

# Examination Procedure

Japan Patent Office

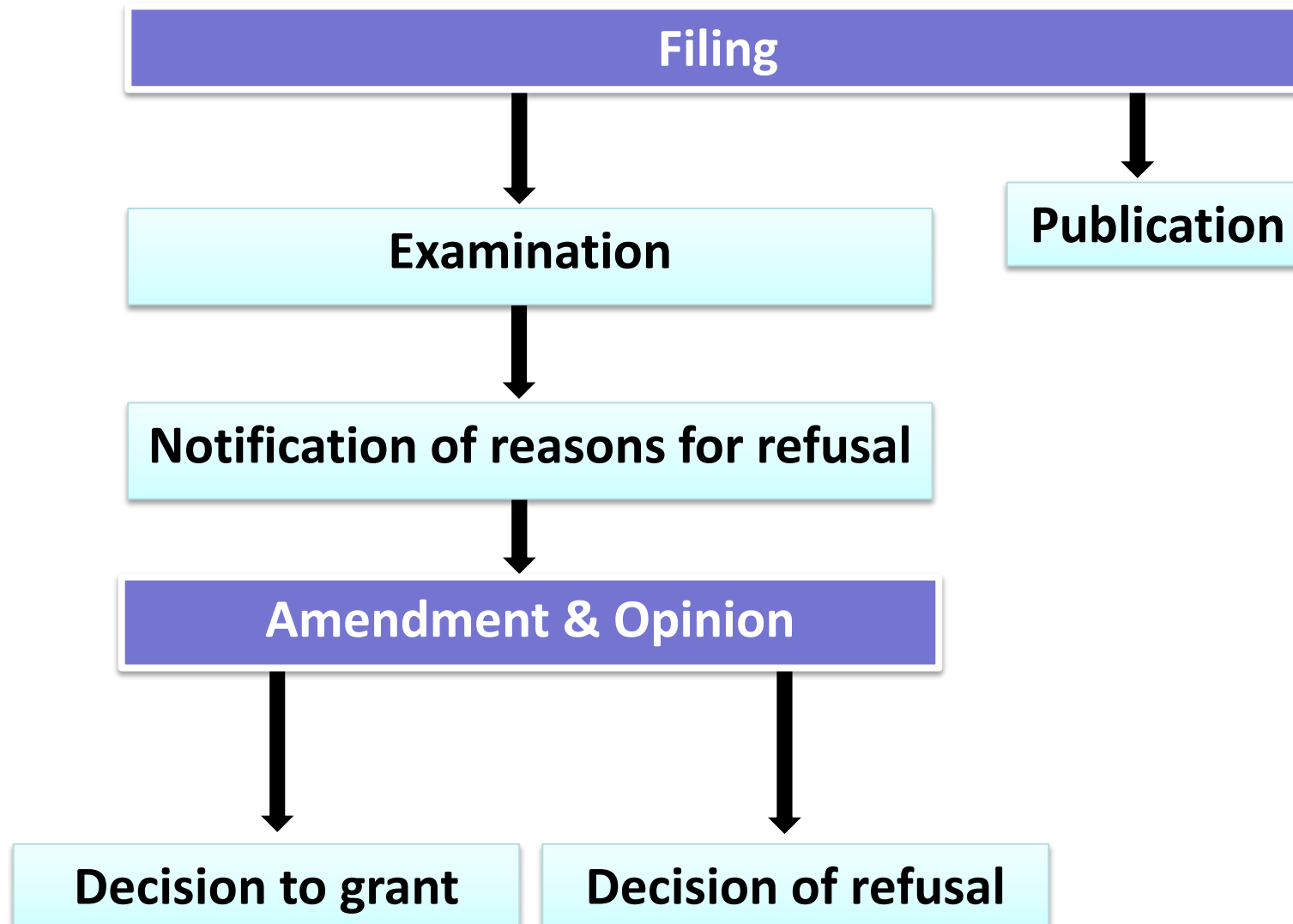
- I. Overview
- II. First Action (FA)
- III. Second Action (SA)

## I. Overview

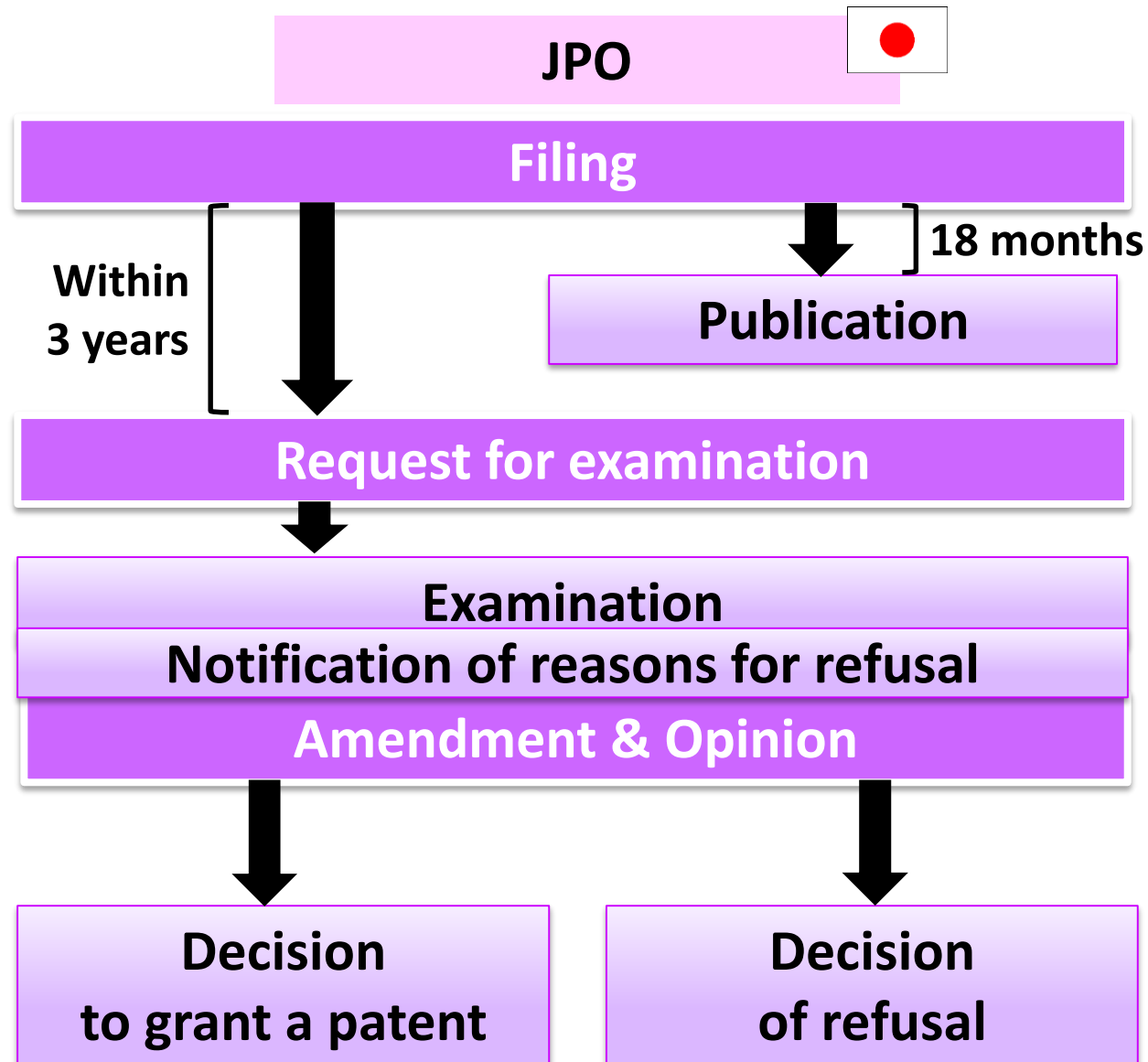
II. First Action (FA)

III. Second Action (SA)

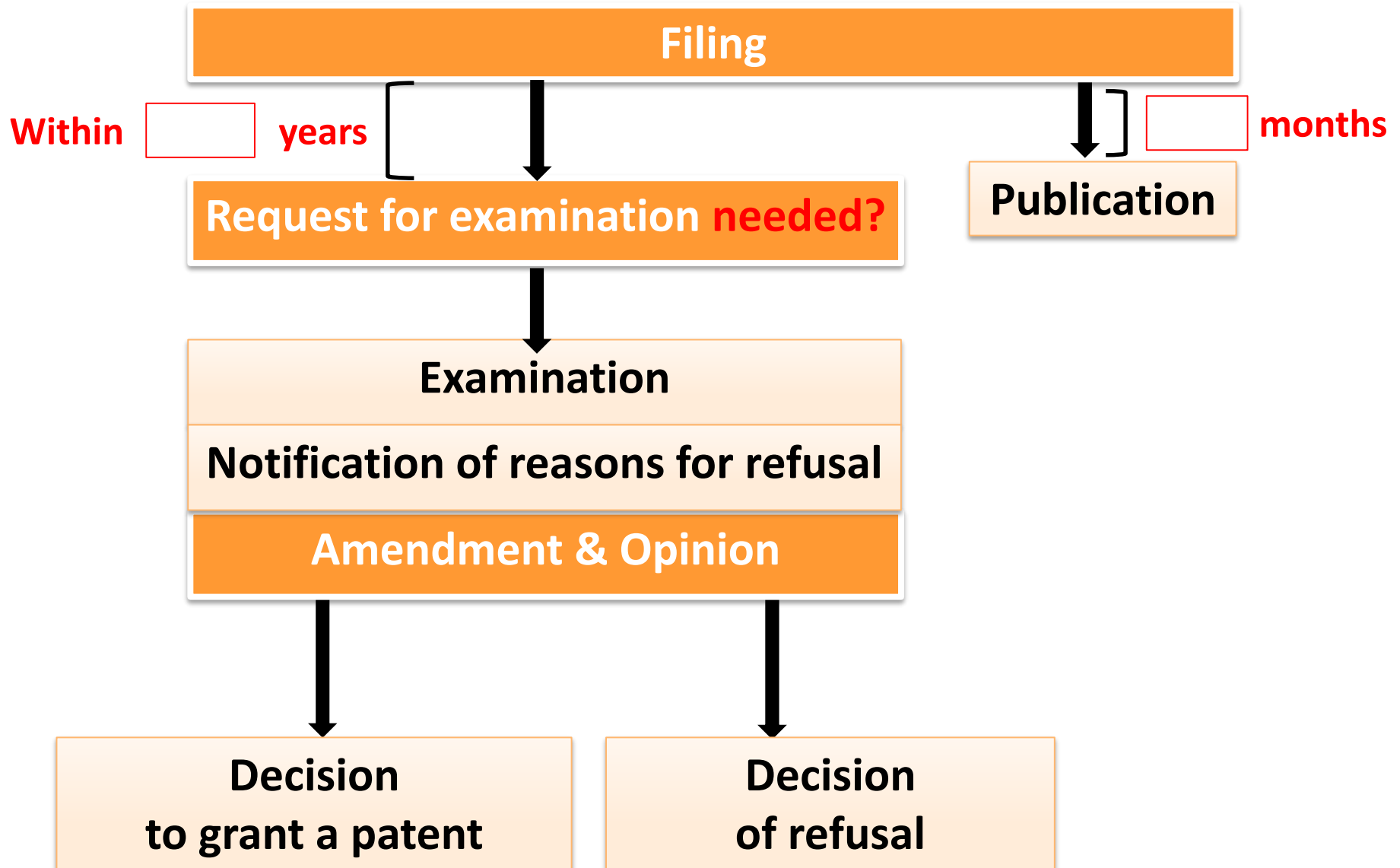
## A. General Flow of Patent Examination



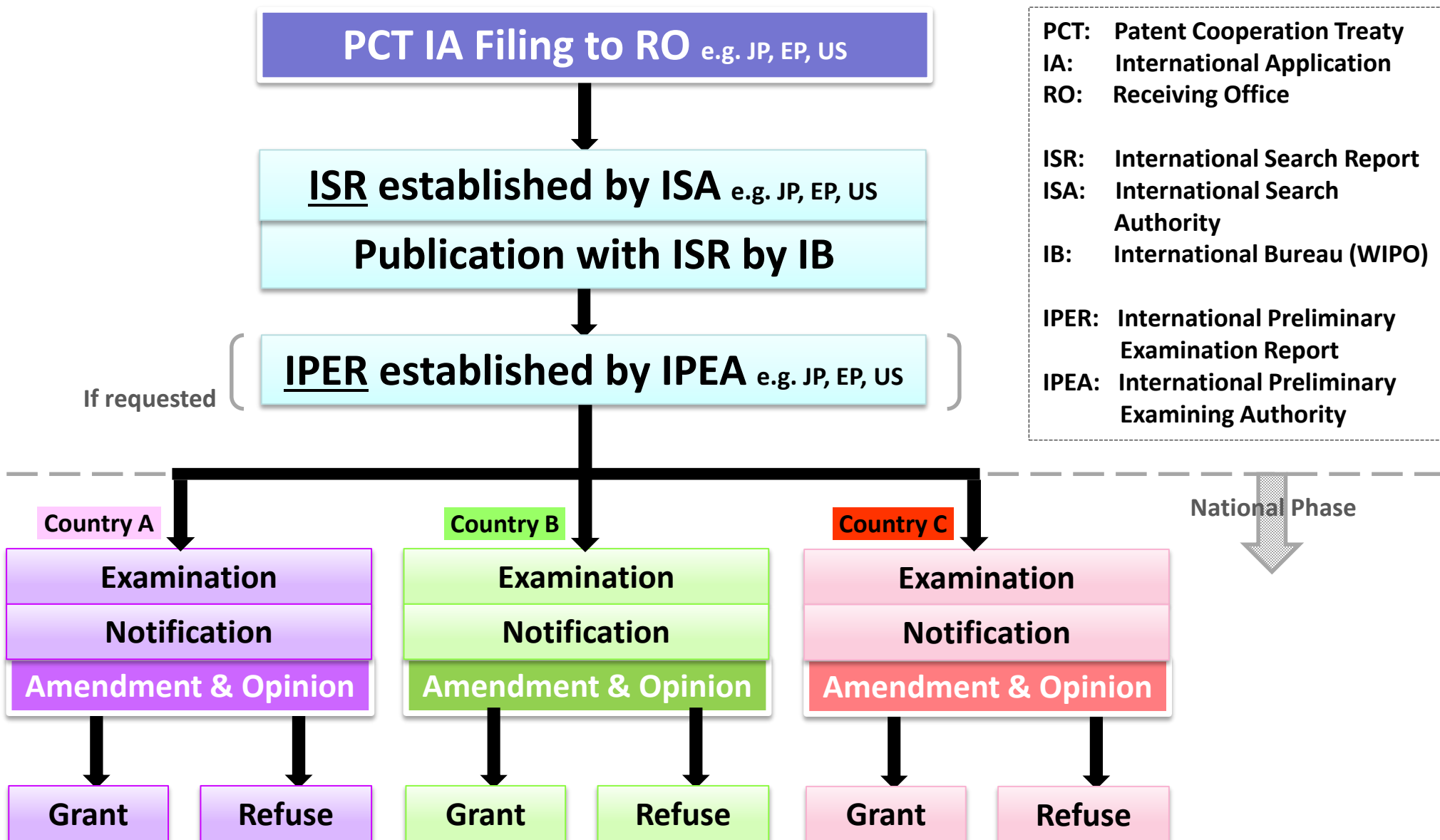
## B. Flow of Patent Examination (JP)



## C. How about your country?



## D. Flow of Examination of PCT Application



## E. Sample PCT Publication with ISR

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)  
 (19) World Intellectual Property Organization  
 International Bureau

(43) International Publication Date  
 7 February 2013 (07.02.2013)

WIPO PCT

(10) International Publication Number  
**WO 2013/019268 A1**

(51) International Patent Classification:  
**A47F 5/01 (2006.01)**

(21) International Application Number:  
**PCT/US2012/000001**

(22) International Filing Date:  
 3 January 2012 (03.01.2012)

(25) Filing Language: English  
 (26) Publication Language: English

(30) Priority Data:  
 61/462,760 2 August 2011 (02.08.2011) US  
 13/136,657 8 August 2011 (08.08.2011) US

(71) Applicant: IP HOLDINGS, LLC [US/US]; 5408 NE 88th St. #A-101, Vancouver, WA 98665 (US).

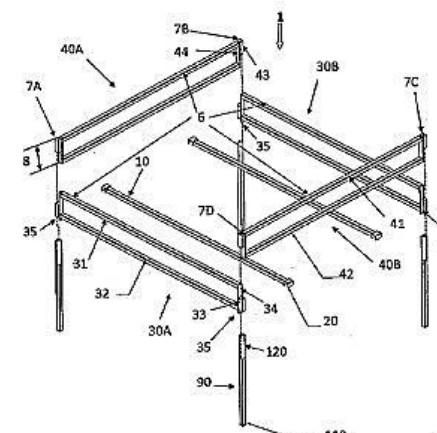
(72) Inventor: ORTEGA, Steve; 3262 Lookout Point Loop, Discovery Bay, CA 94505 (US).

(74) Agent: IRELAND, Robert; PO Box 273, Banks, OR 97106 (US).

(54) Title: TRAY STAND

(57) Abstract: A modular portable stand that can be quickly and easily assembled and disassembled by a solo user without the need for any tools or hardware in a very short time. In its disassembled condition, the stand includes a first and second base frame, a first and second side frame, and four legs, for a total component count of eight, with only three unique components, the base frame, side frame, and leg. The modularity of components provides simplified manufacturing, while allowing for relatively small disassembled packaging for transport, shipping or storage. The interlocking of the components at each corner provides a stiff and sturdy perimeter frame when assembled, that becomes more rigid as loaded with plant propagation trays, fish tanks, or other heavy items than require level secure support.

[Continued on next page]



INTERNATIONAL SEARCH REPORT

International application No.  
 PCT/US 12/00001

A. CLASSIFICATION OF SUBJECT MATTER  
 IPC(8) - A47F 5/01 (2012.01)  
 USPC - 211/133.2  
 According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED  
 Minimum documentation searched (classification system followed by classification symbols)  
 IPC(8) - A47F 5/01 (2012.01)  
 USPC - 211/133.2

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched  
 IPC(8) - A47F 5/00, A47F 5/01, A47G 29/00 (2012.01)  
 USPC - 211/126.1, 133.1, 133.2, 189, 195; 248/127, 146, 150, 183.1

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
 PubWEST (PGPB, USPT, EPAB, JPAB); Google (Patents, Scholar, Web)  
 Search Terms: Stand, tray, table, stool, bed, modular, collapse, assemble, frame, base, side, flank, second, two, fourth, four, multiple, plural, many, leg, interlock, lock, couple, connect, engage, without, not, tool, hardware, screw, hammer, wrench, pliers, dowel, thin.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X =====	US 5,943,968 A (DOBSON et al.) 31 August 1999 (31.08.1999) Fig. 1-2, 6-9; col 4, ln 19-39, col 5, ln 18-35, col 5, ln 51-67	1 =====
Y	US 2008/0191538 A1 (BERG et al.) 14 August 2008 (14.08.2008) Fig. 1-2, 4, 10; Para [0039], [0041], [0051], [0059]	2-3
Y	US 2010/0313474 A1 (WILLIAMS) 16 December 2010 (16.12.2010) Fig. 1-2, 4; Para [0029]-[0031], [0034]	3

☐ Further documents are listed in the continuation of Box C. ☐

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	



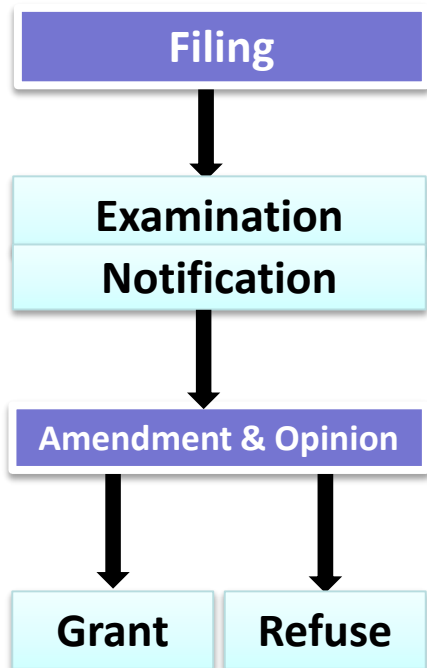
I. Overview

II. First Action (FA)

III. Second Action (SA)

## II. First Action (FA)

### A. Flow of FA 1/2



**Understand** the application & the claim

#### Description

[0001] • • • • •  
[0002] • • • • •  
• • • • •

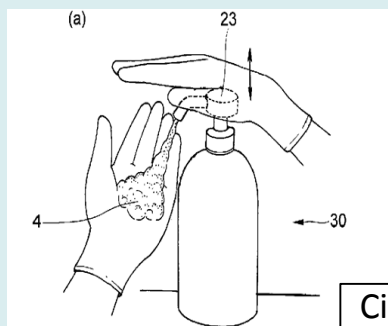
Sample  
Patent  
Application

#### Claims

1. • • • • •  
2. • • • • •

#### Drawings

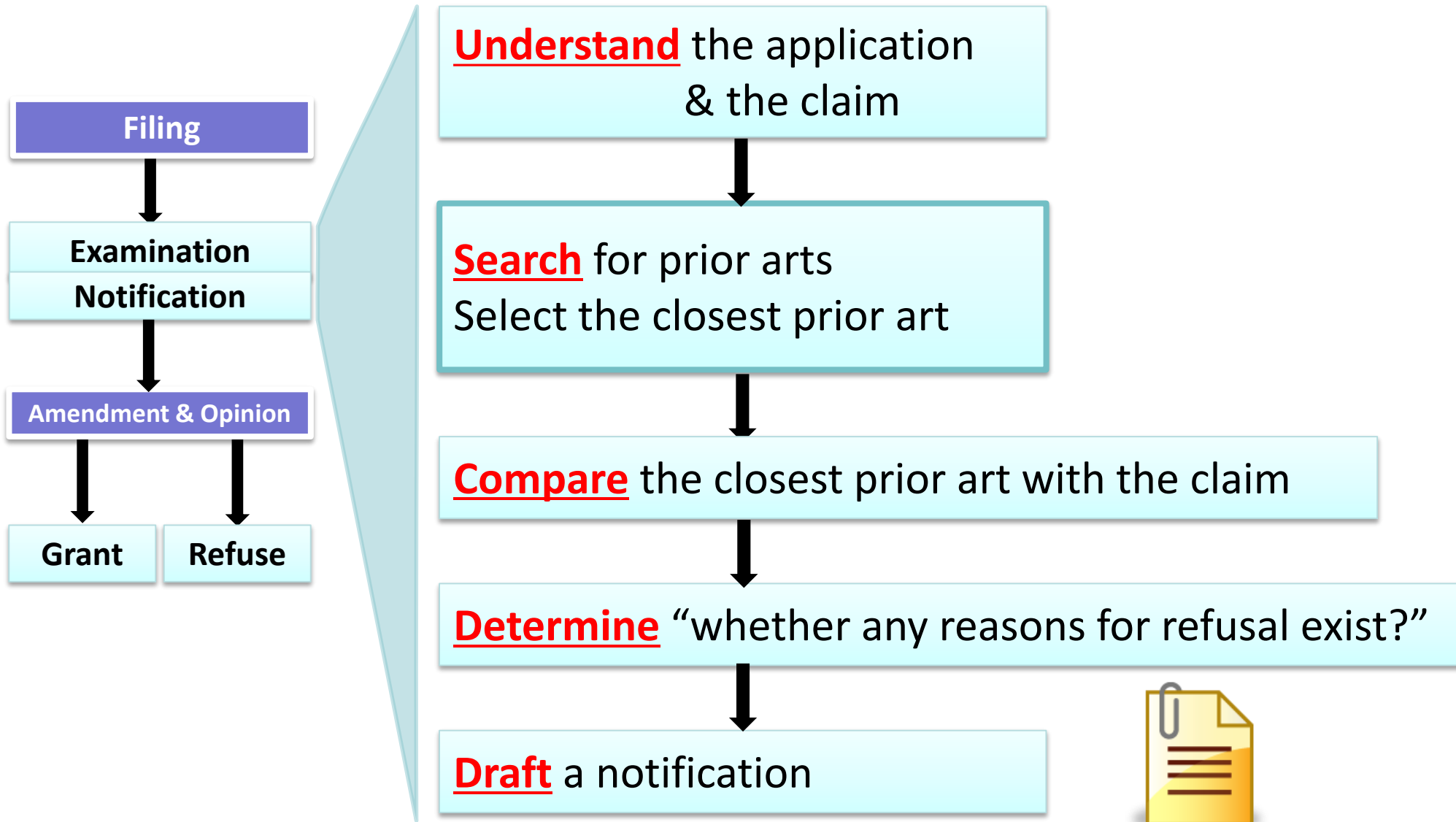
Fig.1



Cited from WO 2012/029692 A1

## II. First Action (FA)

### A. Flow of FA 2/2



## II. First Action (FA)

### B. Flow of FA - Search DB in JPO -

**Understand** the application  
& the claim

**Search** for prior arts  
Select the closest prior art

**Compare** the claim with the closest prior art

**Determine** whether any reasons for refusal  
exist?

**Draft** a notification

#### Internal Databases



- Domestic Patent DB  
search key: IPC, FI, F-term, Text (Ja.)
- Foreign Patent DB  
search key: IPC, CPC (ECLA), USC,  
Text (En.)
- NPL DB (NPL: Non Patent Literature)  
Papers in science journals, etc.

#### External Databases



- IEEE Xplore, ACM-DL, JDreamIII,  
STN on the Web, Google Scholar, etc.

#### Internet

- Web pages

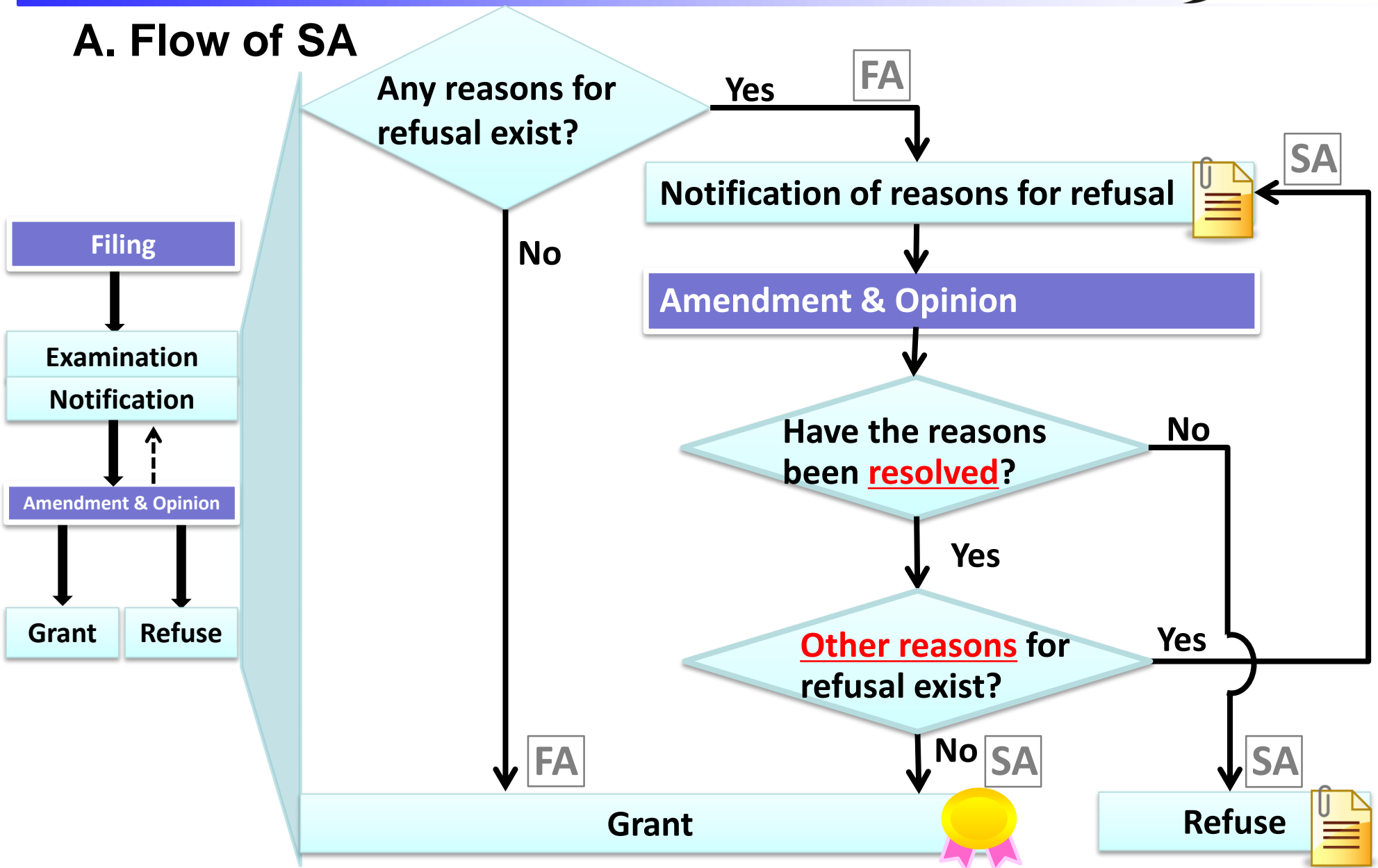


I. Overview

II. First Action (FA)

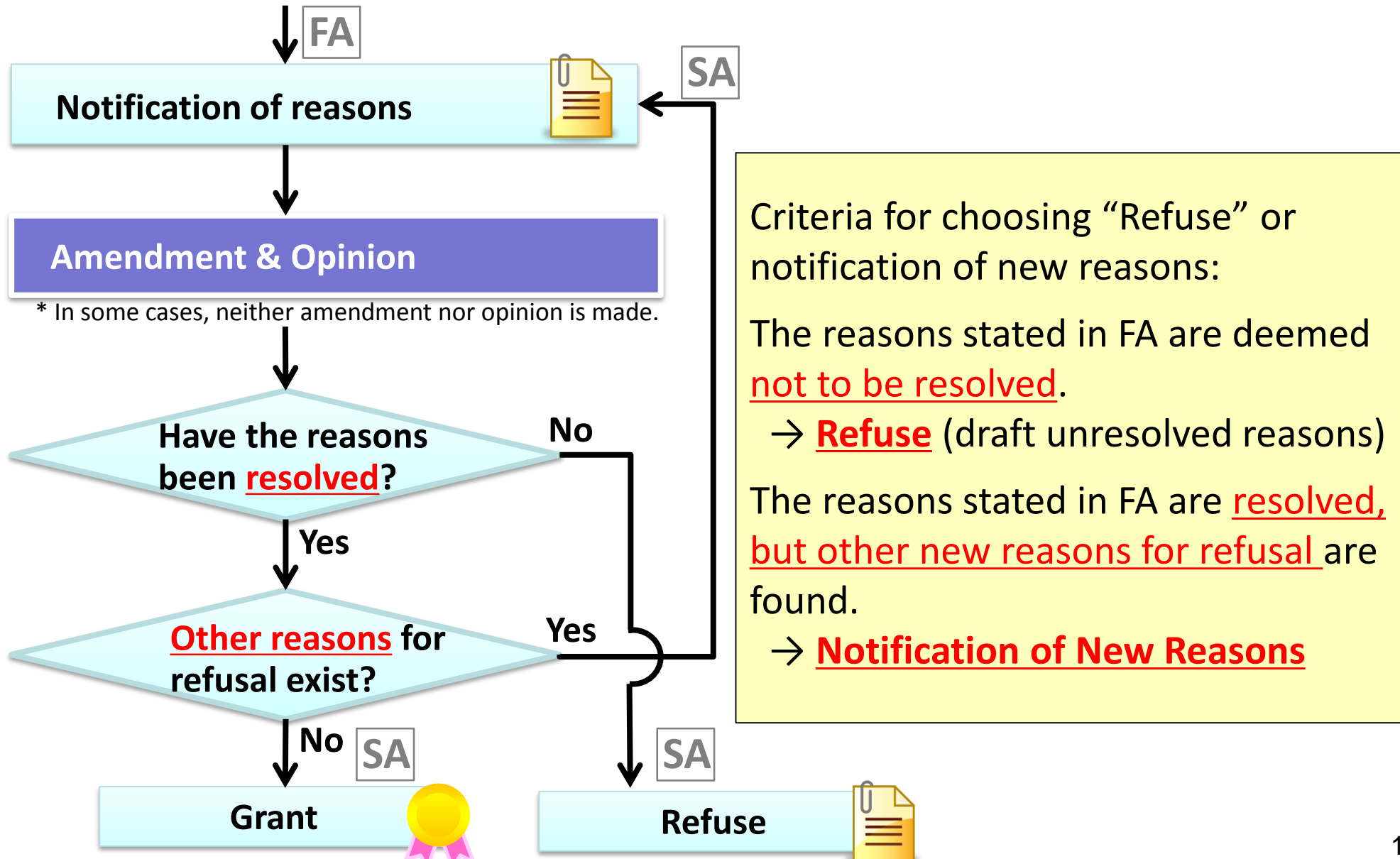
III. Second Action (SA)

### A. Flow of SA



### III. Second Action (SA)

#### B. Criteria for “Final Decision or Another Notification” (JP)



#### C. Examples of “Refuse” or “Notification of New Reasons”

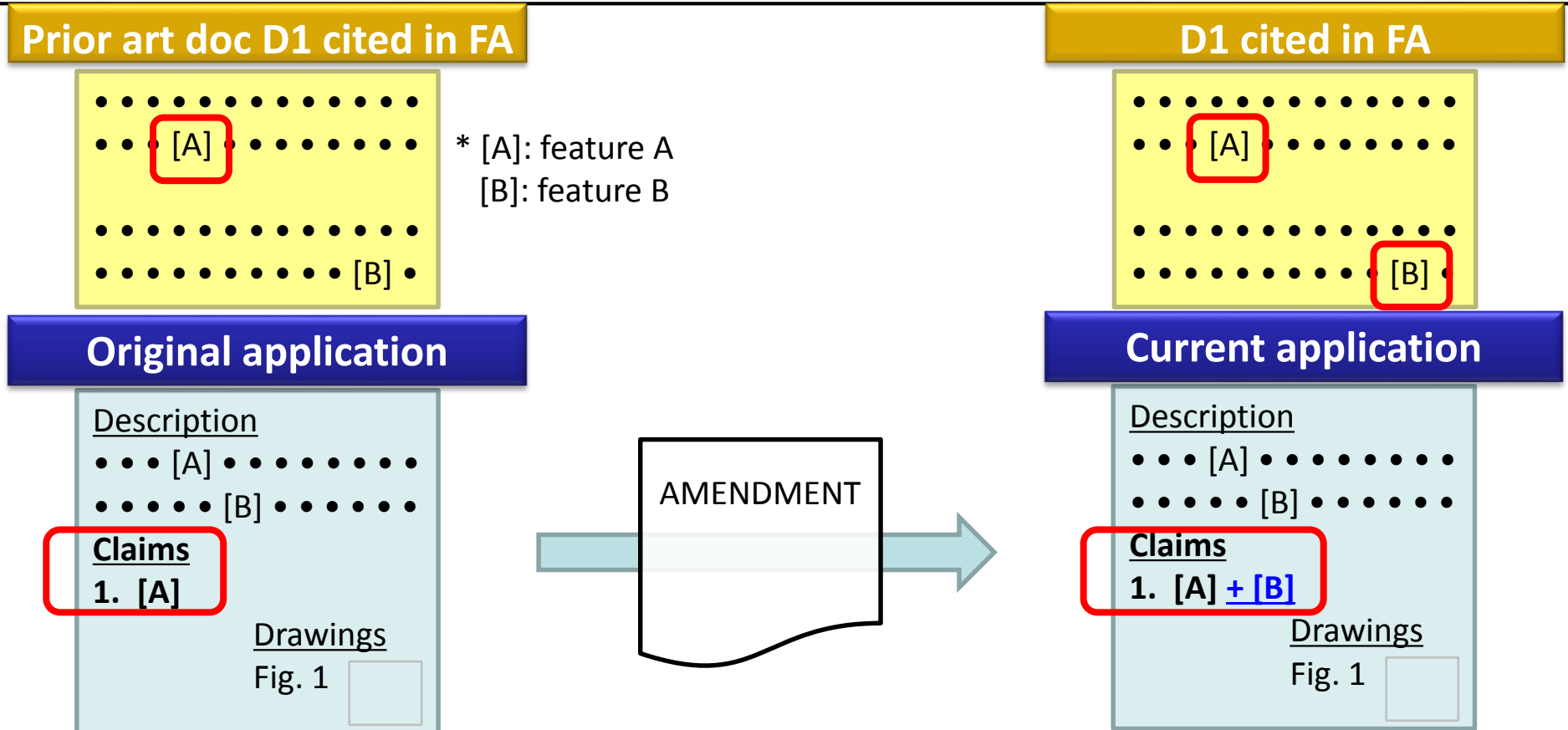
- Amended part of a claim is mentioned in the prior art document cited in FA
  - Addition of a well-known art to a claim
  - Addition of a commonly used art to a claim
    - The reasons are deemed not to be resolved
    - **Refuse**
- 
- Against the amended claim, a new prior art document is found other than the well-known art and the commonly used art
  - Amendment made the claim or description unclear
  - Amendment added a new matter to the claim or description
    - The reasons stated in FA are resolved, but other new reasons for refusal are found
    - **Notification of New Reasons for Refusal**



### III. Second Action (SA)

#### D. Examples of “Refuse” 1/2

- Amended part of a claim is mentioned in the prior art document cited in FA



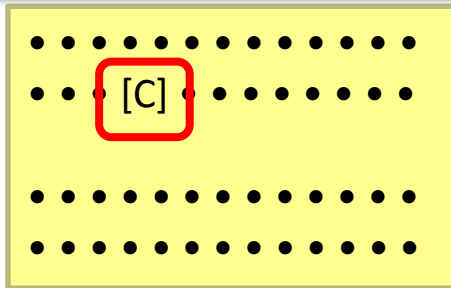
→ The reasons are deemed not to be resolved  
→ **Refuse**

### III. Second Action (SA)

#### D. Examples of “Refuse” 2/2

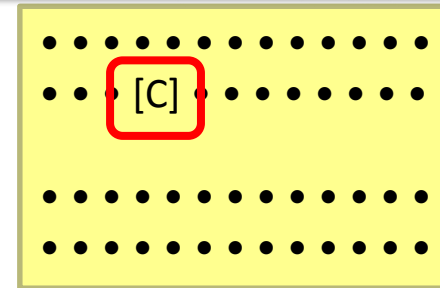
- Addition of a well-known art to a claim
- Addition of a commonly used art to a claim

Prior art doc D1 cited in FA



\* [C]: feature C

D1 cited in FA



Original application

Description

- [C] • [well-known art] •
- [commonly used art] • •

Claims

1. [C]

Drawings

Fig. 1



AMENDMENT

Current application

Description

- [C] • [well-known art] •
- [commonly used art] • •

Claims

1. [C] + [well-known art]

Drawings

Fig. 1



or

Description

- [C] • [well-known art] •
- [commonly used art] • •

Claims

1. [C] + [commonly used art]

Drawings

Fig. 1



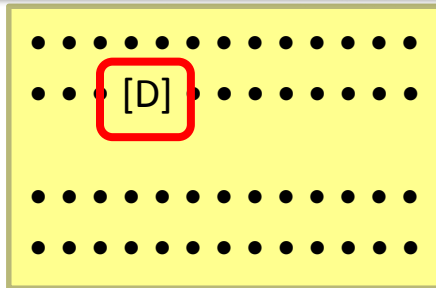
→ The reasons are deemed not to be resolved  
→ **Refuse**

### III. Second Action (SA)

#### E. Examples of “Notification of New Reasons for Refusal” 1/2

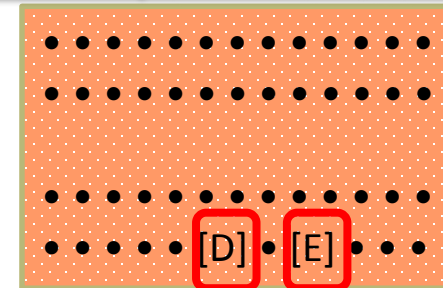
- Against the amended claim, a new prior art document is found other than the well-known art and the commonly used art

Prior art doc D1 cited in FA



\* [D]: feature D

New D1 (will be cited in SA)



\* [E]: feature E

Original application


Description

... [D] ...  
... [E] ...

Claims

1. [D]

Drawings

Fig. 1 

AMENDMENT

Current application


Description

... [D] ...  
... [E] ...

Claims

1. [D] + [E]

Drawings

Fig. 1 

- The reasons stated in FA are resolved, but  
other new reasons for refusal are found
- Notification of New Reasons for Refusal

### III. Second Action (SA)

#### E. Examples of “Notification of New Reasons for Refusal” 2/2

- Amendment made the claim or description unclear
- Amendment added a new matter to the claim or description

Prior art doc D1 cited in FA

.....  
• • • [F] • • •  
.....  
.....

\* [F]: feature F

D1 cited in FA

.....  
• • • [F] • • •  
.....  
.....

Original application

Description

• • • [F] • • •  
• • • • • [G] • • •

Claims

1. [F]

Drawings

Fig. 1

\* [G]: feature G

AMENDMENT

Current application

Description

• • • [F] • • •  
• • • • • [G] • • •

Claims

1. [F] + unclear [G]

Drawings

Fig. 1

or

Description

• • • [F] • • •  
• • • • • [G] • • •

Claims

1. [F] + [new matter]

Drawings

Fig. 1

- The reasons stated in FA are resolved, but  
other new reasons for refusal are found  
→ Notification of New Reasons for Refusal

#### F. Points to consider

- Opportunity for amendment

The applicant's opportunity for amendment may not be unreasonably limited.

- Suggestion of amendment

In a notice of reasons for refusal, the examiner may suggest an amendment, which enables applicants to easily respond and thus contributes to prompt and precise examination.

- Communication

When it is considered to contribute to prompt and precise examination, examiners could communicate with the applicant through an interview, by telephone, or by facsimile.