wish to further prosecute this application in the examination phase, your attention is drawn to the provisions of Rule 70a EPC. An invitation to respond to the extended European search report will be issued once the date of publication of the European search report has been mentioned in the European Patent Bulletin (R. 69(1), R. 70(2) EPC).



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

EP 20 17 0368

TITLE: STACKED STORAGE CONTAINER LATCH

APPLICANT: Meridian International Co. Ltd.

IPC CLASSIFICATION: B65D21/02

EXAMINER: Dominois, Hugo

CONSULTED DATABASES: WPI

CLASSIFICATION SYMBOLS DEFINING EXTENT OF THE SEARCH:

IPC:

CPC: B65D21/0209, STACKABLE-B25H/KW, LOCK-B25H/KW

FI/F-TERMS:

KEYWORDS OR OTHER ELEMENTS FEATURING THE INVENTION:
slidable lock for stackable containers

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IPC)
Y	US 2015/190919 A1 (CHANG SHU-WEI [TW]) 9 July 2015 (2015-07-09) * figures 7a, 7b, 8a-c *	1-3,14, 15	INV. B65D21/02
Y	EP 3 492 226 A1 (BLACK & DECKER INC [US]; STANLEY WORKS ISRAEL [IL]) 5 June 2019 (2019-06-05) * figures 5a, 5b *	1-3,14, 15	
A	EP 1 238 602 A2 (CEKA ELEKTROWERKZEUGE AG & CO [CH]) 11 September 2002 (2002-09-11) * figure 2 *	1-15	
A	US 10 434 638 B1 (TSAI CHUNG YU [TW]) 8 October 2019 (2019-10-08) * abstract; figures 12, 13 *	1-15	
			TECHNICAL FIELDS SEARCHED (IPC)
			B65D
The present search report has been drawn up for all claims			
Place of search The Hague		Date of completion of the search 16 October 2020	Examiner Dominois, Hugo
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 20 17 0368

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.
The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

16-10-2020

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 2015190919	A1	09-07-2015	NONE	

EP 3492226	A1	05-06-2019	NONE	

EP 1238602	A2	11-09-2002	DE 20104108 U1	07-06-2001
			EP 1238602 A2	11-09-2002
			ES 2244685 T3	16-12-2005
			PT 1238602 E	31-10-2005

US 10434638	B1	08-10-2019	NONE	

1 Application documents

The examination is being carried out on the **following application documents**

Description, Pages

1-9 as originally filed

Claims, Numbers

1-15 as originally filed

Drawings, Sheets

1/7-7/7 as originally filed

2 Cited documents

Reference is made to the following documents; the numbering will be adhered to in the rest of the procedure.

- D1 US 2015/190919 A1 (CHANG SHU-WEI [TW]) 9 July 2015 (2015-07-09)
- D2 EP 3 492 226 A1 (BLACK & DECKER INC [US]; STANLEY WORKS ISRAEL [IL]) 5 June 2019 (2019-06-05)
- D3 EP 1 238 602 A2 (CEKA ELEKTROWERKZEUGE AG & CO [CH]) 11 September 2002 (2002-09-11)
- D4 US 10 434 638 B1 (TSAI CHUNG YU [TW]) 8 October 2019 (2019-10-08)

3 Inventive step

- 3.1 The present application does not meet the requirements of Article 52(1) EPC because the subject-matter of the following claims does not involve an inventive step within the meaning of Article 56 EPC.

3.2 Claim 1

3.2.1 D2 is regarded as being the prior art closest to the subject-matter of the present claim, and discloses (reference signs in parenthesis refer to this document)

A stackable storage system comprising:

*a first storage container (**upper container 20' in figures 5a and 5b**) configured and arranged to be selectively connected to a second storage container (**lower container 20 in figures 5a and 5b**), wherein the first storage container comprises of at least one locking groove (**41'**) and the second container comprises a **[locking] sliding mechanism (33, 45)** for selectively engaging the locking groove to connect and hold the first storage container to the second storage container, and wherein a portion of the sliding mechanism extends laterally away from the side surface of the container when the **[locking] sliding mechanism** is disengaged from the locking groove (**fig.5b**) and wherein the portion of the **[locking] sliding mechanism** is coplanar with the side surface of the container when the **[locking] sliding mechanism** is engaged with the locking groove (**voir fig.12**).*

3.2.2 The subject-matter of the present claim therefore differs from this known closest prior art in that the present application claims a sliding mechanism, whereas D2 discloses a locking mechanism for connecting the two containers which appears to be different, i.e. there is no proper sliding between two surfaces when the locking mechanism is disengaged. By definition to slide means to "move smoothly along a surface while maintaining continuous contact with it." Therefore it cannot be considered that the locking means of D2 is a sliding mechanism.

3.2.3 No particular technical effect can be derived from this difference, therefore the problem to be solved by the present invention may be regarded as providing an alternative for the locking system of D2.

3.2.4 When trying to solve the problem posed, the skilled person would logically consider the locking mechanism of D1 wherein

*the first part of the container comprises of at least one locking groove (**formed by 213**) and the second part of the container comprises a sliding mechanism for selectively engaging the locking groove to connect and hold the first storage container to the second storage container, and wherein a portion of the sliding mechanism extends laterally away from the side surface of the container when the sliding mechanism is disengaged*

from the locking groove (see 7b) and wherein the portion of the sliding mechanism is coplanar with the side surface of the container when the sliding mechanism is engaged with the locking groove (see 7a).

In figures 7a and 7b the element 221 "moves smoothly along a surface 211, 213 while maintaining continuous contact with it." It is thus a sliding mechanism.

Implementing such a solution in lieu of the locking mechanism of D2 would not lead to further modifications of the containers of D2. By doing so he would arrive at the subject-matter of claim 1 which is therefore not inventive.

3.3 Claims 2 and 3, as well as 14 and 15

See slider 22 (and 221) of D1.

The side mentioned in claim 3 corresponds to the external side of 22 of D1 in fig.7A.

The same applies for claim 15 with the slot formed in the part 20 of the second container which hosts the handle. The arm corresponding in D1 to the axe around which the handle will pivot.

4 **Proposal**

4.1 The combination of the features of dependent claim 4 is neither known from, nor rendered obvious by, the available prior art.

4.2 Indeed the technical features of claim 4 consist in an alternative solution to secure the two containers with respect to each others.

In order to find an alternative and based on D1 or D2 the skilled person would have no hint to arrive at the solution of claim 4 because it would require several modifications of the system. Indeed although the solution of D1 also comprise slots in order to host the handle 22, this handle is meant to pivot and not translate with respect to the second container. Consequently implementing a sliding portion would imply changing the contacting portion of both containers with the handle. This would result from an ex-post facto analyse, especially because all other documents from the prior art (like D3) disclose a solution similar to D1, i.e. based on the rotation of the engaging element and not purely a translation also with respect to the second container.

Finally D4 discloses a pure sliding mechanism without any rotation. Nevertheless with this system the slider moves in a different direction, i.e. it would never be "*in a position which extends laterally away from the side of the container when not engaging the locking groove*" so although it's a similar alternative it would be impossible to arrive at the subject-matter of claim 4.

The subject-matter of claim 4 is thus considered as involving an inventive step.

- 4.3 Other claims 5-13 are all dependent from claim 4 and are thus considered as new and inventive.
- 4.4 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 (Article 113(2) EPC) and in particular for defining the subject-matter for which protection is sought remains with the applicant.

5 **Formal issues**

- 5.1 To meet the requirements of Rule 42(1)(b) EPC, D1 should be identified in the description and the relevant background art disclosed therein should be briefly discussed.
- 5.2 In the present case it would be appropriate to draft independent claims in the two-part form (Rule 43(1) EPC) with the features known in combination from the closest prior art identified in the novelty and inventive step reasoning being placed in the preamble (Rule 43(1)(a) EPC) and the remaining features being included in the characterising part (Rule 43(1)(b) EPC).
- 5.3 The features of the claims should be provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 43(7) EPC). This applies to both the preamble and characterising portion (see Guidelines F-IV, 4.19).

6 **Further proceedings**

If the applicant intends to file to overcome the above mentioned objections, the following will have to be dealt with:

6.1 When filing amended claims the applicant should at the same time bring the description into conformity with the amended claims. Care should be taken during revision, especially of the introductory portion and of any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Article 123(2) EPC).

6.2 In order to comply with the requirements of Rule 137(4) EPC, the applicant should clearly identify the amendments made, irrespective of whether they concern amendments by addition, replacement or deletion, and indicate the passages of the application as filed on which these amendments are based (see Guidelines H III, 2.1).

If the applicant considers it appropriate, these indications could be submitted in handwritten form on a copy of the relevant parts of the application as filed or in documents with tracked changes.

6.3 Amendments should be made by filing replacement pages. Unnecessary recasting of the description should be avoided. An amended abstract is not required. The applicant should also take account of the requirements of Rule 50(1) EPC. According to Rule 50(1) in conjunction with Rule 49(8) EPC, amendments shall be typed or printed. Handwritten amendments may only be made in documents other than those replacing application documents (Rule 50(2) EPC); they may, for example, be used to fulfil the requirements of Rule 137(4) EPC (identifying amendments and indicating basis for them).