

**TRANSLATION**

**PATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>E 1241</b>	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. <b>PCT/ES2005/000526</b>	International filing date ( <i>day/month/year</i> ) <b>29.09.2005</b>	Priority date ( <i>day/month/year</i> ) <b>01.10.2004</b>
International Patent Classification (IPC) or national classification and IPC <b>F03D1/00, F03D9/00</b>		
Applicant <b>TORRES MARTINEZ, Manuel</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a.  (sent to the applicant and to the International Bureau) a total of 4 sheets, as follows:

sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b.  (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/ES	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/ES2005/000526

Box No. I	Basis of the report
1.	<p>With regard to the <b>language</b>, this report is based on:</p> <p><input checked="" type="checkbox"/> the international application in the language in which it was filed</p> <p><input type="checkbox"/> the translation of the international application into _____, which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3(a) and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4(a))</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2(a) and/or 55.3(a))</p> <p>2. With regard to the <b>elements</b> of the international application, this report is based on (<i>replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report</i>):</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1-22</u> _____ as originally filed/furnished</p> <p>pages* _____ received by this Authority on _____</p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>23-26</u> _____ received by this Authority on <u>26.04.2006</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>1-22/22</u> _____ as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> <p>3. <input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> <p>4. <input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>
<p>* If item 4 applies, some or all of those sheets may be marked "superseded."</p>	

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/ES2005/000526

## Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

- the entire international application
- claims, Nos. \_\_\_\_\_

because:

- the said international application, or said claims Nos. \_\_\_\_\_ relate to the following subject matter which does not require an international preliminary examination (*specify*):

- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 2 are so unclear that no meaningful opinion could be formed (*specify*):

Claim 2 does not clearly define the subject matter for which protection is sought. The features which define the system are not indicated clearly and therefore it is not possible to examine the claim with respect to novelty and inventive step.

- the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

- no international search report has been established for said claims Nos. 2

- a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:
- furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.
  - furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.
  - pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13ter.1(a) or (b) and 13ter.2.
- a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Preliminary Examining Authority in a form and manner acceptable to it.
- the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.
- See Supplemental Box for further details.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/ES2005/000526

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																	
1.	Statement																	
	Novelty (N)	Claims <u>1-9</u>	YES															
		Claims _____	NO															
	Inventive step (IS)	Claims <u>1-9</u>	YES															
		Claims _____	NO															
	Industrial applicability (IA)	Claims <u>1-9</u>	YES															
		Claims _____	NO															
2.	Citations and explanations (Rule 70.7)																	
	Documents taken into consideration																	
	<table border="1"> <thead> <tr> <th>Doc.</th> <th>Publication or Identification No.</th> <th>Pub. Date</th> </tr> </thead> <tbody> <tr> <td>D01</td> <td>JP2004218436</td> <td>05.08.2004</td> </tr> <tr> <td>D02</td> <td>ES2134682</td> <td>01.10.1999</td> </tr> <tr> <td>D03</td> <td>ES2024909</td> <td>01.03.1992</td> </tr> <tr> <td>D04</td> <td>US4496846</td> <td>29.01.1985</td> </tr> </tbody> </table>			Doc.	Publication or Identification No.	Pub. Date	D01	JP2004218436	05.08.2004	D02	ES2134682	01.10.1999	D03	ES2024909	01.03.1992	D04	US4496846	29.01.1985
Doc.	Publication or Identification No.	Pub. Date																
D01	JP2004218436	05.08.2004																
D02	ES2134682	01.10.1999																
D03	ES2024909	01.03.1992																
D04	US4496846	29.01.1985																
	<p>Document D01 is considered the closest prior art and describes a wind generator which is mounted on a floating platform which incorporates a hydraulic pump. The subject matter of the invention according to the claims which have been modified pursuant to PCT Article 34(2) is a wind generator which is mounted on a floating plant that has towlines which are connected to hydraulic pump cylinders that communicate with pipes via unidirectional valves at one end and which are closed at the other end by means of plungers which also have unidirectional valves. None of the documents that are cited in the search report shows an arrangement such as that claimed in the application. In addition, the claimed invention is not obvious to a person skilled in the art, since there is nothing in the cited documents that could lead said person to the claimed device.</p>																	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/ES2005/000526

**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

None of the other cited documents shows the feature of incorporating towlines which are connected to pump cylinders that communicate with pipes via unidirectional valves at one end and which are closed at the other end by means of plungers which also have unidirectional valves and, neither alone nor in combination, discloses the invention defined in claims 1 and 3-9; nor do they contain any suggestions that would lead a person skilled in the art to the invention defined by the claims.

The claimed invention is thus novel, involves an inventive step and is industrially applicable.