

Note: When any ambiguity of interpretation is found in this provisional translation, the Japanese text shall prevail.

8. Cases pertinent to Amendment for other than the Prescribed Purposes (Article 17bis(5) of the Patent Act)

In order to make clear the examination practice in relation to the amendment for other than the purpose of the amendment, the outline of the determination thereon, as well as the measures of the applicant is explained below based on specific examples.

(Points to Note)

- (1) These cases have been prepared with an aim to describe the examination practice. Therefore, it should be noted that modification such as clarification is added to the claims etc. in the above cases to ease explanation.
- (2) When applying the rules of Article 17bis(5), the Examiner should take into due consideration the legislative intent of the same, and with regard to inventions which inherently deserve protection, care should be taken to ensure avoiding operating with unnecessary strictness regarding even cases in which examination results already made can be effectively used so as to perform a rapid examination.

List of Cases

(In the list, "○" means that the amendment has the purpose of the matter that is handled in each of the following (a) through (c). In contrast, "×" means that the amendment is an amendment for other than the purpose of the amendment.)

(a) Restrictions for the What is claimed is: in a Limited Way

Determination

Case No.	Title of Invention	Remarks	
Case 1	Prediction type electronic clinical thermometer	Limitation of the matters specifying the invention	○
Case 2	Developing device	Limitation of the matters specifying the invention	○
Case 3	Knob	Limitation of the matters specifying the invention	○
Case 4	Serial type thermal printer	Limitation of the matters specifying the invention	○
Case 5	Transmission gearbox	Limitation of the matters specifying the invention	○
Case 6	Bucket conveyor	Limitation of the matters specifying the invention	○

Annex A Cases pertinent to amendments for other than the purpose of the amendment

Case 7	Abnormal operation prevention device	Limitation of the matters specifying the invention	×
Case 8	Output circuit	Limitation of the matters specifying the invention	○
Case 9	Two-way transmission method of optical signals	Limitation of the matters specifying the invention	○
Case 10	Input Device with Guidance Function	Limitation of the matters specifying the invention	×
Case 11	Program Guide Creation Device	Limitation of the matters specifying the invention	×
Case 12	Lock device for a door	Limitation of the matters specifying the invention/Identity of the problems to be solved	×
Case 13	Electronic watch with pressure-type altimeter	Limitation of the matters specifying the invention/Identity of the problems to be solved	×
Case 14	Electric tool device	Limitation of the matters specifying the invention/Identity of the problems to be solved	×
Case 15	Method of producing compound C	Limitation of the matters specifying the invention/Identity of the problems to be solved	×
Case 16	Rice cracker	Limitation of the matters specifying the invention/Identity of the problems to be solved	×
Case 17	Planar light-emitting device	Identity of the problems to be solved	×
Case 18	Trump combination gaming device	Identity of the problems to be solved	×
Case 19	Cover sheet	Identity of the problems to be solved	×
Case 20	Tap	Identity of the problems to be solved	×
Case 21	Flat display panel	Identity of the field of industrial application	○
Case 22	Clutch	Identity of the field of industrial application	○
Case 23	Toiletries	Identity of the field of industrial application	○
Case 24	Surfactant A	Identity of the field of industrial application	×
Case 25	Chord for an electric stringed musical instrument	Identity of the field of industrial application	○

(b) Corrections of Errors in the Descriptions/Clarifications of Ambiguous Descriptions

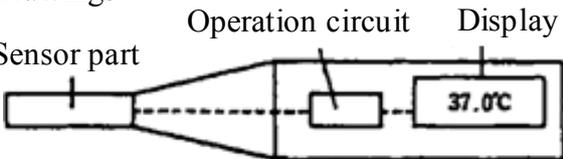
Case No.	Title of Invention	Remarks	Determination
Case 26	Marking method for face cross-section	Correction of errors	○
Case 27	Method for producing single crystal	Correction of errors	○
Case 28	Aqueous detergent composition	Correction of errors	○
Case 29	Sealant composition	Correction of errors	○
Case 30	Galvanized steel sheet	Correction of errors	○
Case 31	Galvanized steel sheet	Correction of errors	×
Case 32	Nonaqueous electrolyte solution	Correction of errors	×
Case 33	Method of coating with substance A	Clarification of an ambiguous statement	○/×
Case 34	Phosphane derivative	Clarification of an ambiguous statement	○
Case 35	Fluid reaction apparatus	Clarification of an ambiguous statement	○
Case 36	Transmission speed control method	Clarification of an ambiguous statement	○
Case 37	Conveyor device for substrate	Clarification of an ambiguous statement/Correction of errors	○

(c) Miscellaneous

Case No.	Title of Invention	Remarks	Determination
Case 38	Thermoplastic resin composition	Amendment after final notice of reasons for refusal of addition of new matter	×
Case 39	Rolling control device in traveling device for combine harvester	Amendment after final notice of reasons for refusal of addition of new matter	○

7.1 Restriction of claims in a limited way

[Case 1] Limitation of the matters specifying the invention (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Prediction type electronic clinical thermometer</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] An electronic clinical thermometer comprising a sensor to convert body temperature to electric signals and an operation circuit to predict stabilized body temperature based on characteristics of change in output from the sensor.</p>	<p>What is claimed is: [Claim 1] <u>a sensor consisting of a thermocouple</u> ...</p>
<p>Overview of the description The purpose of the invention is to provide a clinical thermometer for permitting quick measurement. <u>Examples of the sensor for converting body temperature to an electric signal include a magnetic temperature-sensing element, a temperature measuring resistor, a thermocouple, and the like. The sensor output is led to the body temperature prediction operation circuit, and is converted to a predicted stabilized temperature value. In order to minimize the measuring time, a sensor having high sensitivity is necessary to be used. The experimental result showed that the thermocouple is optimal.</u></p>	<p>Overview of the description The purpose of the invention is to provide a clinical thermometer for permitting quick measurement. <u>The sensor output is led to the body temperature prediction operation circuit, and is converted to a predicted stabilized temperature value. In order to minimize the measuring time, a sensor having high sensitivity is necessary to be used.</u></p>
<p>Drawings</p> 	<p>Drawings ...</p>

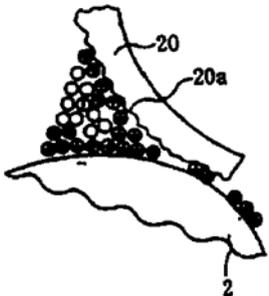
[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

In the amendment, matters used to define the claimed invention before amendment, that is, “A sensor to convert body temperature to electric signals,” which is one of the means for solving the problems, are limited to a more specific concept. Further, in the amendment, problems to be solved by the invention and field of industrial application are not changed.

[Case 2] Limitation of the matters specifying the invention (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Developing device</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A developing device which makes an electrostatic latent image visible by forming a thin film of developer on a developer-sustaining body (2) by making a layer-thickness-regulating member (20) contact the developer-sustaining body which feeds developer to an electrostatic-latent-image-keeping body, to adhere the thin film developer to the electrostatic-latent-image-keeping-body, comprising <u>roughing</u> the surface of said layer-thickness-regulating member (20).</p>	<p>What is claimed is: [Claim 1], comprising <u>roughing</u> the surface of said layer thickness regulating member (20), <u>and the roughness is set to be in the range from 0.5D to 1.5D (D: average particle diameter of the developer)</u>.</p>
<p>Overview of the description ... by the roughing, the problem of the invention—that a thin film of uniform thickness should be made—can be solved. The roughness is desirable to be in the rage from 0.5D to 1.5D when the average particle diameter of the developer is D.</p>	<p>Overview of the description ...</p>
<p>Drawings </p>	<p>Drawings ...</p>

[Conclusion]
Falls under restriction in a limited way of the claim.

[Explanation]

In the amendment, matters used to define the claimed invention before amendment, that is, “comprising roughing the surface of said layer-thickness-regulating member (20),” which is one of the means to solve the problems, are limited to a more specific concept. Further, in the amendment, problems to be solved by the invention and field of industrial application are not changed.

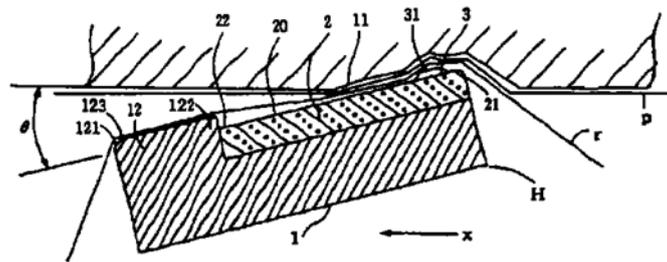
[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

Claims after amendment limit the interval between the fine particles. This limitation limits the part of the matters used to define the claimed invention before amendment: “a space interval to prevent bacteria from growing on the surface.” Further, the field of industrial application and problems to be solved by the invention before and after the amendment are the same.

Drawings



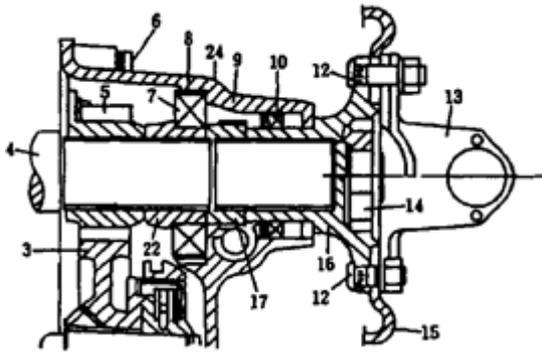
[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

Claims after amendment specify the contact angle of the head with the platen rubber. In the amendment, a part of matters used to define the claimed invention before amendment, “setting the thermal print head as it is slanted” is limited to a more specific concept by specifying the angle. Further, the field of industrial application and problems to be solved by the invention before and after the amendment are the same.

[Case 5] Limitation of the matters specifying the invention (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Transmission gearbox</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A transmission gearbox wherein a reinforcing ring is cast into a circumferential wall part of a <u>light-alloy</u> gearbox in which a bearing for rotatably supporting an output axis is fitted.</p>	<p>What is claimed is: [Claim 1] A transmission gearbox wherein a reinforcing <u>steel</u> ring is cast into a circumferential wall part of an <u>aluminum-alloy</u> gearbox in which a bearing for rotatably supporting an output axis is fitted.</p>
<p>Overview of the description ... the gearbox is made of aluminum alloy, ... the ring is made of steel ...</p>	<p>Overview of the description ...</p>
<p>Drawings</p>  <p>4: output axis 7: bearing 8: ring 9: gearbox</p>	<p>Drawings ...</p>

[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

The amendment specifies the material of the gearbox and the material of the reinforcing ring, respectively. In this, matters used to define the invention before amendment, that is, “a light-alloy gearbox in a transmission gearbox,” and “reinforcing rings in a transmission gearbox,” which are means to solve the problems, are limited to a more specific concept. Further, problems to be solved by the invention, which is improvement in the strength of the bearing points of the gearbox accompanied with weight saving of the gearbox, and the field of industrial application (transmission gearbox) are the same.

[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

The point of amending to reduce the aperture portion of the discharge nozzle in diameter identifies the shape of the discharge nozzle, and therefore, the "discharge nozzle in the bucket conveyor," which is a part of the matters specifying the invention of the invention prior to the amendment, makes a subordinate concept.

Furthermore, in the invention prior to the amendment and the invention subsequent to the amendment, the field of industrial application and the problem to be solved (ejecting/removing particulates that have fallen between the driven pulley and the endless belt) are the same.

1: Compressor
3: Vapor-liquid separator
3a: Inlet
3b: Outlet
10, 11: Detecting means
17: Determining means
18: Alarm display means

[Conclusion]

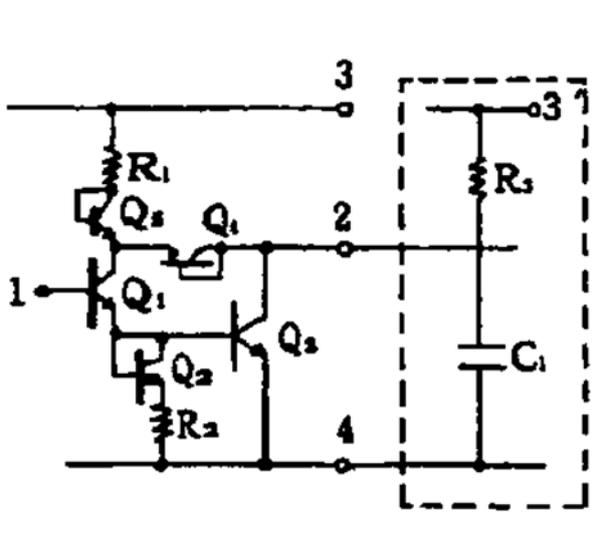
Does not fall under restriction in a limited way of the claim....

[Explanation]

This amendment restricts the scope of the claims by adding an effect (action or role) of causing the control means to activate an alarm device; however, the effect (action or role) of "activating an alarm device" is a distinct effect from the effect of "intermittently operating a compressor for a predetermined period of time," and therefore, the effect of "activating an alarm device" does not treat the effect of "intermittently operating a compressor for a predetermined period of time" as a subordinate concept. Accordingly, this amendment does not limit the matters specifying the invention prior to the amendment.

[Case 8] Limitation of the matters specifying the invention (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Output circuit</p>	<p>Title of Invention ...</p>
<p>What is claimed is:</p>	<p>What is claimed is:</p>
<p>[Claim 1]</p>	<p>[Claim 1]</p>
<p>An output circuit comprising a first transistor in which a collector is connected through connecting means to a power source line, and a base is connected to an input terminal; a second transistor in which a base is connected to an emitter of said first transistor, a collector is connected to an output terminal, and an emitter is connected to a reference potential source; and <u>a diode</u> inserted between the collectors of said first transistor and said second transistor so that an electric current flows when said first and second transistors are conductive, and an electric current is stopped when said first and said second transistors are not conductive.</p>	<p>.....; and <u>an equivalent diode shorted between a transistor base and collector</u> inserted ...</p>
<p>Overview of the description</p>	<p>Overview of the description</p>
<p>... As for the diode, it is possible to use, in addition to a typical p-n diode shown in Fig. 1, an equivalent diode <u>shorted between a transistor base and collector</u> as shown in Fig. 2.</p>	<p>... As for the diode, an equivalent diode <u>shorted between a transistor base and collector</u>, as shown in Fig. 2, is recommended for use.</p>
<p>Drawings</p>	<p>Drawings</p>
	<p>.....</p>



[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

By the amendment, “diode” before amendment is amended to “an equivalent diode shorted between a transistor base and collector.” Herein, “diode” specifically includes both the p-n junction diodes shown in Fig. 1 and the equivalent diode shown in Fig. 2.

Thus, in the amendment, “diode” before amendment is limited to the more specific concept of “equivalent diode,” which is admitted to be a limitation of a part of the matters used to define the invention. Further, problems to be solved by the invention and field of industrial application are not changed before and after the amendment. Thus, the amendment is judged to be a restriction in a limited way of the claim.

[Case 9] Limitation of the matters specifying the invention (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Two-way transmission method of optical signals</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A method wherein a signal is emitted each time from an optical transmitter set in a station and received by an optical receiver formed integrally with the transmitter at the termination of a transmission section formed of the optical wave guide, to make the two-way transmission of optical signals between the two stations connected through the optical wave guide, comprising: a) <u>interconnecting the transmitter and the receiver as an integrated member;</u> b) transmitting the signal of one way of the transmission through the optical wave guide during transmission stop in the other way of transmission ...</p>	<p>What is claimed is: [Claim 1], comprising: a) <u>using an LED as the transmitter, and a photodiode as the receiver,</u> and interconnecting both as an integrated member; b) transmitting the signal of one way of the transmission through the optical wave guide during transmission stop in the other way of transmission ...</p>
<p>Overview of the description ... Advantageous is the construction such that the optical transmission portion constructed as an LED is inserted in the optical reception hole constructed as a photodiode. As the LED, it is possible to use GaAs LED, or GaAlAs LED of Barus type. On the other hand, as the photodiode, a pin ...</p>	<p>Overview of the description ...</p>

[Conclusion]
Falls under restriction in a limited way of the claim.

[Explanation]
The amendment specifies that the “transmitter” is an “LED”, and the “receiver” is a “photodiode,” and the part of matters used to define the invention before amendment is limited to a more specific concept. The field of industrial application and problems to be solved before and after the amendment are the same.

[Case 10] Limitation of the matters specifying the invention (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Input Device with Guidance Function</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] An input device with a guidance function, which performs flashing display of a display location for a portion which is to be input next, in an input device in which a touch panel is provided upon a display screen, and in which touching a portion corresponding to a display position on the display screen is performed so as to input required data.</p>	<p>What is claimed is: [Claim 1] An input device with a guidance function, which performs flashing display of a display location for a portion which is to be input next, <u>and which is provided with a speaker which performs voice guidance of an item to be input</u>, in an input device in which a touch panel is provided upon a display screen, and in which touching a portion corresponding to a display position on the display screen is performed so as to input required data.</p>
<p>Overview of the descriptionIn an input device, provided with a touch panel upon a display screen, in which, by performing touching a portion corresponding to a display location on the display screen, required data is input, flashing display is performed for a portion to be input next, and thereby, it is possible to accurately indicate an item to be input to an operator. In addition, by adding a guide mechanism by voice, effectiveness is increased.</p>	<p>Overview of the descriptionIn an input device, provided with a touch panel upon a display screen, in which, by performing touching a portion corresponding to a display location on the display screen, required data is input, it is possible to accurately indicate an item to be input next, and the input device comprises a guide mechanism by voice, and therefore, effectiveness is increased.</p>

[Conclusion]

Does not fall under restriction in a limited way of the claim....

[Explanation]

This amendment restricts the scope of the claims by adding means using voice as guidance means; however, the operation (such as the working and role) of "providing a speaker, and performing voice guidance for an item to be input" is a distinct operation from the operation of "performing flashing display of a display location for a portion which is to be input next," and therefore, the operation of "providing a speaker, and performing voice

guidance for an item to be input," does not specify the operation of "performing flashing display of a display location for a portion which is to be input next". Accordingly, this amendment does not limit the matters specifying the invention prior to the amendment.

[Case 11] Limitation of the matters specifying the invention (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Program Guide Creation Device	Title of Invention Program Guide Creation Device
What is claimed is: [Claim 1] A program guide creation device characterized in being provided with program information receiving means which receives program-related information for recorded content stored in a storage medium, importance information receiving means which receives importance information for the recorded content, creation means which creates an image for a program guide of a program column display format on the basis of the program-related information and the importance information for the recorded content, and output means which outputs the image of the program guide as a past program guide; wherein: the display format for the program column for the content corresponding to the importance information is pre-set by the creation means from among character color, shading for the character color, font, and background color; and the creation means, in accordance with the importance based on the importance information, differentiates the display format for the program column for the recorded content so as to create an image of the program guide.	What is claimed is: [Claim 1] A program guide creation device characterized in being provided with program information receiving means which receives program-related information for recorded content stored in a storage medium, importance information receiving means which receives importance information for the recorded content, creation means which creates an image for a program guide of a program column display format on the basis of the program-related information and the importance information for the recorded content, and output means which outputs the image of the program guide as a past program guide; wherein: the display format for the program column for the content corresponding to the importance information is <u>selected by a user</u> from among character color, shading for the character color, font, and background color; and the creation means, in accordance with the importance based on the importance information, differentiates the display format for the program column for the recorded content so as to create an image of the program guide.
Overview of the description The present invention pertains to a program guide creation device capable of easily finding desired content from among recorded content. In recent years, it has become possible to perform multi-channel simultaneous automatic recording, and whereas the	Overview of the description and Drawing ...

number of content units that are recorded is increasing, it is becoming difficult to find a desired content unit from among content recorded by a user. Therefore, recorded content units are displayed upon a past program guide, and recorded content units are highlighted in accordance with importance information.

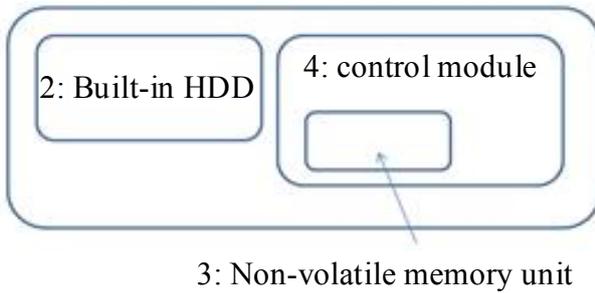
A digital television broadcast receiver device (1) automatically records content onto a built-in HDD (2), whereupon program information for the recorded content is stored onto a non-volatile memory (3). A control module (4) acquires, as importance information, viewership rating of the recorded content, as well as the number of comments regarding content written on blogs of Web pages or electronic bulletin boards, from the Internet. Then, when a user selects either one from among viewership rating or the number of comments, the importance of each content unit based on the selected importance information is displayed in a display format (character color, shading for the character color, font, or background color) corresponding to the selected importance information. As a result, it is possible to provide a past program guide in which recorded content is highlighted in accordance with the importance information.

The display format corresponding to the importance information is pre-set at the program guide creation device; for example, if the user has selected viewership rating as the importance information, then if character color has been set as the display format for the program column corresponding to viewership rating, then a program column is displayed in which character color is changed in accordance with the level of the viewership rating for the recorded content.

Furthermore, the display formation may be selected by a user.

Drawings

Digital television broadcast receiver device



	Television A	Television B	Television C	Television D
10	○○○○	○○○○ ○○○○	○○○○	○○○○
11	○○○○	○○○○	○○○○	○○○○
0	○○○○	○○○○	○○○○	○○○○
1	○○○○	○○○○	○○○○	○○○○
2	○○○○	○○○○	○○○○	○○○○

[Conclusion]

Does not fall under restriction in a limited way of the claim....

[Explanation]

This amendment modifies the display format for a program column corresponding to importance information based on that pre-set by a program guide creation device (creation means) to one selected by a user, and therefore, does not turn into conceptually more specific.

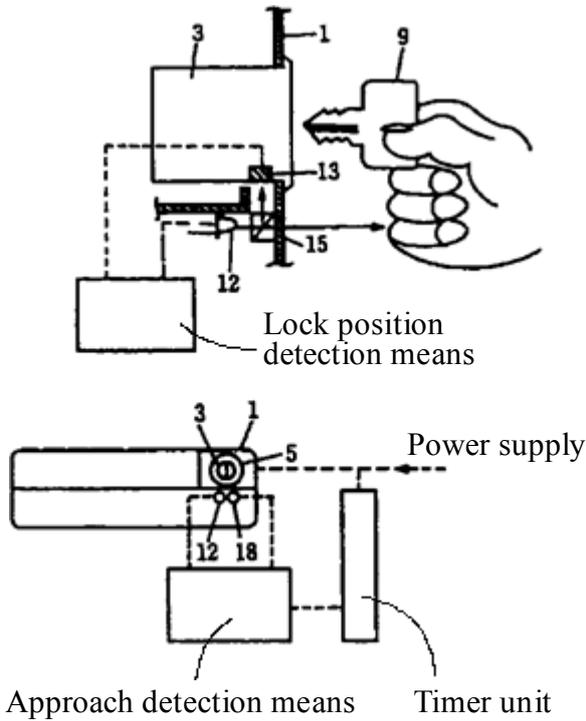
In this manner, the aspect of the "display format of the program column for content corresponding to importance information is selected by a user from among character color, shading for the character color, font, and background color" that has been added to the scope of the claims subsequent to the amendment is not considered to conceptually more specify the aspect of the "display format of the program column for content corresponding to importance information is pre-set by the creation means from among character color, shading for the character color, font, and background color" that is a part of the matters specifying the invention of the invention stated in the claims prior to the amendment.

[Case 12] Limitation of the matters specifying the invention/Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Lock device for a door	Title of Invention ...
What is claimed is: [Claim 1] A lock device for a door, characterized in being provided with: lock position detection means for theft prevention, which detects a secured position of a lock using one pair of a light-emitting element and a light-receiving element; approach detection means, which detects approach of a hand of a person holding a key for the lock using one pair of a light-emitting element and a light-receiving element; and lighting means which lights the lock when the hand of the person holding the key approaches the lock.	What is claimed is: [Claim 1] <u>A lock device for a door, characterized in being provided with: lock position detection means for theft prevention, which detects a secured position of a lock using one pair of a light-emitting element and a light-receiving element; approach detection means, which detects approach of a hand of a person holding a key for the lock using one pair of a light-emitting element and a light-receiving element; lighting means which lights the lock when the hand of the person holding the key approaches the lock; and a timer unit for which a timer contact turns on for a predetermined period of time by activation of the approach detection means, and which can perform lighting for a fixed period of time.</u>
Overview of the description The lock position and the approach of a hand of a person are detected using one pair of a light-receiving element and a light-emitting element, and therefore, the need to find a doorknob is eliminated, and opening and closing operations for a key cylinder in a dark location are facilitated. Furthermore, a timer unit is provided which turns a timer contact on for a predetermined period of time by operation of detection means, so as to perform lighting for a fixed period of time. As a result, an effect is achieved by which it is possible to reduce power consumption for a power supply.	Overview of the description ...
[Explanation of the Drawings] 1...Door, 3...Key Cylinder (Lock), 9...Key (Lock), 12...Light-emitting Element, 13...Light-receiving electrode, 15	[Explanation of the Drawings] ...

Lighting Means, 17...Timer Unit, 18
Light-receiving element

Drawings



Drawings

...

(Overview of the written opinion submitted by the applicant)

In claim 1 subsequent to the amendment, a limitation in which a timer unit was added was made. As a result, in the invention subsequent to the amendment, it is possible to reduce power consumption of a power supply, which is an exceptionally significant effect not in the cited invention.

[Conclusion]

Does not fall under restriction in a limited way of the claim.....

[Explanation]

The "timer unit" added by the amendment does not conceptually subordinate either of the matters (for example, "lock position detection means in a lock device for a door," "lighting means at a locking position for the door," etc.) specifying the invention prior to the amendment, and therefore cannot be found to limit the matters specifying the invention.

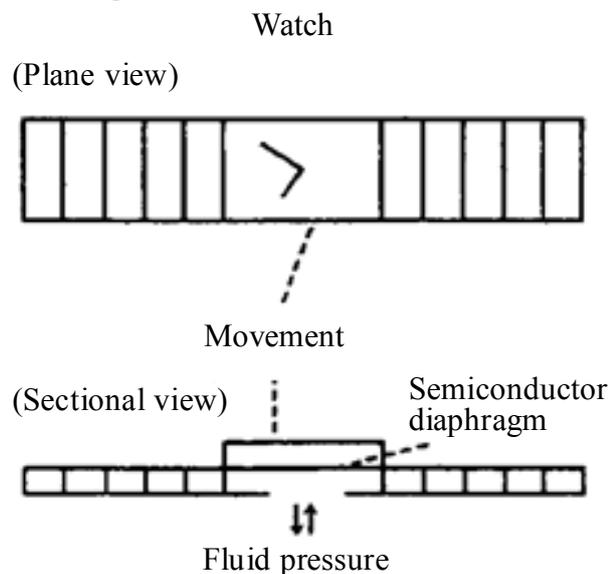
Furthermore, with regard to the point that the problem to be solved by the invention prior to the amendment is "facilitates opening and closing operations for the key cylinder in a dark location," "reducing power consumption of the power source" has been added to

the problem to be solved subsequent to the amendment. The problem to be solved subsequent to the amendment does not conceptually subordinate the problem to be solved prior to the amendment, and the types of the problems to be solved are not the same, etc., and therefore, the problems to be solved cannot be considered technically closely related. Therefore, the problems to be solved by the invention prior and subsequent to the amendment are also not the same.

[Case 13] Limitation of the matters specifying the invention/Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Electronic watch with pressure-type altimeter</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] An electronic watch comprising, in a built-in state in a movement: a semiconductor diaphragm forming a distortion sensor for measuring fluid pressure; a calculating circuit which converts output of the distortion sensor to an altitude signal; and a clock circuit.</p>	<p>What is claimed is: [Claim 1] An electronic watch comprising, in a built-in state in a movement: a diaphragm forming a distortion sensor for measuring fluid pressure; a calculating circuit which converts output of the distortion sensor to an altitude signal; and a clock circuit, which circuits are formed <u>upon the diaphragm using semiconductor thin-film circuits</u>.</p>
<p>Overview of the description This invention has the purpose of <u>providing a watch</u> indicating clock information and altimeter information, which are convenient when diving, mountain-climbing, hang-gliding, etc. By way of the distortion sensor formed on the semiconductor diaphragm, it is possible to detect water pressure under water to know water depth, and on land, it is possible to detect atmospheric pressure to know latitude. By forming, on the semiconductor diaphragm in the semiconductor thin-film circuit, a calculating circuit which converts output signals of the distortion sensor to altitude signals, and a clock circuit, it is possible to reduce the thickness and weight of the movement.</p>	<p>Overview of the description This invention has the purpose of <u>reducing the thickness and weight of a movement</u> of a watch indicating clock information and altimeter information, which are convenient when diving, mountain-climbing, hang-gliding, etc.....</p>

Drawings



Drawings

...

(Overview of the written opinion submitted by the applicant)

In claim 1 subsequent to the amendment, the calculating circuit and the clock circuit were limited to being formed on a diaphragm in a semiconductor thin-film circuit. As a result, in the invention subsequent to the amendment, it was possible to reduce the thickness and weight of the movement, which is an exceptionally significant effect not in the cited invention.

[Conclusion]

Does not fall under restriction in a limited way of the claim....

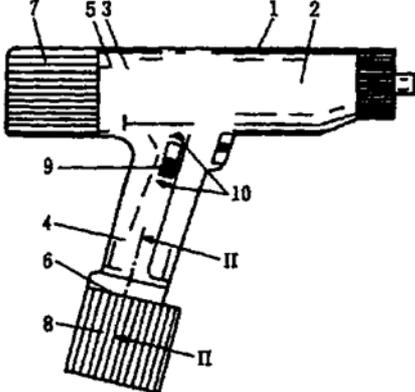
[Explanation]

"Forming a calculation circuit and a clock circuit on a diaphragm in semiconductor thin-film circuits in an electronic watch" cannot be found to conceptually subordinate either of the matters (for example, "a semiconductor diaphragm on which a distortion sensor has been formed in an electronic watch," "a calculation circuit which converts the output of the distortion sensor to altitude signals, and a clock circuit, in an electronic watch," etc.) specifying the invention prior to the amendment, and therefore cannot be considered to limit the matters specifying the invention.

Furthermore, with regard to the problem to be solved by the invention prior to the amendment having been "to provide a watch indicating clock information and altitude information," the problem to be solved by the invention subsequent to the amendment has

become "reducing the thickness and weight of the movement." The problem to be solved subsequent to the amendment does not conceptually subordinate the problem to be solved prior to the amendment, and the types of the problems to be solved are not the same, etc., and therefore, the problems to be solved prior and subsequent to the amendment cannot be found to be technically closely related. Therefore, the problems to be solved by the invention prior and subsequent to the amendment are not the same.

[Case 14] Limitation of the matters specifying the invention/Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Electric tool device</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] An electronic tool device provided with each of separate handles (3 and 4) in a housing (2), said electronic tool device characterized in that battery packs (7 and 8) are provided in free end parts (5 and 6) of each of the handles (3 and 4).</p>	<p>What is claimed is: [Claim 1]<u>said electronic tool device characterized in that</u> ... are provided in free end parts (5 and 6) of each, and <u>comprising a change-over switch circuit which selects, for electric supply use, the battery pack that is in the higher charged state among the battery packs (7 and 8).</u></p>
<p>Overview of the descriptionit is possible to achieve weight balance.by providing a change-over switch circuit, it is also possible to allow efficient usage of the battery to be performed.</p>	<p>Overview of the description ...</p>
<p>Drawings </p>	<p>Drawings ...</p>

(Overview of the written opinion submitted by the applicant)

In claim 1 subsequent to the amendment, a limitation to add a change-over switch circuit was made. As a result, in the invention subsequent to the amendment, it was possible to perform efficient usage of the battery by using power from the battery in the better charged state, which is an exceptionally significant effect not in the cited invention.

[Conclusion]

Does not fall under restriction in a limited way of the claim....

[Explanation]

A change-over switch circuit cannot be found to conceptually subordinate either of the matters (for example, "battery packs provided in free end parts of each of the handles in the electronic tool device," "handles individually each provided in a housing in the electric tool device," etc.) specifying the invention prior to the amendment, and therefore cannot be considered to limit the matters specifying the invention.

Furthermore, in the invention prior to the amendment, the problem to be solved was to achieve balance of weight by distributing placement of the battery packs; however, in the invention subsequent to the amendment, the invention addresses the problem of efficiently using the batteries by using power from the battery in a superior charged state. This problem does not conceptually subordinate the problem to be solved prior to the amendment, and the types of the problems to be solved are not the same, etc., and therefore, the problems to be solved prior and subsequent to the amendment cannot be found to be technically closely related. Therefore, this amendment modifies the problem to be solved.

[Case 15] Limitation of the matters specifying the invention/Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Method of producing compound C	Title of Invention ...
What is claimed is: [Claim 1] A method of producing a compound C, comprising reacting a compound A and a compound B.	What is claimed is: [Claim 1] A method of producing a compound C, comprising reacting a compound A and a compound B <u>at 80°C or more.</u>
Overview of the description An object of the invention is to provide a novel method of producing a compound C. In working examples, The yield of the compound C can be increased by carrying out the reaction at a reaction temperature of 80°C or more.	Overview of the description ...

(Overview of the written opinion submitted by the applicant)

The amended claim 1 limited a method of producing a compound C under temperature conditions to react at 80°C or more. This allows the invention after the amendment to have a prominent effect of increasing the yield of the compound C, which the prior art does not have.

[Conclusion]

Does not fall under restriction in a limited way of the claim.

[Explanation]

This amendment is not limitation of any of the matters specifying the invention stated in the claim before the amendment.

Specifying the temperature is not considered to be a change of the matters specifying the invention in the claim simply stating "reacting a compound A and a compound B" without mentioning a temperature condition into a more specific concept.

Moreover, whereas the problem to be solved by the invention before the amendment is "to provide a novel method of producing a compound C", "to increase the yield of a compound C" is added to the problem after the amendment. The problem after the amendment is not a more specific concept of the problem before the amendment, nor a

similar concept. These problems are therefore not considered to be technically closely related. Thus, the problems to be solved by the invention before and after the amendment are not same.

[Case 16] Limitation of the matters specifying the invention/Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Rice cracker	Title of Invention ...
What is claimed is: [Claim 1] A rice cracker, wherein powdered soy protein, spice, seasoning and flour are added to minced squid to be used as ingredients,	What is claimed is: [Claim 1] A rice cracker, shaped as a squid, wherein powdered soy protein, spice, seasoning and flour are added to minced squid to be used as ingredients.
Overview of the description This invention has the purpose of providing a rice cracker of superior food texture. In the example, ... subsequent to adding ingredients and kneading, the same are formed into the shape of a squid, ... and the aspect that squid was the main ingredient was caused to be clearly seen on the basis of the shape.	Overview of the description ...

(Overview of the written opinion submitted by the applicant)

In claim 1 after amendment, the shape of the rice cracker was limited to shape of a squid. As a result, in the invention after amendment, an exceptionally significant effect of being able to clearly see that the main ingredient was squid on the basis of the shape, which was not in the prior art, was achieved.

[Conclusion]

Does not fall under restriction in a limited way of the claim.

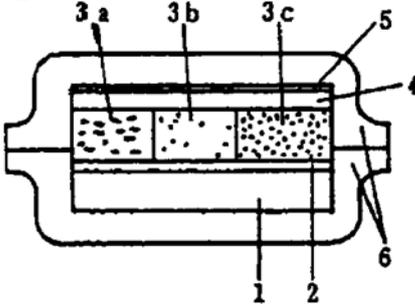
[Explanation]

Limiting the shape of a rice cracker is not a change of any of the matters specifying the invention (for example, the minced squid, the powdered soy protein, etc. used as ingredients in the rice cracker) stated in the claims before the amendment into a more specific concept, and therefore cannot be considered to limit the matters specifying the invention.

Furthermore, the problem to be solved by the invention, in the invention before the

amendment, was to provide a rice cracker of superior food texture, whereas in the problem to be solved by the invention after the amendment, an addition has been made of allowing the aspect of squid being the main ingredient to be clearly seen on the basis of the shape. This problem to be solved after the amendment is not a more specific concept of the problem to be solved before the amendment, nor a similar concept. Then, these problems cannot be considered to be technically closely related. Therefore, this amendment is determined to change the problem to be solved by the invention.

[Case 17] Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Planar light-emitting device	Title of Invention ...
What is claimed is: [Claim 1] A planar light-emitting device characterized in <u>covering, with moisture-proof film</u> , a light-emitting element comprising, so as to be sequentially stacked upon a glass substrate: a transparent electrode; luminescent layers; a dielectric layer; and a rear electrode.	What is claimed is: [Claim 1] A planar light-emitting device characterized <u>in covering, with moisture-proof film</u> : wherein said planar light-emitting device <u>comprises a plurality of luminescent layers for which the luminescent layers exhibit different emission colors</u> .
Overview of the description This invention has the purpose of preventing moisture in a planar light-emitting device. In the embodiment ... it is also possible to configure the invention from a plurality of luminescent layers which exhibit different emission colors. As a result, it is possible to achieve multicolor emission.	Overview of the description ...
[Explanation of the Drawings] 1...glass substrate; 2...transparent electrode; 3a, 3b, 3c...luminescent layers; 4...dielectric layer; 5...rear electrode; 6...moisture-proof film	Drawings ...
	Drawings ...

(Overview of the written opinion submitted by the applicant)

In claim 1 subsequent to the amendment, the luminescent layers are limited so as to comprise a plurality of luminescent layers exhibiting different emission colors. As a result, in the invention subsequent to the amendment, an exceptionally significant effect of being able to achieve multicolor emission, which was not in the cited invention, was achieved.

[Conclusion]

Does not fall under restriction in a limited way of the claim....

[Explanation]

The problem to be solved by the invention, in the invention prior to the amendment, was prevention of humidity, whereas subsequent to the amendment, achievement of multicolor emission has been newly added. This problem to be solved subsequent to the amendment does not conceptually subordinate the problem to be solved prior to the amendment, and the types of the problems to be solved are not the same, etc., and cannot be found to be technically closely related. As a result, this amendment changes the problem attempted to be solved by the invention.

[Case 18] Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Trump combination gaming device</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A trump combination gaming device characterized in that: <u>by way of activation signal generation means</u>, a control circuit is activated; a motor circuit is temporarily closed; a plurality of display drums, to which drawing paper depicting trump cards is attached, is temporarily rotated; the display drums and a drive shaft are drivingly coupled via a unidirectional clutch; subsequent to stopping of the motor, as a result of inertia of the display drums, the same are made to idle; and the displayed trumps on the display drums are caused to vary randomly.</p>	<p>What is claimed is: [Claim 1] <u>by way of activation signal generation means which generates an activation signal as a result of detecting incident light from a ray gun</u>,.....</p>
<p>Overview of the description The present invention has the purpose of providing a gaming device of a greater randomness than trump combination games in the prior art which, in a trump combination game using a plurality of drum display bodies, varies the displayed trumps randomly by causing each of the plurality of drum stopping positions to be independent even when using a single drive source. Moreover, as activation signal generation means which generates an activation signal, other than using an activation switch, it is also possible to configure the same so that optical input to an optical sensor is detected, and an activation signal is generated. In the case in which a detection signal of an optical sensor is used as activation signal generation means, it is possible to detect incident light of a ray gun to perform activation, and therefore, it is possible to use the same as a target of the ray gun.</p>	<p>Overview of the description ...</p>

(Overview of the written opinion submitted by the applicant)

In claim 1 subsequent to the amendment, the activation signal generation means is limited to generating an activation signal by detecting incident light from a ray gun. As a result, in the invention subsequent to the amendment, an exceptionally significant effect of being able to be used as a target for a ray gun, which was not in the cited invention, was achieved.

[Conclusion]

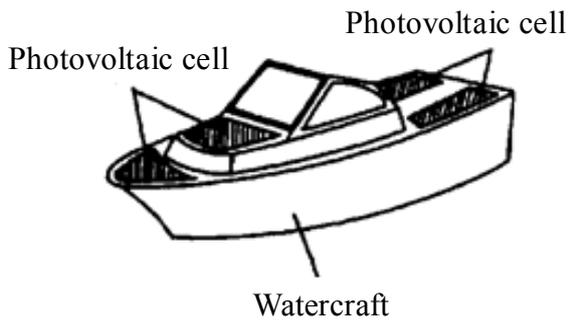
Does not fall under restriction in a limited way of the claim....

[Explanation]

The scope of the claims subsequent to the amendment limits "activation signal generation means" to "activation signal generation means that generates an activation signal by detecting incident light of a ray gun," and the limitation limits "activation signal generation means in a trump combination gaming device," which is a portion of matter specifying the invention stated in the claims prior to the amendment.

However, by the amendment, the problem to be solved by the invention has been changed from "acquiring a trump combination gaming device of significant randomness" prior to the amendment to "acquiring a trump combination gaming device that can be used as a target of a ray gun." The problem to be solved subsequent to the amendment does not conceptually subordinate the problem to be solved prior to the amendment, and the types of the problems to be solved are not the same, etc., and cannot be found to be technically closely related. As a result, this amendment changes the problem to be solved.

[Case 19] Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Cover sheet	Title of Invention ...
What is claimed is: [Claim 1] <u>A cover sheet formed with a translucent material</u> covering a watercraft, on the top of which a photovoltaic cell connected to a charger of a rechargeable battery is stretched.	What is claimed is: [Claim 1] <u>A cover sheet formed with a translucent material, for which the portion other than that positioned on the top of the photovoltaic cell comprises light-excluding material,</u>
Overview of the description This invention has the purpose of preventing occurrence of a dead battery and protecting a photovoltaic cell from wind and rain. In the embodiment, it is also possible to describe that for the cover sheet, ... <u>the portion other than that positioned on top of the photovoltaic cell is formed with a light-excluding material.</u> As a result, it is possible to protect the watercraft from the effects of ultraviolet light.	Overview of the description ...
Drawings 	Drawings ...

(Overview of the written opinion submitted by the applicant)

In claim 1 subsequent to the amendment, a cover sheet formed with a translucent material was limited so that the portion other than that positioned on top of the photovoltaic cell comprised a light-excluding material. As a result, in the invention subsequent to the amendment, an exceptionally significant effect of being able to protect the watercraft from the effects of ultraviolet light, which was not in the cited invention, was achieved.

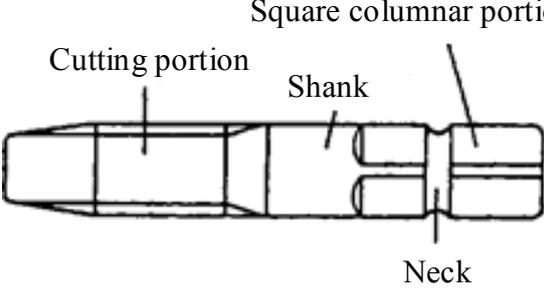
[Conclusion]

Does not fall under restriction in a limited way of the claim....

[Explanation]

In the invention prior to the amendment, the problem to be solved was "preventing occurrence of a dead battery and protecting a photovoltaic cell from wind and rain." However, subsequent to the amendment, a problem to be solved of "protecting a watercraft from the effects of ultraviolet light" has been newly added. This problem to be solved does not conceptually subordinate the problem to be solved prior to the amendment, and the types of the problems to be solved are not the same, etc., and therefore cannot be found to be technically closely related. As a result, this amendment changes the problem to be solved.

[Case 20] Identity of the problems to be solved (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Tap</p> <p>What is claimed is: A tap provided with a neck in the shank.</p>	<p>Title of Invention ...</p> <p>What is claimed is: A tap <u>provided with a neck in the shank, wherein the square columnar portion of the shank is extended across both sides of the neck.</u></p>
<p>Overview of the description</p> <p>When an overload is exerted on the tap, by causing stress concentration to occur on the neck part, breakage occurs at the shank part, preventing the tap from collapsing within a work. As a result, it is possible to easily find a defective product pierced by a bent tap, and therefore, it is possible to allow easy finding of a tap having collapsed.</p> <p>Subsequent to breakage at a neck part of a tap, by allowing a square columnar portion of the remaining portion to be gripped by a tap handle, the broken tap can be easily rotated and extracted. As a result, facilitation of gripping and extracting the broken tap can be achieved.</p>	<p>Overview of the description ...</p>
<p>Drawings</p> 	<p>Drawings ...</p>

(Overview of the written opinion submitted by the applicant)

In claim 1 subsequent to the amendment, the shape of the shank is limited so that the square columnar portion of the shank is extended across both sides of the neck. As a

result, in the invention subsequent to the amendment, an exceptionally significant effect of being able to achieve facilitation of gripping and extracting a broken tap, which was not in the cited invention, was achieved.

[Conclusion]

Does not fall under restriction in a limited way of the claim....

[Explanation]

The problem attempted to be solved by the invention, in the invention prior to the amendment, is to generate stress concentration at a neck portion provided at an arbitrary location on a shank so as to cause breakage at the neck portion, thus preventing only a cutting portion of a tap from collapsing within a work. Namely, by breaking the tap with a part of the tap protruding outside the work, it is possible to easily find a defective product pierced by a bent tap. As a result, it is possible to allow easy finding of a tap having collapsed. In contrast, in the invention subsequent to the amendment, an additional problem to be solved was added in which, if the neck was provided near the center of the square columnar portion of the shank, then subsequent to breakage of the tap at the neck portion, the square columnar portion of the remaining portion could be gripped by a tap handle, thus allowing the broken tap to be easily rotated and extracted, and therefore, gripping and extracting the broken tap could be facilitated. This problem to be solved subsequent to the amendment does not conceptually subordinate the problem to be solved prior to the amendment, and the types of the problems to be solved are not the same, etc., and therefore cannot be found to be technically closely related. As a result, this amendment changes the problem to be solved.

[Case 21] Identity of the field of industrial application (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention <u>Flat display panel</u>	Title of Invention <u>Plasma display panel</u>
What is claimed is: [Claim 1] <u>A flat display panel</u> having a terminal for control and ...	What is claimed is: [Claim 1] <u>A plasma display panel</u> having a terminal for control ...
Overview of the description ... Where the foregoing example is a case applying the present invention to a plasma display panel, it is clear that the application of the present invention to other flat panel displays would result in the same effect.	Overview of the description ...

[Conclusion]

Falls under restriction in a limited way of the claim.

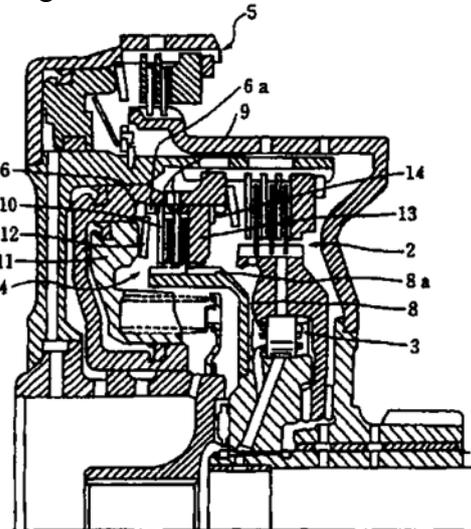
[Explanation]

The amendment modifies “A flat display panel” to “A plasma display panel.”

However, “A plasma display panel” falls under the category of “A flat display panel.” It is, therefore, considered that a close technical relation exists between the technical fields of the inventions before and after amendment. Thus, it is considered that the field of industrial application in the invention before amendment is the same as that of the invention after amendment.

In addition, this amendment can be considered to make more specific the entire means to solve the problem in the invention before amendment: “A flat display panel having terminal for control and ...” Therefore this amendment can be considered to restrict the matters used to define the invention. In addition, problems to be solved by the invention are not changed before and after amendment.

[Case 22] Identity of the field of industrial application (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Clutch	Title of Invention Clutch <u>for automatic transmission</u>
What is claimed is: [Claim 1] <u>A clutch</u> comprising a rotary shaft ...	What is claimed is: [Claim 1] <u>A clutch for automatic transmission</u> comprising a rotary shaft ...
Drawings 	Drawings ...

[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

Automatic transmission is one of the most representative devices incorporating a clutch. Thus, a clutch and a clutch for automatic transmission are technically closely related and fall under the relevant technical field to the inventions.

This amendment can be considered to make the entire means to solve the problem before the amendment, “A clutch comprising a rotary shaft ...” more specific. Therefore this amendment can be considered to restrict the matters used to define the invention before the amendment. In addition, the same problem to be solved by the invention exists in statements before and after the amendment.

[Case 23] Identity of the field of industrial application (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention <u>Toiletries</u>	Title of Invention <u>Lotion</u>
What is claimed is: [Claim 1] <u>Toiletries</u> comprising: (a) A poly-hydric alcohol (b) Urea (c) An anionic surfactant (d) A cationic surfactant blended.	What is claimed is: [Claim 1] <u>Lotion</u> comprising: (a) A poly-hydric alcohol (b) Urea (c) An anionic surface active agent (d) A cationic surface-active agent blended.
Overview of the description ... Toiletries include, for example, latex lotion, cream, lotion, hair tonic, cleansing cream, shampoo, hair rinse and others.	Overview of the description ...

[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

In the amendment, the technical fields of the inventions are modified from toiletries to lotion.

However, the most typical of various toiletries falls under the more specific concept of lotion. It is, therefore, considered that a close relationship in terms of a technical point of view exists between the technical fields of the inventions before and after amendment. Thus, it is considered that the same field of industrial application of the invention exists between the invention before amendment and the invention after amendment.

In addition, the amendment can be considered to make more specific “Toiletries comprising: (a) a poly-hydric alcohol ... (d) A cationic surfactant blended,” which is the entire specified item of the invention before amendment. Therefore this amendment can be considered to restrict the matters used to define the invention before amendment.

In addition, the same problem to be solved by the invention exists before and after amendment.

[Case 24] Identity of the field of industrial application (The amendment does not fall under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Surfactant A	Title of Invention Surfactant A <u>for insecticide</u>
What is claimed is: [Claim 1] A surfactant comprising substance A.	What is claimed is: [Claim 1] A surfactant <u>for an insecticide</u> comprising substance A.
Overview of the description This surfactant is used in detergents, emulsifiers, dispersants, and others, and falls under the category of ordinary application utilizing its surfactant activity. ... In addition, this surfactant activity may be used advantageously in an insecticide.	Overview of the description ...

[Conclusion]

Does not fall under restriction in a limited way of the claim....

[Explanation]

A surfactant for insecticide falls under the specific application of a surfactant, and is not a typical application for a surfactant. In addition, no special relation exists between the technical fields the “the surfactant” and the technical fields of “insecticide.” It is, therefore, not considered that a close technical relation exists between the technical fields of “the surface active agent” and the technical fields of “surfactant for insecticide.” Thus, the field of industrial application of the invention before amendment is not the same as the field of industrial application of the invention after amendment.

[Case 25] Identity of the field of industrial application (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
Title of Invention Chord for an electric <u>stringed musical instrument</u>	Title of Invention Chord for an electric <u>guitar</u>
What is claimed is: [Claim 1] <u>A chord for an electric stringed musical instrument</u> comprising bronze plating on a steel wire, cast iron and a film made of an anticorrosive alloy, and a nickel-plated layer formed on said plated layer.	What is claimed is: [Claim 1] <u>A chord for an electric guitar...</u>
Overview of the description ... the chord for the electric stringed musical instrument of the present invention has a high anticorrosion property. Thus, said chord is suitable as a chord for an electric stringed musical instrument, including an electric guitar, violin, and other stringed instruments, because of problems from corrosion caused by hand perspiration. Said chord for the electric stringed musical instrument is less vulnerable to corrosion related to room environment and is also suitable as a chord for an electric piano.	Overview of the description ...

[Conclusion]

Falls under restriction in a limited way of the claim.

[Explanation]

In the amendment, the technical fields of the invention modify the chord for an electric stringed musical instrument to a chord for an electric guitar.

However, since the most typical of various stringed musical instruments is the guitar, it is considered that a close technical relationship exists between the technical fields of the inventions before modification and that of the invention after amendment. Thus, it is considered that the field of industrial application for the invention before and after amendment are the same.

In addition, the amendment can be considered to make more specific “A chord for the electric stringed musical instrument ... on said plated layer,” which is the entire means for solving the problem of the invention before amendment. Therefore this amendment can

Annex A Cases pertinent to amendments for other than the purpose of the amendment

be considered to restrict matters used to define the invention before amendment.

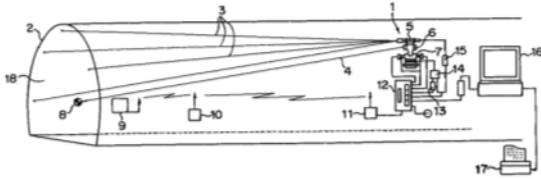
In addition, problems to be solved by the invention are not changed in the invention before amendment or the invention after amendment.

7.2 Corrections of Errors/clarification of an ambiguous statement

[Case 26] Correction of errors (The amendment falls under corrections of errors)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Marking method for face cross-section</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A marking method for a face cross-section characterized in comprising an operation control apparatus (16) which, on the basis of angle measurement distance measurement information and face cross-section shape information from a total station (6), activates a drive apparatus (7) and moves a laser illuminator (1) in a vertical direction and a horizontal direction, wherein the operation processing apparatus (16) calculates a work reference point and performs marking.</p>	<p>What is claimed is: [Claim 1]A marking method for a face cross-section characterized in comprising an operation control apparatus (16)..., wherein <u>the operation control apparatus</u> (16) calculates a work reference point and performs marking.</p>
<p>Overview of the description The problem to be solved by the present invention is to provide a marking method for a face cross-section which, without being affected by the state of the face cross-section, can perform marking of a work reference point accurately on the face cross-section even on a curved segment, and which can achieve distance measurement, angle measurement, and laser irradiation using a single laser illuminator. The operation control apparatus calculates a work reference point, activates a drive apparatus on the basis of angle measurement distance measurement information and face cross-section shape information from a total station, and moves a laser illuminator in the vertical direction and the horizontal direction.</p>	<p>Overview of the description and Drawing ...</p>

Drawings



[Conclusion]

Falls under correction of errors.

[Explanation]

For the amendment to change "the operation processing apparatus" to "the operation control apparatus," there is no statement of an "operation processing apparatus" prior to the statement of "the operation processing apparatus"; instead "an operation control apparatus (16) which, on the basis of angle measurement distance measurement information and face cross-section shape information from a total station (6), activates a drive apparatus (7) and moves a laser illuminator (1) in a vertical direction and a horizontal direction" is described, and even in the detailed explanation of the invention, "an operation control apparatus calculates a work reference point" is stated, and therefore, correction of errors in the description is relevant.

[Case 27] Correction of errors (The amendment falls under corrections of errors)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Method for producing single crystal</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A method for producing a S single crystal by a Czochralski method comprising: contacting a seed crystal with a starting material melt containing a dopant placed in a crucible; and forming a conical part and subsequently a cylindrical part to grow an n-type single crystal having a specific resistance of less than 0.05 $\Omega\text{-cm}$ and a crystallographic orientation of <100>.</p>	<p>What is claimed is: [Claim 1] A method for producing a Si single crystal by a Czochralski method comprising: contacting a seed crystal with a starting material melt containing a dopant placed in a crucible; and forming a conical part and subsequently a cylindrical part to grow an n-type single crystal having a specific resistance of less than 0.05 $\Omega\text{-cm}$ and a crystallographic orientation of <100>.</p>
<p>Overview of the description The development of n-type Si single crystalline substrates having a low specific resistance and being doped with a volatile dopant at a high density to be used as substrates for power MOS semiconductors has become important. The Si single crystalline substrates are obtained mainly by slicing a Si single crystal rod prepared by the Czochralski method. When Si single crystals are produced by the Czochralski method, a quartz crucible in a chamber is first filled with a starting material such as polycrystalline Si, then a dopant is added, and these are heated at the melting point (approximately 1,420 degrees Celsius) or more by a heater to form a starting material melt. After that, a seed crystal maintained on a seed holder extending from the top of the chamber is contacted with the starting material melt, and a single crystal is grown by pulling up the seed crystal slowly with rotation.</p>	<p>Overview of the description ...</p>
<p>(In the description of the invention, the phrase "S single crystal" is not used, but the phrase "Si single crystal" is consistently used.)</p>	

[Conclusion]

Falls under correction of errors.

[Explanation]

The technique to produce S (sulfur) single crystal by the Czochralski method stated in claim 1 before the amendment is not known. Moreover, S is a nonmetallic element, and does not form an n-type single crystal having a specific resistance of $0.05 \Omega \cdot \text{cm}$ or less. Based on this, it is apparent that there is an error in the description of claim 1 before the amendment.

As for the statement in the description, the element forming the single crystal is consistently described as Si, and no technical contradiction is found in the statement of the description. Therefore, from the contents of the statement in the description, the position of the error in the description of claim 1 before the amendment and the correct description thereof are uniquely recognizable.

Therefore, the amendment to change S stated in claim 1 before the amendment to Si is accepted as a correction of an error in the description.

[Case 28] Correction of errors (The amendment falls under corrections of errors)

Description etc. before amendment	Description etc. after amendment																																																																						
Title of Invention	Title of Invention																																																																						
Aqueous detergent composition	...																																																																						
What is claimed is:	What is claimed is:																																																																						
[Claim 1]	[Claim 1]																																																																						
<p>An aqueous detergent composition comprising an emulsifier, a separation agent comprising an anionic polymer, and a cationic surfactant having a hydrophilic group moiety comprising a quaternary ammonium base and a lipophilic group moiety comprising a carbon chain; and having an oil separability characterized in that the HLB value of the cationic surfactant as determined by the Davies' method is 26.4 or more.</p>	<p>An aqueous detergent composition comprising an emulsifier, a separation agent comprising an anionic polymer, and a cationic surfactant having a hydrophilic group moiety comprising a quaternary ammonium base and a lipophilic group moiety comprising a carbon chain; and having an oil separability characterized in that the HLB value of the cationic surfactant as determined by the Davies' method is <u>6.4 or less</u>.</p>																																																																						
Overview of the description	Overview of the description																																																																						
<p>The HLB value as determined by the Davies' method is calculated by the following formula.</p>	...																																																																						
<p>Formula (1): $HLB = 7 + (\text{sum of group numbers of hydrophilic groups}) + (\text{sum of group numbers of lipophilic groups})$</p> <p>.....</p>																																																																							
<p>The higher the carbon number of the lipophilic group moiety is, the lower the HLB value of the cationic surfactant is, and therefore the more preferable is the cationic surfactant, having the improved oil separability.</p>																																																																							
[Examples]	[Examples]																																																																						
<table border="1"> <thead> <tr> <th>n*</th> <th>α^*</th> <th>β^*</th> <th>HLB</th> <th>Evaluation of oil separability</th> </tr> </thead> <tbody> <tr> <td>17</td> <td>9.4</td> <td>8.1</td> <td>24.5</td> <td>not good</td> </tr> <tr> <td>19</td> <td>9.4</td> <td>9.0</td> <td>25.4</td> <td>not good</td> </tr> <tr> <td>21</td> <td>9.4</td> <td>10.0</td> <td>26.4</td> <td>good</td> </tr> <tr> <td>23</td> <td>9.4</td> <td>10.9</td> <td>27.3</td> <td>good</td> </tr> <tr> <td>25</td> <td>9.4</td> <td>11.9</td> <td>28.3</td> <td>good</td> </tr> <tr> <td>27</td> <td>9.4</td> <td>12.8</td> <td>29.2</td> <td>good</td> </tr> </tbody> </table>	n*	α^*	β^*	HLB	Evaluation of oil separability	17	9.4	8.1	24.5	not good	19	9.4	9.0	25.4	not good	21	9.4	10.0	26.4	good	23	9.4	10.9	27.3	good	25	9.4	11.9	28.3	good	27	9.4	12.8	29.2	good	<table border="1"> <thead> <tr> <th>n*</th> <th>α^*</th> <th>β^*</th> <th>HLB</th> <th>Evaluation of oil separability</th> </tr> </thead> <tbody> <tr> <td>17</td> <td>9.4</td> <td><u>-8.1</u></td> <td><u>8.3</u></td> <td>not good</td> </tr> <tr> <td>19</td> <td>9.4</td> <td><u>-9.0</u></td> <td><u>7.4</u></td> <td>not good</td> </tr> <tr> <td>21</td> <td>9.4</td> <td><u>-10.0</u></td> <td><u>6.4</u></td> <td>good</td> </tr> <tr> <td>23</td> <td>9.4</td> <td><u>-10.9</u></td> <td><u>5.5</u></td> <td>good</td> </tr> <tr> <td>25</td> <td>9.4</td> <td><u>-11.9</u></td> <td><u>4.5</u></td> <td>good</td> </tr> <tr> <td>27</td> <td>9.4</td> <td><u>-12.8</u></td> <td><u>3.6</u></td> <td>good</td> </tr> </tbody> </table>	n*	α^*	β^*	HLB	Evaluation of oil separability	17	9.4	<u>-8.1</u>	<u>8.3</u>	not good	19	9.4	<u>-9.0</u>	<u>7.4</u>	not good	21	9.4	<u>-10.0</u>	<u>6.4</u>	good	23	9.4	<u>-10.9</u>	<u>5.5</u>	good	25	9.4	<u>-11.9</u>	<u>4.5</u>	good	27	9.4	<u>-12.8</u>	<u>3.6</u>	good
n*	α^*	β^*	HLB	Evaluation of oil separability																																																																			
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* n: carbon number of lipophilic group moiety	* n: carbon number of lipophilic group moiety																																																																						

α : sum of group numbers of hydrophilic groups
 β : sum of group numbers of lipophilic groups

α : sum of group numbers of hydrophilic groups
 β : sum of group numbers of lipophilic groups

[Common general knowledge]

The HLB (hydrophile-lipophile balance) value is a numerical value indicating the balance of the strengths of hydrophilic groups and lipophilic groups (hydrophobic groups) in a surfactant molecule. The higher the HLB value is, the more hydrophilic, it indicates, the surfactant is. And, the lower the HLB value, the more lipophilic, it indicates, the surfactant is.

Several formulas for calculating the HLB value are known, and one of them is of the Davies' method. The Davies' method defines group numbers of hydrophilic and lipophilic groups constituting surfactants and make possible to calculate the HLB value by the following formula (1).

Formula (1): $HLB = 7 + (\text{sum of group numbers of hydrophilic groups}) + (\text{sum of group numbers of lipophilic groups})$

In the formula (1), "sum of group numbers of hydrophilic groups" is a positive value, and "sum of group numbers of lipophilic groups" is a negative value. The larger the sum of group numbers of hydrophilic groups is, the stronger its hydrophilicity is, that is, the higher the HLB value is. The smaller the sum of group numbers of lipophilic groups is, the stronger its lipophilicity is, that is, the lower the HLB value is.

Meanwhile, the following formula (2) is also known as a formula of the Davies' method and, in the formula (2), "sum of group numbers of lipophilic groups" is a positive value.

Formula (2): $HLB = 7 + (\text{sum of group numbers of hydrophilic groups}) - (\text{sum of group numbers of lipophilic groups})$

The group number of the quaternary ammonium base, a hydrophilic group, is 9.4 and the group number of the lipophilic group is uniformly -0.475 (or 0.475) per carbon number.

[Conclusion]

Falls under correction of errors.

[Explanation]

This amendment changes the numerical range "26.4 or more" for the HLB value of the cationic surfactant stated in the claim to "6.4 or less" as well as the plus values of the sums of group numbers of lipophilic groups \square in the list in the working examples disclosed

in the statement in the description of the invention to the minus values of the same numbers, and therefore the calculation results of the HLB values in the list.

The HLB value calculated by a formula of the Davies' method represents the balance of the strengths of hydrophilic and lipophilic groups. Therefore, in both the cases using the formula (1) or the formula (2), it is necessary to calculate the difference between the strength of hydrophilic groups and the strength of lipophilic groups. It is apparent that the HLB values in the working examples before the amendment, which was calculated by simply adding the both strengths.

When the formula (1) is used, the sum of group numbers of lipophilic groups \square in the table in the working examples should be expressed with the negative sign and the absolute values of the sum of group numbers of lipophilic groups are uniquely determined by the chemical structures. Therefore, the correct HLB values are calculated from the correct values of the sum of group numbers of lipophilic groups \square .

In the statement in the description of the invention, it is disclosed that the higher the carbon number of the lipophilic group moiety is, the lower the HLB value of the cationic surfactant is, and therefore the more preferable is the cationic surfactant, having the improved oil separability. From the working examples, it can be confirmed that those having a carbon number of the lipophilic group moiety of 21 or more are preferred examples excellent in the evaluation of oil separability. Thus, it is apparent that the numerical range of "26.4 or more" for the HLB value stated in the claim before the amendment was intended to indicate cationic surfactants with a carbon number of the lipophilic group moiety of 21 or more.

It is also apparent that the numerical range for the HLB value of the aforementioned cationic surfactant should have been "6.4 or less," indicating that 6.4 is the upper limit, but not "26.4 or more," indicating 26.4 is the lower limit, before the amendment, because the correct number of the HLB value for the cationic surfactant with a carbon number of the lipophilic group moiety of 21 is 6.4 but not 26.4, and it was also disclosed in the statement in the description of the invention that the higher the carbon number of the lipophilic group moiety, the lower the HLB value is.

[Case 29] Correction of errors (The amendment falls under corrections of errors)

Description etc. before amendment	Description etc. after amendment
Title of Invention Sealant composition	Title of Invention ...
What is claimed is: [Claim 1] A sealant composition comprising 100 parts by mass of a polysulfide polymer, 15-55 parts by mass of a polysulfide polyether polymer and 1-10% by mass of silica.	What is claimed is: [Claim 1] A sealant composition comprising 100 parts by mass of a polysulfide polymer, 15-55 parts by mass of a polysulfide polyether polymer and 1-10 <u>parts</u> by mass of silica.
Overview of the description The sealant composition comprises 100 parts by mass of a polysulfide polymer, 15-55 parts by mass of a polysulfide polyether polymer and 1-10 parts by mass of silica.	Overview of the description ...

[Examples]

		Working example			Comparative example
		1	2	3	1
component (parts by mass)	polysulfide polymer	100	100	100	100
	polysulfide polyether polymer	20	30	40	50
	silica	1	4	8	12
Evaluation	Resistance to hot water	good	good	good	good
	Workability	good	good	good	not good

(In the statement in the description of the invention, the content of silica in sealant compositions was consistently expressed in parts by mass, but there is no statement expressed in % by mass.)

[Conclusion]

Falls under correction of errors.

[Explanation]

This amendment changes the numerical range "1-10% by mass" for the content of silica to "1-10 parts by mass."

In the statement in the description of the invention, the content of silica in sealant compositions is consistently expressed in the unit "parts by mass," but not in the unit "%

by mass." Also in the table in the working examples, the content of silica is expressed in parts by mass.

Referring to the working examples and comparative examples described in the aforementioned table, the content of silica in the sealant composition of the working example 1 is calculated to be $1/(100 + 20 + 1) \times 100 \doteq 0.8\%$ by mass and therefore, if the numerical range "1-10% by mass" stated in the claim is supposed to be correct, there would be a contradiction because the calculated value for the working example is out of the range "1-10% by mass." The content of silica in the comparative example 1 is calculated to be $12/(100 + 50 + 12) \times 100 \doteq 7.4\%$ by mass, which would also contradict with the supposition because the calculated value for the comparative example is in the range "1-10% by mass."

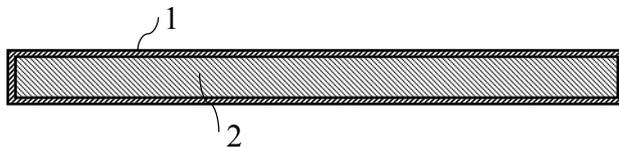
Based on the foregoing, it is apparent that "1-10% by mass" is an error for "1-10 parts by mass." Therefore, this amendment is accepted as a correction of an error in the description.

[Case 30] Correction of errors (The amendment falls under corrections of errors)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Galvanized steel sheet</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A galvanized steel pipe on which a galvanized layer is formed upon a steel sheet surface, wherein the steel sheet is manufactured by pickling hot-rolled steel sheet that has undergone a hot-rolling step.</p>	<p>What is claimed is: [Claim 1] a galvanized steel sheet</p>
<p>Overview of the description The invention relates to a steel sheet used, for example, for automobile panels, underbodies, etc., as well as for the manufacturing method for the steel sheet. ... Using a pickled hot-rolled steel sheet that had undergone a conventional hot-rolling step as material, hot dip galvanizing was performed. The acquired galvanized steel sheet was free from unplating defect, etc., and was superior.</p>	<p>Overview of the description ...</p>
<p>(It is presumed that, consistently throughout the description of the invention, there are no descriptions of a galvanized steel pipe.)</p>	

Drawings

Fig. 1



[Conclusion]

Falls under correction of errors.

[Explanation]

This amendment changes "steel pipe" in the claim prior to the amendment to "steel sheet." The statement of "steel pipe" in the claim prior to the amendment does not match the aspect that the beginning of the claim prior to the amendment was "steel sheet" and the

statement that the part on which the galvanized layer is formed is the surface of the steel sheet. Furthermore, in the description of the invention, it is uniformly stated that galvanizing is performed on a steel sheet, and there are no descriptions relating to a galvanized steel pipe. Then, it is reasonable to interpret the claimed invention prior to the amendment as an invention relating to a steel sheet, and therefore, the amendment can be found to be a correction of errors in the description.

[Case 31] Correction of errors (The amendment does not fall under corrections of errors)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Galvanized steel sheet</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A galvanized steel <u>pipe</u> on the surface of which is formed a hot dip galvanized layer.</p>	<p>What is claimed is: [Claim 1] A galvanized steel <u>sheet</u> on the surface of which is formed a hot dip galvanized layer.</p>
<p>Overview of the description The invention relates to a steel sheet and steel pipe used, for example, for automobile panels, underbodies, etc., as well as for the manufacturing method for the same.</p> <p>.....</p>	<p>Overview of the description ...</p>
<p>[Example 1] Using a pickled hot-rolled steel that had undergone a conventional hot-rolling step as material, hot dip galvanizing was performed. The acquired galvanized steel sheet was free from unplating defect, etc., and was superior.</p>	
<p>[Example 2] The hot dip galvanized steel sheet of Embodiment 1 is formed into a steel pipe and welded, by which a galvanized steel pipe was fabricated.</p>	

Drawings

Fig. 1

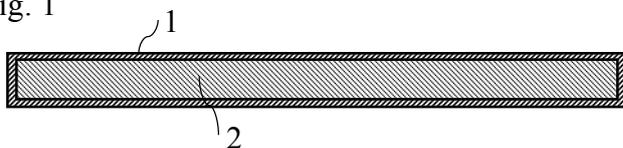
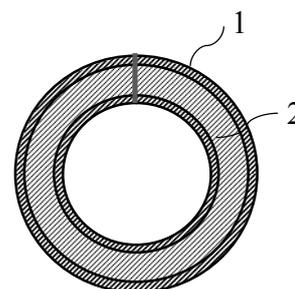


Fig. 2



[Conclusion]

Does not fall under correction of errors.

[Explanation]

This amendment changes "steel pipe" in the claim prior to the amendment to "steel sheet."

In the description of the invention, besides performing galvanizing to a steel sheet,

fabricating a galvanized steel pipe from a galvanized steel sheet by welding is manifested. Then, it is not possible to find that "steel pipe" in claim 1 is an error of "steel sheet," and therefore, this amendment is not relevant to an error in the description.

[Measures of the applicant]

With regard to the invention related to a "galvanized steel sheet," a divisional application is to be submitted.

[Case 32] Correction of errors (The amendment does not fall under corrections of errors)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Nonaqueous electrolyte solution</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A nonaqueous electrolyte solution comprising 1.0-5.0% by mass of vinylene carbonate as an additive ...</p>	<p>What is claimed is: [Claim 1] A nonaqueous electrolyte solution comprising 0.1-5.0% by mass of vinylene carbonate as an additive ...</p>
<p>Overview of the description ...The nonaqueous electrolyte solution comprises 0.1-5.0% by mass of vinylene carbonate as an additive.</p>	<p>Overview of the description ...</p>
<p>(In working examples, 1.0, 1.5, 2.0, 3.0, and 4.5% by mass of vinylene carbonate are added to the nonaqueous electrolyte solution, while 0.09% by mass is stated in the comparative example that is not sufficiently effective. Moreover, no well-founded reasons are specifically stated in the detailed description of the invention to consider "0.1% by mass" is suitable as the lower limit of the range of an amount to be added.)</p>	

(Applicant's explanation of reason for amendment)

A simple explanation only stating that the range of an amount of vinylene carbonate to be added stated in claim 1 is an error in writing for "0.1-5.0% by mass" stated in the detailed description of the invention is provided.

[Conclusion]

Does not fall under correction of errors.

[Explanation]

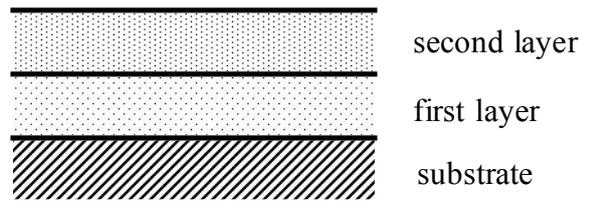
From the description, claims or drawings, it is not considered to be apparent whether the content of vinylene carbonate in the statement of the claim 1 was originally intended to be either "1.0-5.0% by mass" or "0.1-5.0% by mass."

Even in consideration of the common general knowledge, both 1.0% by mass and 0.1% by mass are the numerical values that can be used as an amount of an additive

contained in a nonaqueous electrolyte solution. Thus, the value "1.0% by mass" in claim 1 is not directly considered to be incorrect.

Moreover, the description has no working examples to support that the invention having the amount of the range of "0.1-1.0% by mass" has the similar effect to the invention having the range of "1.0-5.0% by mass" before the amendment. Also, the comparative example of "0.09% by mass," which appears to be relatively close to the lower limit of the range after the amendment "0.1% by mass," is not determined to have a sufficient effect similar to that of the range of 1.0-5.0% by mass before the amendment. Therefore, it is most likely that the effect of the invention according to claim 1 is modified by amendment of the amount of the additive. Thus, this amendment is not recognized as a correction of an error in the description only from the applicant's explanation of reason for the amendment.

[Case 33] Clarification of an ambiguous statement (The amendment (does not) fall under clarification of an ambiguous statement)

Description etc. before amendment	[Amendment 1] Description etc. after amendment
<p>Title of Invention Method of coating with substance A</p> <p>What is claimed is: [Claim 1] A method of coating a surface of a substrate with a substance A <u>at different concentrations.</u></p> <p>Overview of the description A solution X containing a substance A, a solvent, and a polymer is applied to a surface of a substrate to coat the surface of the substrate with a first layer of the polymer and the substance A dispersed in the polymer. On the first layer, a solution Y containing the substance A at a concentration different from that of the solution X is applied to coat the first layer with a second layer different from the first layer in the concentration of the substance A.</p> <p>Figure</p>  <p style="margin-left: 300px;">second layer first layer substrate</p>	<p>Title of Invention ...</p> <p>What is claimed is: [Claim 1] A method of coating a surface of a substrate with a substance A <u>at a first concentration and at a second concentration different from the first concentration.</u></p>
	<p>[Amendment 2] Description etc. after amendment</p> <p>Title of Invention ...</p> <p>What is claimed is: [Claim 1] A method of coating a surface of a substrate with <u>a first layer comprising a substance A at a first concentration, and coating the first layer with a second layer comprising the substance A at a second concentration different from the first concentration.</u></p>

[Overview of Reason for Refusal]

It is pointed out that the statement "coating ... with a substance A at different concentrations" in claim 1 is ambiguous in its meaning.

[Conclusion]

[Amendment 1] Does not fall under clarification of an ambiguous statement.

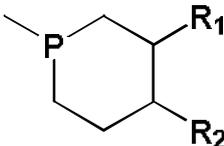
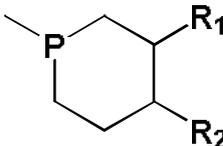
[Amendment 2] Falls under clarification of an ambiguous statement.

[Explanation]

By [Amendment 1], "at different concentrations" is amended to "at a first concentration and at a second concentration different from the first concentration." The latter is still ambiguous in what state the first concentration and the second concentration coexist (it may be possible to mean not only the coexistence in a multilayered configuration: but also something different from the meaning intended in the statement, for example, the coexistence in a way the concentrations are different in the areas of the substrate). Therefore, this amendment is not considered to clarify the meaning intended in the statement "coating ... with a substance A at different concentrations."

By [Amendment 2], the meaning intended in the statement "coating ... with a substance A at different concentrations" is clarified.

[Case 34] Clarification of an ambiguous statement (The amendment falls under clarification of an ambiguous statement)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Phosphane derivative</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A compound represented by the following formula:</p>	<p>What is claimed is: [Claim 1] A compound represented by the following formula:</p>
	
<p>wherein R₁ = alkyl; and R₂ = alkoxy or hydroxy.</p>	<p>wherein R₁ = alkyl, <u>alkenyl, or alkynyl</u>; and R₂ = alkoxy or hydroxy.</p>
<p>[Claim 2] The compound according to claim 1, wherein R₁ is alkyl selected from ethyl, vinyl, and acetylene.</p>	<p>[Claim 2] The compound according to claim 1, wherein R₁ is alkyl, <u>alkenyl, or alkynyl</u> selected from ethyl, vinyl, and acetylene.</p>
<p>Overview of the description Alkyl is a saturated or unsaturated hydrocarbon chain. Moreover, as working examples, compounds in which R₁ is ethyl, vinyl, or acetylene are stated.</p>	<p>Overview of the description ...</p>

[Overview of Reason for Refusal]

In claim 1, "alkyl" is stated as R₁. It is generally the common general knowledge that "alkyl" refers to saturated hydrocarbon chains, and does not encompass any unsaturated hydrocarbon chain. However, the description of the invention contains a definition of "alkyl" in R₁ that it has a meaning different from the usual meaning that unsaturated hydrocarbon chains are encompassed. Therefore, it is unclear whether "alkyl" in R₁ in claim 1 encompasses unsaturated hydrocarbon chains or not and the invention claimed in claim 1 is not clear.

Moreover, in claim 2, unsaturated hydrocarbon chains such as vinyl and acetylene are stated as "alkyl" for R₁. However, R₁ in claim 2 is not clear because the term "alkyl" is used in a meaning different from the usual meaning, as above.

[Conclusion]

Falls under clarification of an ambiguous statement.

[Explanation]

The statements of claims 1 and 2 are in contradiction in the relation with the common general knowledge and the statement of the description, as described above.

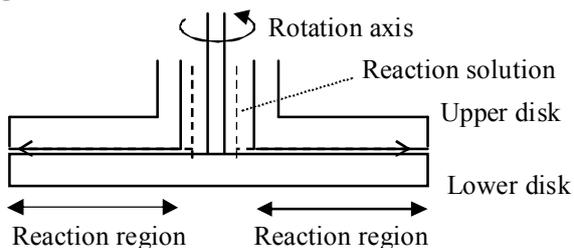
Therefore the applicant amended the statement "alkyl" to the statement "alkyl, alkenyl, or alkynyl," but the originally attached description etc. do not have any explicit statement on "alkenyl" and "alkynyl."

However, in the description of the invention, it is stated that "alkyl is a saturated or unsaturated hydrocarbon chain." Therefore, in consideration that the unsaturated hydrocarbon chain is "alkenyl" or "alkynyl," and that in claim 2 and the working examples before the amendment, vinyl and acetylene, which are specific examples of "alkenyl" and "alkynyl," are stated, the amendment to change "alkyl" to "alkyl, alkenyl, or alkynyl" is recognized as clarification of an ambiguous description.

[Case 35] Clarification of an ambiguous statement (The amendment falls under clarification of an ambiguous statement)

Description etc. before amendment	Description etc. after amendment
<p data-bbox="180 392 794 436">Title of Invention</p> <p data-bbox="180 436 794 481">Fluid reaction apparatus</p> <p data-bbox="180 504 794 548">What is claimed is:</p> <p data-bbox="180 548 794 593">[Claim 1]</p> <p data-bbox="180 593 794 918">A method for reacting a solution A and a solution B to precipitate a particle C, comprising: ... passing through a reaction region, which is the gap between an upper disk and a lower disk, for 30 to 60 seconds to precipitate the particle C under conditions for producing ultrafine particles having an average particle diameter of 10-50 nm.</p>	<p data-bbox="794 392 1418 436">Title of Invention</p> <p data-bbox="794 436 1418 481">...</p> <p data-bbox="794 504 1418 548">What is claimed is:</p> <p data-bbox="794 548 1418 593">[Claim 1]</p> <p data-bbox="794 593 1418 1030">A method for reacting a solution A and a solution B to precipitate a particle C, comprising: ... <u>preparing a solution A at a concentration of 0.1-0.2 mol/L and a solution B at a concentration of 0.3-0.5 mol/L</u>; and passing a reaction region <u>at a temperature of 100-150°C</u> for 30 to 60 seconds, the reaction region being the gap between an upper disk and a lower disk to precipitate the particle C <u>as an ultrafine particle having an average particle diameter of 10-50 nm</u>.</p>
<p data-bbox="180 1052 794 1097">Overview of the description</p> <p data-bbox="180 1097 794 1758">To obtain a particle C having an average particle diameter of 10-50 nm, it is required to set the time for a reaction solution including A and B to pass the reaction region to be 30 to 60 seconds and the temperature of the reaction region at 100-150°C. If the time to pass the reaction region is shorter than 30 seconds, then the particle C does not grow enough, and if it is longer than 60 seconds, then the particle becomes too large. Moreover, if the reaction temperature is lower than 100°C, then the particle C does not precipitate because the reaction between A and B does not progress, and if it is higher than 150°C, the particle becomes too large because the number of nuclear generation in the particle C becomes too large.</p> <p data-bbox="180 1758 794 1980">Moreover, to obtain particles of desired particle sizes, the concentrations of the solutions A and B should not be too low or too high, but the concentrations should be 0.1-0.2 mol/L for the solution A and 0.3-0.5 mol/L for the solution B.</p>	<p data-bbox="794 1052 1418 1097">Overview of the description and Drawing</p> <p data-bbox="794 1097 1418 1142">...</p>

Figure



[Overview of Reason for Refusal]

- Article 36(4)(i) (enablement requirements):

By the amendment to the non-final notice of reasons for refusal, it was added to precipitate the particle C under conditions for producing ultrafine particles having an average particle diameter of 10-50 nm.

"Conditions for producing ultrafine particles having an average particle diameter of 10-50 nm" include combinations of individual parameters under various conditions to precipitate ultrafine particles of the aforementioned specific size.

In the description of the patent application, it is stated that ultrafine particles of the aforementioned specific size are obtained by carrying out the precipitation reaction of a particular reaction solution at particular concentrations of the solutions A and B at a particular temperature for a particular passage time. However, no general guidance to precipitate fine particles of the specific size on conditions except the aforementioned specific conditions is provided. Therefore, it is considered that undue trial and error is demanded even for a person skilled in the art to find conditions to obtain particles of the aforementioned specific size among a variety of parameters that can affect particles to precipitate other than the conditions concretely provided above, even in consideration of the common general knowledge.

Accordingly, it is considered that the statement of the description of the invention of the patent application is not clear nor sufficient so that a person skilled in the art can carry out the claimed invention and therefore it does not meet the requirement provided in Article 36(4)(i) of the Patent Act.

- Article 36(6)(ii) (clarity requirement):

In the technical field of reacting solutions A and B to precipitate a particle C, it was the common general knowledge at the time of filing that particles having an average particle diameter of more than 100 nm are usually produced and ultrafine particles of 10-50 nm are difficult to produce. In consideration of such common general knowledge, it is clear that "conditions for producing ultrafine particles having an average particle diameter of 10-50 nm" are not sufficiently specified technically, in which the aforementioned conditions to produce ultrafine particles are not specifically defined by other than the

passage time, but only by the average particle diameter. Even in consideration of the statement of the description and the drawings, the invention cannot be understood clearly from the statement of claim 1.

(Overview of written opinion submitted by the applicant)

As for "conditions for producing ultrafine particles having an average particle diameter of 10-50 nm," which conditions were not defined clearly, the conditions were clarified by specifying the temperature and the concentrations of solutions A and B in addition of the passage time of the reaction solution for the purpose of clarification of an ambiguous statement. It is considered that the reasons for refusal shall be overcome by this amendment.

[Conclusion]

Falls under clarification of an ambiguous statement.

[Explanation]

The aforementioned amendment clearly specifies, by using the concrete conditions stated in the detailed description of the invention, the "conditions for producing ultrafine particles having an average particle diameter of 10-50 nm," which were indicated to be not clear in the final notice of reasons for refusal.

Therefore, this amendment is an amendment to clarify an ambiguous statement to reveal the intended meaning and considered to be an amendment to overcome the reasons for refusal of deficiency in the description at the specific issue pointed out by the final notice of reasons for refusal based on Article 36.

Thus, this amendment is admitted because it is made on the matter indicated in reasons for refusal and is intended for clarification of an ambiguous statement.

[Case 36] Clarification of an ambiguous statement (The amendment does not fall under clarification of an ambiguous statement)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Transmission speed control method</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A mobile station which transmits user data via an uplink, said mobile station characterized in: ... being equipped with an acquisition unit configured to acquire, from a base station, a switching transmission speed which switches between a first step and a second step; ... using the switching transmission speed acquired from a radio line control station</p>	<p>What is claimed is: [Claim 1] A mobile station which transmits user data via an uplink, said mobile station characterized in: ... being equipped with an acquisition unit configured to acquire, <u>via a base station from a radio link control station</u>, a switching transmission speed which switches between a first step and a second step; ... using the switching transmission speed acquired from a radio line control station</p>
<p>Overview of the description The present invention pertains to a transmission speed control method which controls transmission speed of user data transmitted via an uplink by way of a mobile station., the switching transmission speed is reported to the mobile station via a base station subsequent to acquisition from a radio line control station.</p>	<p>Overview of the description ...</p>

[Overview of Reason for Refusal]

- Article 36(6)(ii) (Clarity Requirement):

In claim 1, "the switching transmission speed acquired from the radio line control station" is stated; however, the "switching transmission speed" stated in the claim 1 prior thereto is described to be acquired "from a radio base station."

Thus, the statement regarding "the switching transmission speed" does not match, and therefore is not clear.

[Conclusion]

Falls under clarification of an ambiguous statement.

[Explanation]

In the originally filed description, etc., it is stated that the "switching transmission speed" is acquired from a radio link control station.

Therefore, so that the acquisition destination for "switching transmission speed" would be clarified as "radio link control station," " an acquisition unit configured to acquire, from a base station, a switching transmission speed which switches between a first step and a second step" stated in claim 1 was amended to " an acquisition unit configured to acquire, via a base station from a radio line control station, a switching transmission speed which switches between a first step and a second step"

Thus, the amendment facilitates matching with the matter stated in the originally filed description, and therefore, it is clear that it pertains to clarification of an ambiguous statement.

In addition, the state in which the substrate to be transported is transported by adjusting the width of this one pair of work guides to fit the substrate is defined as a "movement lane." Furthermore, the movement lane configured by the one pair of work guides can be moved to a direction perpendicular to the travel direction of the moving belts, and therefore, it is possible to supply the substrate for a printed circuit board, etc., to a plurality of ejection destinations.

[Overview of Reason for Refusal]

- Article 36(6)(ii) (Definiteness Requirement):

In claim 1, "the second movement rail" is stated; however, prior to this statement, although a statement of a "second movement lane" exists, a statement of a "second movement rail" does not exist, and therefore, the invention is ambiguous.

[Conclusion]

(Former amendment)	Falls under clarification of an ambiguous statement.
(Latter amendment)	Falls under correction of errors.

[Explanation]

The former amendment, with regard to matter indicated to be ambiguous in the notice of a reason for refusal, corrects the obscurity to clarify the original semantic content, and therefore, corresponds to a clarification of an ambiguous description.

For the latter amendment, the term "substrate" is used consistently in other locations in the claims and in the detailed description of the invention, and in consideration of the detailed description of the invention and common general knowledge in the field at the time of the application, it can be found to be a clear error of "substrate" in the description, and therefore, corresponds to a correction of errors in the description.

(Supplementary Explanation)

In a case in which no indication of lack of clarity has been given in a notice of a reason for refusal and an applicant has discovered the existence, within the scope of claims or the description, of a description that is not clear, then even if it can be clarified by an amendment, clarification of an ambiguous description is limited to explaining matters indicated by a reason for refusal pertaining to a notice of a reason for refusal, and therefore, it is not possible to perform such an amendment (violation of Article 17bis(5)(iv)). However, if there is a clear error in the description, then it is possible to perform an amendment by claiming, in an opinion, that it is a "correction of an error in the

description."

At that time, in the opinion, instead of simply claiming that it is a correction of an error in the description, if the claim is made of the correction of the error in the description while indicating descriptions before and after the phrase or other description locations, then even if it is seen from a third party, it is clearer that it is a correction of an error in the description.

7.3 Others

[Case 38] Amendment after final notice of reasons for refusal of addition of new matter
(The amendment falls under other than the prescribed purposes)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Thermoplastic resin composition</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A thermoplastic resin composition excellent in incombustibility, comprising 50-200 parts by mass of a phosphate ester to 100 parts by mass of a <u>condensed</u> thermoplastic resin.</p>	<p>What is claimed is: [Claim 1] A thermoplastic resin composition excellent in incombustibility, comprising 50-200 parts by mass of an <u>aromatic</u> phosphate ester to 100 parts by mass of a thermoplastic resin.</p>
<p>Overview of the description The phosphate ester according to the present application is effective to improve incombustibility of thermoplastic resins. Examples of the thermoplastic resins include polyester, polyamide, and the like. More preferably, the phosphate ester to improve the incombustibility is an aromatic phosphate ester.</p>	<p>Overview of the description ...</p>

(Supplementary Explanation)

In response to the first notice of reasons for refusal, an amendment to change "a thermoplastic resin" to "a condensed thermoplastic resin," an expression of more specific concept, was attempted.

However, the final notice of reasons for refusal on the grounds of addition of novel matter was issued because the amendment was not considered to be made within the matters stated in the originally attached description etc.

In order to overcome the final reason for refusal, "a condensed thermoplastic resin" was amended to "a thermoplastic resin," an expression of more generic concept, to resume the invention stated in the description etc. as of the filing, and at the same time "a phosphate ester" was amended to "an aromatic phosphate ester," an expression of more specific concept, to overcome the reason for refusal according to the first notice of reasons for refusal.

[Conclusion]

Does not fall under the prescribed purposes (Removal of claims, restriction in a

limited way of claims, Correction of errors, Clarification of an ambiguous statement).

[Explanation]

In this amendment, the amendment to change "a phosphate ester" to "an aromatic phosphate ester" limits "a phosphate ester," which is a part of the matters specifying the invention to a matter of more specific concept. However, the amendment to change "condensed thermoplastic resin" to "a thermoplastic resin" changes "a condensed thermoplastic resin," which is a part of the matters specifying the invention stated in the claim before the amendment to a matter of more generic concept.

Therefore, this amendment does not correspond to restriction of claim by limitation.

Also, it does not correspond to clarification of an ambiguous description because the statement in itself of the claim before the amendment is clear and the invention is clearly specified technically.

Furthermore, it does not correspond to correction of errors because it is not a clear error of a word or phrase.

It does not correspond to deletion of claim either.

[Case 39] Amendment after final notice of reasons for refusal of addition of new matter (The amendment falls under the restriction in a limited way of the claim)

Description etc. before amendment	Description etc. after amendment
<p>Title of Invention Rolling control device in traveling device for combine harvester</p>	<p>Title of Invention ...</p>
<p>What is claimed is: [Claim 1] A rolling control device wherein, in a combine harvester comprising crawler-type traveling devices, provided with iron crawlers, on the left and right of a chassis thereof, one end of a pair of <u>fluid pressure cylinders</u>, which operate distinctly, is attached to the left and right traveling devices each, and the other end of the <u>fluid pressure cylinders</u> is attached to the chassis thereof.</p>	<p>What is claimed is: [Claim 1] A rolling control device wherein, in a combine harvester comprising crawler-type traveling devices, provided with iron crawlers, on the left and right of a chassis thereof, one end of a pair of <u>hydraulic pressure cylinders</u>, which operate distinctly, is attached to the left and right traveling devices each, and the other end of the <u>hydraulic pressure cylinders</u> is attached to the chassis thereof.</p>
<p>Overview of the description The invention relates to a rolling control device which prevents the chassis from being inclined when the combine harvester travels on an uneven field. The traveling part of the traveling device can be configured with an iron crawler.</p>	<p>Overview of the description ...</p>

(Supplementary Explanation)

In response to the first notice of a reason for refusal, in order to resolve the reason for refusal pertaining to the original first notice of a reason for refusal, an amendment of "crawler-type traveling device" to "crawler-type traveling device provided with an iron crawler" was performed. In addition, "hydraulic pressure cylinder" was amended to "fluid pressure cylinder," which is a generic expression thereof.

However, the amendment amending "hydraulic cylinder" to "fluid pressure cylinder" cannot be found to be within the scope of the matter stated in the original description, etc., and therefore, a final notice of a reason for refusal on the grounds of addition of new matter was issued.

Therefore, in order to resolve the reason for refusal pertaining to the final notice of a reason for refusal, "fluid pressure cylinder" is amended to "hydraulic pressure cylinder," which is a subordinate expression.

[Conclusion]

Falls under restriction in a limited way of the claim....

[Explanation]

In this amendment, the amendment to amend "fluid pressure cylinder" to "hydraulic pressure cylinder" limits the "fluid pressure cylinder," which is a portion of the matters specifying the invention for the invention stated by the claim prior to the amendment, conceptually to a subordinate expression. In addition, by the amendment, the problem to be solved by the invention and the field of industrial application are not changed.