

**PATENT COOPERATION TREATY**

**PCT**

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/MX2009/000119	International filing date ( <i>day/month/year</i> ) 04 November 2009 (04.11.2009)	Priority date ( <i>day/month/year</i> ) 04 November 2008 (04.11.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant DE LA TORRE ROSALES, Sergio Martín		

<p>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i>.1(a).</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
<p>3. This report contains indications relating to the following items:</p> <table> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44<i>bis</i>.3(c) and 93<i>bis</i>.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44<i>bis</i> .2).</p>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input 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 checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application																						

	Date of issuance of this report 07 June 2011 (07.06.2011)
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**PATENT COOPERATION TREATY**

**TRANSLATION**

From the  
INTERNATIONAL SEARCHING AUTHORITY

**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **23.02.2010**

Applicant's or agent's file reference		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/MX2009/000119</b>	International filing date (day/month/year) <b>04.11.2009</b>	Priority date (day/month/year) <b>04.11.2008</b>
International Patent Classification (IPC) or both national classification and IPC <b>H02N11/00</b>		
Applicant <b>DE LA TORRE ROSALES, Sergio Martín</b>		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ES	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

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Box No. I	Basis of this opinion
1.	<p>With regard to the <b>language</b>, this opinion has been established on the basis of:</p> <p><input checked="" type="checkbox"/> the international application in the language in which it was filed</p> <p><input type="checkbox"/> a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).</p>
2.	<p><input type="checkbox"/> This opinion has been established taking into account the <b>rectification of an obvious mistake</b> authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))</p>
3.	<p>With regard to any <b>nucleotide and/or amino acid sequence</b> disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:</p> <p>a. (means)</p> <p><input type="checkbox"/> on paper</p> <p><input type="checkbox"/> in electronic form</p> <p>b. (time)</p> <p><input type="checkbox"/> in the international application as filed</p> <p><input type="checkbox"/> together with the international application in electronic form</p> <p><input type="checkbox"/> subsequently to this Authority for the purposes of search</p>
4.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
5.	<p>Additional comments:</p>

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims _____	YES
		Claims 1-5 _____	NO
	Inventive step (IS)	Claims _____	YES
		Claims 1-5 _____	NO
	Industrial applicability (IA)	Claims _____	YES
		Claims 1-5 _____	NO
2.	Citations and explanations:		
	Document taken into consideration: D1: GB 2366455 A (BROWN DAVID) (6 March 2002)		
	Document D1 is the prior art document closest to the invention. Said document describes a self-sufficient electricity plant that comprises:		
	- generator,		
	- electric motor,		
	- one or more batteries,		
	- a belt for pulleys or any other means for transmitting movement from the motor to the generator,		
	- a DC/AC current inverter,		
	- a change control device,		
	- electrical connection cabling,		
	- an attachment base for motor and generator.		

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Therefore, the application appears not to comply with the requirement of novelty of PCT Article 33(2).

Furthermore, the structure of the portable electricity plant described and claimed suggests that the application relates to an alleged perpetual-motion device. This type of moveable device is considered to fail to comply with the requirement of industrial applicability (PCT Article 33(4)).

To conclude, the application appears not to meet the patentability requirements of PCT Article 33(1).

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1 and 3 do not define the elements of the system by means of the technical features required for obtaining the desired functionality, but, rather, the result it is desired to obtain: not requiring external energy resources and producing electricity in a self-sufficient manner. These are therefore wish claims as they define the result without indicating the technical features of the elements allowing said aims to be achieved.

Page 4 of the description denotes two different features by mean of reference sign (8) in the figures:

"electromechanical change control device" and "internal voltage controller". Furthermore, according to claims 4 and 5, these two elements appear to perform the same function, although that is unclear.