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[Continued on next page]

(54) Title: DEVICE AND METHOD FOR REDUCING WEIGHT

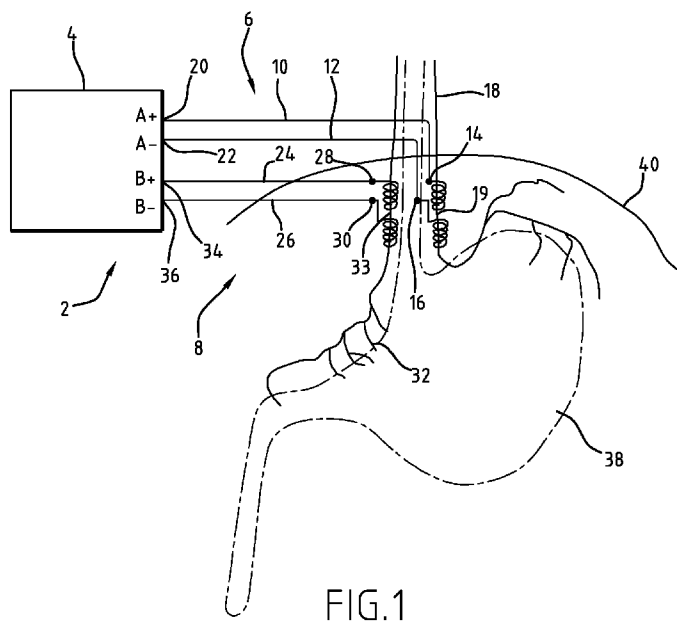


FIG.1

(57) Abstract: The present invention relates to a device (2) for reducing weight in an individual, the device (2) comprising: a generator (42, 43) adapted to produce an electrical signal; at least a first set of electrodes (6) comprising two electrodes (10, 12) able to be connected to the generator (42, 43) and being intended to be fixed to a first vagus nerve (18) of the individual at a predefined distance one from another to apply the electrical signal to a portion (19) of the first vagus nerve (18) located between the electrodes (10, 12); characterized in that it comprises a short-circuiting switch (52) being adapted to short-circuit the electrodes (10, 12).



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NO, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

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## INTERNATIONAL SEARCH REPORT

International application No

PCT/EP2008/061204

A. CLASSIFICATION OF SUBJECT MATTER  
 INV. A61N1/05 A61N1/36

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)  
 A61N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2004/267344 A1 (STETT ALFRED [DE] ET AL STETT ALFRED [DE] ET AL) 30 December 2004 (2004-12-30) paragraphs [0003], [0059], [0060], [0062], [0070] claims 1,5	1
Y	-----	6-11
X	US 4 408 608 A (DALY CHRISTOPHER N [AU] ET AL) 11 October 1983 (1983-10-11) figure 5A column 1, lines 5-13 column 17, lines 5-38 claims 32,36-38	1-5
Y	-----	6-11
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Further documents are listed in the continuation of Box C.



See patent family annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*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)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*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
- \*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
- \*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.
- \*G\* document member of the same patent family

Date of the actual completion of the international search

12 February 2009

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25/02/2009

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## INTERNATIONAL SEARCH REPORT

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C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 2006/190053 A1 (DOBAK JOHN D III [US]) 24 August 2006 (2006-08-24) paragraphs [0070], [0078], [0083], [0112], [0116] -----	6-11
A	WO 2004/044947 A (BRAINS GATE LTD [IL]; GROSS YOSSEI [IL]; SHALEV ALON [IL]; KEREN AVRAHAM) 27 May 2004 (2004-05-27) the whole document -----	1-11
A	US 5 314 457 A (JEUTTER DEAN C [US] ET AL) 24 May 1994 (1994-05-24) the whole document -----	1-11

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/EP2008/061204

## Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 12-25  
because they relate to subject matter not required to be searched by this Authority, namely:  
see FURTHER INFORMATION sheet PCT/ISA/210
2. ☒ Claims Nos.: 23-25  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers allsearchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search reportcovers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- ☐ No protest accompanied the payment of additional search fees.

**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

Continuation of Box II.1

Claims Nos.: 12-25

Rule 39.1(iv) PCT - Method of treatment of the human or animal being by therapy and surgery

The methods for reducing weight in an individual, as defined in claims 12-16 and 17-22, comprise the step of surgically implanting devices (see description of the present application, page 5, lines 13-15 and claim 18) and are therefore considered to be surgical. Furthermore, method claims 12-16 and 17-22 relate to the curing of diseases or malfunctions of the body in order to restore or maintain health since they include the step of providing vagus nerve stimulation for reducing weight in an individual (see description of the present application, page 2, lines 30-32).

Consequently, claims 12-16 and 17-22 define methods of treatment of the human or animal body by therapy and surgery, for which no international search needs to be carried out (Rule 39.1(iv) PCT).

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Continuation of Box II.2

Claims Nos.: 23-25

Article 6 PCT - Clarity

Claim 23 is directed to a process for manufacturing a surgical implant using a device as defined in claims 1-11. However, the wording of claim 23 leaves the reader in doubt as to the essential steps allowing said process to be carried out. Claims 23-25 are therefore not in compliance with the provision of clarity of article 6 PCT.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.2), should the problems which led to the Article 17(2)PCT declaration be overcome.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/EP2008/061204

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 2004267344	A1	30-12-2004	AT 361773 T DE 10151650 A1 WO 03033069 A1 EP 1448264 A1 JP 2005505388 T	15-06-2007 08-05-2003 24-04-2003 25-08-2004 24-02-2005
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