

2011 PAPER P4

SAMPLE SCRIPT A

This script has been supplied by the JEB as an example of an answer which achieved a pass in the relevant paper. It is not to be taken as a "model answer", nor is there any indication of the mark awarded to the answer. The script is a transcript of the handwritten answer provided by the candidate, with no alterations, other than in the formatting, such as the emboldening of headings and italicism of case references, to improve readability.

Claims

1. A reusable routing pouch, having front & back faces, an opening along one edge for receiving pouch contents, a reusable address block, and a closure flap for closing the opening, the closure flap including a window of transparent material, which, when the closure flap is in the closed position, covers the reusable address block.
2. A pouch according to claim 1 wherein the address block is a single address block.
3. A pouch according to claim 1 or 2, wherein the address block is provided on a layer of wipe-clean material.
4. A pouch according to claim 3 wherein the wipe-clean material is laminated over the primary material of the pouch.
5. A pouch according to claim 3 or claim 4 [features of previous claim 3]
6. A pouch according to claim 5, wherein the plastics material is polyethylene or polyester plastic.
7. A pouch according to any one of claims 3-6, wherein the pouch comprises a layer of stiffening material between the material of the pouch and the wipe clean material.
8. [As previous claim 5]
9. [As previous claim 6], still dependent on all previous claims.
10. [As previous claim 7], dependent now on claim 9.
11. [As previous claim 8], still dependent on all previous claims.
12. [As previous claim 9], still dependent on all previous claims.
13. [As previous claim 10], dependent now on claims 11, 12.

14. A pouch according to any one of claims 11-13, wherein the or each sight slot is reinforced by strips of tape or strong fibres laid across the or each elongate slot at regular intervals.

15. A pouch according to claim 14, wherein the strips of tape or strong fibres are made of flexible plastic, string, rubber, flexible metal bands of aluminium or steel.

16. A pouch according to claim 14 or 15 wherein the tape or fibres are attached on one side of the pouch, on both sides of the pouch, or looping all the way around to provide additional reinforcement for the pouch itself.

17. A pouch substantially as described herein with reference to figure 2.

Possible divisional claim

A reusable routing pouch having front & back faces, an opening along one edge for receiving, and a closure flap, having an elongate sight slot in the front face & an elongate sight slot in the back face that is aligned with the elongate sight slot in the front face.

Possible divisional 2.

1.

Dear Sirs

I request an as of right extension of two months for responding to the examination report of 16 June 2011 under s117B.

Amended claims are filed herewith. The use of "previous claim" in the response & claims refers to the claim numbers presently on file.

Amendments

- Claim 1 has been amended to specify the flap of the reusable routing pouch has a window in the closure flap which when closed covers the reusable address block. Basis for this amendment can be found at page 7, lines 13-14. This is the description of the specific embodiment, but it is clear from page 6, lines 23-24 that this is a preferred feature of the invention, and so may be taken from the specific description without necessitating other specific description features also to be included in claim 1.

Claim 2 has basis at p6, lines 31-32.

Claim 3 has basis in previous claim 2.

Claim 4 has basis at p6, lines 33-34.

Claim 5 has basis in previous claim 3.

Claim 6 has basis at page 7, line 7-8.

Claim 7 has basis in previous claim 4 and at p4, lines 10-12.

N.B. the dependency to address the examiner's clarity objection. The language of the claim has also been amended to specify the stiffening layer between the wipe-clean layer and the pouch, to address any clarity issues that may arise from use of the term "under" in the previous claim language.

Claims 8-13 have basis in previous claims 5-10.

Claim 14 – basis at p7 lines 30-32.

Claim 15 – basis at p7 lines 31-32.

Claim 16 – basis at p8, lines 1-3.

Claim 17 – amended to refer to fig. 2 only.

Novelty

The examiner objected to previous claim 1 for lacking novelty in light of D1.

D1

D1 describes an envelope with front and back faces (12, 10 in fig. 2 of D1), a flap (14 in D1), a reusable address block (27, fig. 1) which is viewed through a window (15, fig. 1) which can be covered by transparent material (p14, line 22). The difference between D1 and the subject matter of claim 1 is therefore that in the claimed pouch, the window is in the flap of the pouch, so that the reusable block is visible through the window when the flap is closed. D1 instead teaches a window in one of the faces, not the flap.

Claim is therefore novel over D1.

Claims 2-16 are novel over D1 by virtue of their dependency on D1.

Novelty over D2

D2 discloses inter office envelopes, which is a type of reusable routing pouch. Inherently they have back & front faces, an opening and flap for closing the opening. It also has a reusable address block (fields used can be wiped clean, line 6). The addresses can get smudged however, so it is recommended to use an outer separate cover to stop smudging. This, however, is not a window of transparent material included in the flap.

Claim 1 is therefore novel over D2.

Claims 2-16 are novel over D2 by virtue of their dependency on claim 1.

Claim 17 is novel over D1 & D2 for the same reasons as claims 1-16 – the presence of the transparent window 48 in the closure flap 46, as shown in figure 2.

For completeness, the prior art mentioned in the patent application (p4 lines 4-28, p6 lines 9-27) does not contain the window in the closure flap either.

Inventive Step

Assess using the Pozzuoli approach.

1. Identify skilled person & imbue common general knowledge

→ Here the skilled person is a designer of office stationery → p4 lines 2-3 of the application set out the field of the invention.

Routing pouches as described at p4, lines 4-8, p6, lines 9-27 are well known in the field & therefore may be considered to be common general knowledge (cgk).

2. Identify inventive concept.

The inventive concept is the use of a window in the closure flap of the pouch covering a reusable address block. The window permits the information on the block to be read, & prevents it from smudging. The location of the block means that as soon as the pouch is opened the address(es) on the block can be erased. This means that it can be reused straight away without worry of being resent accidentally.

3. & 4. Identify differences & determine if obvious.

Over D1 alone & with cgk

The difference between the claimed pouch & D1 is the location of the window and the reusable address block. In D1 the window is in a face of the pouch. To get to the reusable block it is necessary to remove the block from the pouch and then cross out/write the new addressee on it. In contrast, the claimed pouch has no need to remove separate reusable blocks, and is therefore simpler & advantageous.

It would not be obvious for the skilled person to arrive at claim from D1 alone for the simple reason there is no motivation to modify D1. It presents a solution to the problem of readdressable blocks and also the problem of smudging if plastic/block marker pen is used to write the address. The cgk does not even include windows, so no helpful teaching is derivable from there.

→ Claim 1 not obvious from D1, because no motivation to modify D1.

→ The dependent claims 2-16, and independent claim 17 share the same inventive concept over D1.

D2

The difference between claim 1 & D2 is that D2 uses a separate outside cover to prevent smudging of the reusable blocks on its surface. Thus there is no teaching in D2 to include windows in the pouch → not possible to arrive at the claimed subject matter including a window from this because adding a window is not a mere workshop modification and moreover, if the surface of the envelope is written on, why would you need a window?

Cgk doesn't include windows either therefore combination within D2 also not helpful.

D1 & D2

D1 & D2 appear to be suitable for combining because both in same technical field as the invention. No teaching in D2 that would cause the skilled person to shift the window in D1 from the face to the flap however therefore not obvious starting from D1, because D2 simply teaches covering the whole envelope with a separate cover as a solution therefore teaches away from the claimed subject matter.

Starting with D2, while D1 would teach the introduction of a window, this would not be a trivial modification of the D2 envelope and in any case the modification would not produce a pouch according to claim 1, or as shown in fig. 2.

→ Claims 1-17 inventive over D1 & D2, alone, in combination with each other & with cgk.

Inventive step cont.

A number of the dependent claims are further inventive, for example claim 9 has viewing slots through both faces, which permits a good view of the contents of the envelope. This feature is not taught or suggested by D1 or D2, alone or in combination.

Similarly, claim 4 is further inventive, because it is only when the ...

Clarity

Claim 7, which corresponds to previous claim 4 has been amended to remove the inappropriate dependency on claim 1.

I hereby request a notice of intention to grant as the applicant is considering filing at least one divisional application.

Memo to client

It's OK that you were ill. The deadline is < 2 months ago therefore we can request an extension under s117B as of right → no need to provide medical evidence.

Prior art

I agree with your assessment of the prior art. D1 does appear relevant to the previous claims because it disclosed all features of previous claim 1 (back & front faces, opening, reusable address block & window). Amendment of claim therefore was necessary in light of this document.

D2, while not novelty destroying did disclose a number of features of the dependent claims.

→ Necessary to amend claim 1.

Options for amendment

Dependent previous claim 2. This would have rendered claim 1 novel over D1, but as feature in D2, likely to be hard to argue inventive therefore not pursued.

Same reasoning for previous claim 3.

Claim 4 was novel and arguably inventive, however it seems this is not a necessary part of what you consider to be the clever aspect of the pouch. Therefore if you market something with this cunning idea of a window in the flap, but with a claim protecting a stiffer backing for the address block, someone could copy that idea, omit the stiffer backing & not infringe. People will be aware of your new idea from your marketing therefore imperative we protect it.

Previous claim 9, which was not found objectionable by the UKIPO was also excluded for this reason.

Chosen amendment

I amended claim 1 to cover the window in the flap you describe as advantageous and which you will base your marketing information on. By doing this anyone who copies your idea, regardless of what other features they include in their pouch will infringe the claim therefore can be enforced after grant. (No indication of infringers yet, but if you realise someone is copying & we can request accelerated exam by the UKIPO – can't do at moment because no justification).

I have argued that the window in the flap feature is absent from D1, D2 and the prior art in the patent 2 therefore the claim is novel. The dependent claims are therefore also novel. The objection to previous claim 11 was because it referred to all figures in the application, but figure 1 was prior art therefore claim had to lack novelty. I have addressed this point.

I have also added a number of dependent claims as additional fall backs. It is good to have as many fall backs as possible in case the patent granted from this application needs to be enforced → likely counterclaim for invalidity. Some might not be inventive on their own, but I see no reason to delete them.

I have added claim 2 – single address block. This is advantageous because it forces people to rub out and write a new address each time the envelope is used.

Claim 4 This specifies the material is laminated. I am not sure if there are other ways, but consider this might be a useful fall back.

Claim 6 Specifying plastics for covering the address block. I assume these plastics are particularly advantageous.

Claims 14-16 These claims provide further features of the viewing slots regarding reinforcement → if the slots per se are novel & inventive these features will also be so.

Re inventive step, argued would be obvious to modify D1 or D2 to arrive at claimed pouch because each represented a solution to the problem of solving reusable address block's smudging, but not in the manner of your pouch. Therefore no reason skilled person would be motivated to modify them. Combining them doesn't result in the claimed pouch either.

Divisional. I propose a divisional to the elongate viewing slots idea. I have asked the UKIPO to warn us before granting this application so we can file one if we want to. By putting them on notice we do not have to file one now & we can consider it after you have more money – the option has been kept open as you request.

As a further option for a divisional, would a reinforced pouch be of interest to you (& novel & inventive – please provide your comments). We could base a divisional to this on the “looping all around the pouch” embodiment disclosed on p8, line 3. Might be difficult to get, however, because basis for it is quite thin.

Notes illness - request extension s117B

4 as of right

→ single address block

→ a normal envelope?

→no b/c reusable

Client agrees not new – say agree

→ say went pref emb route b/c s/o could copy &
wouldn't infringe claims if limited to strip windows

adv – much easier to use

b/c no separate insert

Method claim?

claim a blank?

D1 has 2 arrangements.

Adv is immediate reuse.

Claim 11 – refers to fig 1, which is prior art →

Elongate slot idea imp too

→ div filed 18 Dec 2009

R30 is either 18 June 2014

if priority 18 June 2013

→ window in flap.

Elongate slots, D1 has window longer than wide.

Claim amendments.

- As alternative to claim 2?
- 8 & 9 bit ward
- 11 ref to fig 2 only

Chose p7, 14-15 a.ot. p5, 19-20

Div 1&9?

Basis claim 1 – as claim 1 +

New claims

- Types of plastics material p4 @ bottom
- P5 line 30-31 wipe clean/tear resistant
- Wipe clean laminated over primary material of pouch
- Poss p4, lines 7-12
- Flap is transparent plastic? = claim 5 18-20.

lots of stuff
for claims
to slots in
p7, 21 → p8, line 6

- longer fasteners

Difference between claim 6 / p5 line 31-32

- address block is single block? P6, line 31-32

Claim 1 amendment

Flap window? - integral but this taught by D2
Basis @ p7, lines 13-14

- amend to slots
→ say why not
& better indiv
→ other 11, but would
be exceptionally
narrow

“back of the receptacle”

Prior art in patent.

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SAMPLE SCRIPT B

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Claims

1. A reusable routing pouch, having front and back faces, an opening along one edge for receiving pouch contents, and a closure flap for closing the opening, wherein the pouch includes a reusable address block, the address block in use being viewable through a window, wherein the window is in the form of a transparent material portion in the closure flap, such that it covers the address block when in the closed position.
2. A pouch according to claim 1, wherein the address block is provided on a layer of wipe-clean material.
3. A pouch according to claim 2, wherein the wipe-clean material is a plastics material.
4. A pouch according to claim 2 or 3, wherein the pouch comprises a layer of stiffening material under the wipe-clean material.
5. A pouch according to any preceding claim, wherein the height of the window is greater than that of the address block.
6. A pouch according to any preceding claims, wherein the address block comprises a single address block.
7. A pouch according to any preceding claims, wherein the closure flap has attachment means to detachably fasten it to the back face of the pouch during use.
8. A pouch according to any preceding claims, further comprising at least one elongated sight slot in at least one face of the pouch for revealing a portion of the interior of the pouch.
9. A pouch according to claim 8, wherein the elongated sight slot extends substantially the entire length of the pouch.
10. A pouch according to any preceding claim, comprising an elongated sight slot in the front face and an elongated sight slot in the back face that is aligned with the elongated sight slot in the front face.

11. A pouch according to any of claims 8 to 10, wherein the elongated sight slot is covered by transparent material.
12. A pouch according to any of claims 8 to 10, further comprising reinforcing strips laid across the elongated sight slot at regular intervals.
13. A pouch according to claim 12, wherein the reinforcing strips loop fully around the pouch.
14. A pouch according to claims 12 or 13, wherein the reinforcing strips comprises strong fibres.
15. A pouch substantially as described herein with reference to the accompanying drawings.

Proposed divisional claim

1. A reusable routing pouch, having front and back faces, an opening along one edge for receiving pouch contents, a closure flap for closing the opening, and at least one elongated sight slot in at least one face of the pouch for revealing a portion of the interior of the pouch, wherein the pouch includes a reusable address block, the address block in use being viewable through a window.

Letter to UKIPO

Dear Sir,

In response to your examination report dated 15 June 2011, we now file a reply. We noted that the deadline for replying to the examination report falls on 15 Oct 2011, and this reply is filed on 2 Nov 2011, which is within 2 months from the deadline. Therefore we would like to request for a retrospective 2-month extension for filing this reply.

In this reply, we submit a set of amended claims and our arguments/remarks.

Basis of Amendments

Claim 12 has been amended to include the feature that the window is in the form of a transparent portion in the closure flap. Also this transparent material portion covers the address block in the closed position. Basis of this amendment can be found at page 2, lines 21, 22, 24, 25, page 4 lines 13-14 of the application.

Claim 2 is based on original claim 2, and pg 2 line 24.

Claim 3 is based on original claim 3.

Claim 4 is based on original claim 4 and pg 2 line 5.

Claim 5 is based on original claim 5.

Claim 6 is based on page 3 lines 30-34. This is in contrast to claim 1 “a reusable address block” which it could cover a more than one address blocks. In claim 4, only one address block is defined.

Claim 7 is based on original claim 6.

Claim 8 is based on original claim 8, page 4 lines 21-23, where it was mentioned that the elongated sight slots reveal more of the interior of the pouch.

Claim 9 is based on page 4 line 22.

Claim 10 is based on original claim 9.

Claim 11 is based on original claim 10.

Claim 12 is based on page 4 lines 30-32.

Claim 13 is based on page 5 lines 3-5.

Claim 14 is based on page 4 lines 30-31.

Novelty

Claim 1 now includes the feature of the window for viewing the address block being in the form of a transparent material portion in the closure flap.

In D1, the window 15 is provided on the front panel 12, and not on the closure flap or top flap 14. See also page 1, lines 17-18 of D1. Therefore, it is submitted that claim 1 is novel over D1.

D2 novelty discloses the use of wipe-clean address fields (or rather reusable address blocks) in envelopes. It did not mention that the address block, the closure flap of the envelopes has windows in the form of transparent material for viewing the address blocks. Moreover, the transparent covers of D2 is to enclose the whole envelope, and not just forming the window at the envelope flap. Therefore claim 1 is novel over D2.

It is submitted that claim 8, reciting an elongated sight slots for revealing the interior of the pouch, is also novel over D1 and D2.

Specifically, D1 thereby discloses circular holes 28 for revealing the interior. The window 15 is not considered as they do not reveal the interior of the pouch.

Nothing is mentioned in D2.

All claims 2-15 are novel by their dependency on claim 1.

Inventive step

The skilled person is taken to be a manufacturer or engineer of such routing envelopes. He should have the knowledge of prior art described in the application background and teachings of D1 & D2 as his common general knowledge. The inventive concept is providing a transparent material portion as the window in the closure flap, such that it covers the address block when in the closed position.

In D1, the window is provided in the front panel.

The advantage of providing the window in the closure flap of the invention is that the addressee can very easily erase his/her name from the pouch once he/she has opened the pouch. In this way, the pouch can be reused straight away. This is advantageous over D1 in which a user will need to take out the pad 27 to mark off the previous addressee, and write the new addressee, creating extra step.

Furthermore for D1, one is still dependent on the supply of inserts: hence for this reason, the invention is inventive over D1.

Moreover, there is no motivation for the skilled user to modify the envelope of D1 to put the window into the closure flap because D1 is silent on this. D1 further teaches the use of covert coating for the pad, so that it can be easily inserted into the front pouch 21.

Hence it is submitted that the invention of claim 1 is inventive over D1.

Also, it should be noted that even if the skilled user combines D1 with D2, the combined teaching do not arrive at the invention defined by claim 1. Specifically, the combined teaching only teaches replacing the pad 27 with a sheet of plastic material for addresses to be erased and re-written. This is already contemplated in D1 already. Nothing in the combined teaching suggests moving the window 15 to the closure flap as recited in claim 1.

Hence claim 1 is also inventive over the combined teachings of D1 and D2.

Claims 2 to 15 are also inventive by virtue of their dependencies on claim 1.

Neither D1 nor D2 discloses the advantages of an elongated sight slot (far easier to view than holes). Hence the feature recited in claim 8 is inventive as well on its own.

Clarity

Claim 4 has been amended to depend on claim 2 or claim 3. Hence the clarity objection to claim 4 has been overcome.

Others

Before the issuance of the s18(4) communication, we request the examiner to inform us so that we have enough time for filing a divisional application.

Memo

Dear Mr Ian Venter

1) Thank you for your letter. We have now filed a reply to the examination report. We are able to obtain a 2-month extension to filing this reply as of right. Since we are within this 2-month period, such an extension is available. There is no need to supply a medical certificate as evidence.

2) We have reviewed the objections, and the prior art D1 and D2. As you said, the concept of having the window to view the address block is not new. Because D1 discloses this general feature (window 15 and pad 27). Hence we have to amend claim 1 to overcome this objection.

3) In your letter, you mentioned that your design is good because the addressee can erase their name once they've opened it. There is also no danger of it being

resent accidentally. Furthermore, your marketing material will lower this aspect. We view that the feature giving rise to this advantage to be that the window is provided in the closure flap. Also, this window has to be a transparent material portion & not merely an empty slot (otherwise a person need not open it to erase it). Hence we have included this feature into claim 1 accordingly.

4) We have also considered the possibility of amending to recite only a single address block is used, as we believe this is novel as well. However, the advantageous is not so obvious.....argument and delay grant.

5) With regard to claim 11, this is an omnibus claim. "In the last resort", meaning all other claims fail, we could still try to find features in the drawings to be read into claims for catching infringement. We believe our other claims should be strong enough to be granted and used for infringement enforcement. So you should not be unduly worried about this.

6) We also believe that the feature on the elongated sight slot is novel and inventive as well. We propose to file a divisional application based on this feature, but without the feature of window in the closure flap of claim 1. This should give a more comprehensive protection. I did not limit it to have transparent the pouches are strong enough.

7) However, we have not filed the divisional yet due to your cash flow problem. This divisional has to be filed before Grant, and I have requested the examiner to notify us should he intend to Grant, to give us some time to consider filing this divisional. Should your cash flow improve & consider filing the divisional, please let me know.

8) I have included both the single address block, the elongated sight slots as well as other features like reinforcing strips as fall-back positions. I believe these are novel and inventive on its own.

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SAMPLE SCRIPT C

This script has been supplied by the JEB as an example of an answer which achieved a pass in the relevant paper. It is not to be taken as a "model answer", nor is there any indication of the mark awarded to the answer. The script is a transcript of the handwritten answer provided by the candidate, with no alterations, other than in the formatting, such as the emboldening of headings and italicism of case references, to improve readability.

Claims

1. A reusable routing pouch, having front and back faces, an opening along one edge for receiving pouch contents, and a closure flap for closing the opening, wherein;

the pouch includes a reusable address block on the back face, and the closure flap includes a transparent material window such that, in use, when the opening is closed by the closure flap, the address block is covered by, and is viewable through, the transparent material window, and when the opening is not closed by the closure flap, the address block is accessible for writing on.

2. < Original claim 2 >

3. < Original claim 3 >

4. A pouch according to claim 2 or 3, wherein the pouch comprises a layer of stiffening material under the wipe-clean material.

5. A pouch according to any preceding claim, wherein the height of the transparent material window is greater than that of the address block.

6. < Original claim 6 >

7. < Original claim 7 >

8. A pouch according to claim 7, wherein the hook-and-loop type fastener comprises a first fastener section on the back face of the pouch and a second fastener section on the closure flap, the first fastener section being longer than the second fastener section.

9. < Original claim 8 >, such that in use the pouch contents may be seen through the sight slots.

10. < Original claim 9 >

11. A pouch according to claims 9 or 10, wherein the or each elongate sight slot is covered by a transparent material.

12. A pouch according to any one of claims 9 to 11, wherein the or each elongate sight slot is reinforced by strips of tape or strong fibres laid across the elongate sight slot at regular intervals.

13. A pouch according to claim 12, wherein the strips of tape or strong fibres comprise flexible plastic, string, rubber or flexible metal bands of aluminium or steel.

14. A pouch according to claim 12 or 13, wherein the strips of tape or strong fibres are attached on one side of the pouch, on both sides of the pouch, or looping all the way around the pouch.

15. A pouch substantially as described herein, with reference to figure 2 of the accompanying drawings.

LETTER TO UKIPO

Dear sirs

We write in response to the Examination Report dated 15 June 2011 and enclosed amended claims 1-15.

We request a retrospective two month extension of time for responding to the Examination Report such that the extended deadline for response is 15 December 2011.

Claim amendments

Claim 1 has been amended specify that the closure flap includes a transparent material window. Basis for this amendment may be found on lines 22-24 on page 2 of the description, and line 13 on page 4 of the description.

Claim 1 is also amended to specify that in use, when the opening is closed by the closure flap, the address block is covered by, and is viewable through, the transparent material window, and when the opening is not closed by the closure flap, the address block is accessible for writing on. Basis for this amendment may be found between lines 13-18 on page 4 of the description and figure 2 of the drawings.

Basis for the dependent claims may be found as follows:

Claim 2:	Original claim 2
Claim 3:	Original claim 3
Claim 4:	Original claim 4
Claim 5:	Original claim 5
Claim 6:	Original claim 6
Claim 7:	Original claim 7
Claim 8:	Lines 7-13 on page 5 of the description
Claim 9:	Original claim 8 and lines 21-24 on page 4 of the description
Claim 10:	Original claim 9
Claim 11:	Original claim 10

Claim 12: Lines 30-32 on page 4 of the description
Claim 13: Lines 30-32 on page 4 of the description
Claim 14: Lines 1-3 on page 5 of the description

Novelty

Document D1 (US 1111111)

D1 describes an envelope with a back panel 10, an intermediate panel 11 and a front panel 12, a bottom end flap 13 and a top end flap 14.

Claim 1 of the present invention is novel over D1 at least because D1 does not describe a reusable address block on the back face and a closure flap including a transparent material window such that, in use, when the opening is closed by the closure flap, the address block is covered by, and is viewable through, the transparent material window, and when the opening is not closed by the closure flap, the address block is accessible for writing on.

Instead D1 has an elongate window 15 formed in its front panel 12 such that an address pad 27 inserted between the intermediate panel 11 and front panel 12 is viewable through the window 15.

Document D2 (cat. extract no. 2222222)

D2 describes a routing envelope with wipe clean address fields and a separate transparent plastic cover for the envelope to protect the address blocks from smudging during transit.

Therefore, claim 1 is novel over D2 at least because D2 does not describe a closure flap including a transparent material window such that, in use, when the opening is closed by the closure flap, the address block is covered by, and is viewable through, the transparent material window, and when the opening is not closed by the closure flap, the address block is accessible for writing on.

Instead D2 has a transparent plastic cover for the envelope to protect the envelope in transit.

Claim 1 is also novel over the known routing pouch described on page 1 of the present application for at least the same reasons.

Inventive step

The inventive concept of the claimed routing pouch is that the reusable address block is covered by the transparent material window in the closure flap when the pouch is closed, but is readily accessible for writing on merely by opening the pouch.

D1 was a complicated double pouch arrangement with a main pouch for material to be transported and a second pouch, between the front panel and intermediate panel, within which an address pad is inserted.

The arrangement defined in claim 1 has the advantage that the address information is protected during transit, but is still quickly and easily accessible for writing on etc by merely opening the pouch, whereas in D1 the address pad must be removed, written on, and inserted back in the pouch, which is fiddly and time consuming. Furthermore, the pouch of claim 1 is less complicated and is therefore easier and cheaper to make.

It would not be obvious to alter D1 to arrive at the arrangement of claim 1 because of the structure of D1 relies on a removable address pad within an inset, which is so far removed from the present solution that inventive effort would be required to alter the structure. Also, the skilled person would not be motivated to alter the design of D1 because it already provides for a way of protecting the address information during transit.

The advantage of the present invention over D2 is that a separate plastic cover is not required to protect the address information on the pouch, which means that the present invention is more elegant and potentially cheaper to produce.

It would not be obvious to alter the arrangement of D2 because it already provides a way of protecting the address information during transit, and therefore the skilled person would not be motivated to alter the design of the pouch. Even if he did try to modify D2, it teaches that many address blocks are formed on the envelope, therefore the closure flap would not be suitable for covering the address blocks or protecting them in transit because it would not be large enough.

It would not be possible to combine D1 and D2 to arrive at the present invention. Both devices teach different ways of protecting the address information during transit, which both require the removal of something from a protective enclosure. Therefore the skilled person would not be able to arrive at the arrangement of claim 1 which does not require something to be removed from a protective enclosure.

The advantage of the present invention over the known pouch described in the description is that the number of times the pouch may be used is not limited by the address blocks on the pouch, and the addressee may be identified more clearly because the previous addressee may be removed before sending it to the new addressee.

If the skilled person were to combine the known pouch with D1 or D2, he would be taught that the pouch may be made with reusable address blocks that are protected during transport by either a separate insert (D1) or a plastic cover for the pouch (D2). Therefore, he would arrive at a different arrangement in both instances from that of claim 1.

Clarity

New claim 4 has been amended to be dependent on claim 2 or 3, therefore correcting the antecedent error.

The omnibus claim 15 has been amended to refer only to figure 2, so as to exclude reference to prior art figure 1.

The application is thus believed to be in order for grant. Before granting the application, it is requested that the Examiner gives warning to the below signed person so that a divisional application may be filed.

Yours faithfully
etc

Client memo

- 2 month retrospective extension available as of right. Have requested extension so can respond up until 15 December 2011 without losing any rights. Therefore, medical certificate will not be necessary.
- Have amended claim 1 in order to put application in order for grant by making it word and inventive over cited art.
- Client appears satisfied as to why claim 1 was not novel over D1.
- Chose to amend claim to specify the transparent window on the closure flap. Apparent from client letter that this is the most important part of design as far as client is concerned. Also has good advantages over cited prior art.
- Also specified that reusable address block is formed on back face. Did this as though Examiner might suggest that it is an essential feature for the ease of writing quickly & easily on the block after opening the closure flap and wanted to put application in order for a quick grant. Could, however, remove this feature before responding to Exam Report if client really not interested in it.
- Considered amending to specify that address block is formed on front or back face, but thought that reduced the clarity of the claim, and claim does not specify any further features of the front or back faces therefore only distinguishing feature of back face of a pouch according to claim 1 is that it is the face on which the address block is located. Scope of claim specifying on back face therefore appears same as if claim specified front or back face.
- Considered amending claim to specify sight slots as seems to be novel and inventive; however, client appears to consider this to be a feature of secondary importance.
- Also considered amending to feature of having a wipe clean material as arguable novel over D1 because D1 was pads of paper of plastic that requires solvents to remove writing. However, seemed quite narrow & D1 & D2 anticipates.
- Therefore, propose a divisional claim directed towards this feature could be filed in the future if the client has money available in future. Have proposed divisional claim below, which covers a pouch with the sight slot but without a window in the closure flap.
- Divisional claim proposed is similar to D1, but believe I have differentiated from the window 15 by specifying that the contents of the pouch may be viewed through the sight slot. In D1, only address information may be viewed through window 15, it is through the circular sight holes 28 that the pouch contents may be viewed, and sight holes 28 are clearly not elongate sight slots.

- Have also amended claims to include a number of new dependent claims which might be useful fall back positions in the future since they specify features which appear to be novel and inventive over the cited art.
- Have overcome objections against original claim 11 (new claim 15) by referring only to figure 2 of the drawings.
- Once application has been granted, if client identifies any potential infringes in UK, we may take action against them if he would like.
- Provisional protection might no longer be available because claims have been amended after publication of the applications, therefore damages might only be back-dated to date of grant.

Divisional claim

A reusable pouch, having front and back faces, an opening along one edge for receiving pouch contents, and a closure flap for closing the opening, wherein the pouch includes a reusable address block, the address block in use being viewable through a window, and an elongate sight slot in at least one face of the pouch, such that in use the pouch contents may be seen through the sight slot.