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SOFT RESILIENT INTEROCCLUSAL DENTAL APPLIANCE
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- (56) Prior Art Documents
US 4873269
- (57) Claim

1. A soft, persistently resilient interocclusal dental appliance, comprising:

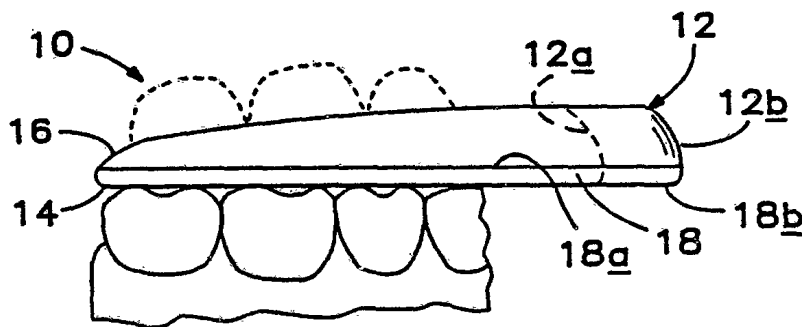
a body made from an injectable, curable composition, with the composition including a polymer component made substantially of butyl methacrylate polymer, a monomer component made substantially of butyl methacrylate monomer, and an effective amount of polymerizing agent.



<p>(51) International Patent Classification ⁵ : A61C 3/00, C09K 3/00</p>	<p>A1</p>	<p>(11) International Publication Number: WO 93/17631 (43) International Publication Date: 16 September 1993 (16.09.93)</p>
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<p>(21) International Application Number: PCT/US93/02159 (22) International Filing Date: 10 March 1993 (10.03.93) (30) Priority data: 07/849,467 11 March 1992 (11.03.92) US (71)(72) Applicants and Inventors: WATSON, Sherman, L. [US/US]; 12616 N.E. 7th Place, Vancouver, WA 98684 (US). JONES, Jimmie, J. [US/US]; 4416 S.E. 34th Street, Portland, OR 97202 (US). MOORE, Richard, W. [US/US]; 2103 N.W. 272nd Avenue, Camas, WA 98607 (US). (74) Agents: COOPER, David, P. et al.; 200 Pacific Building, 520 S.W. Yamhill Street, Portland, OR 97204 (US).</p>	<p>(81) Designated States: AT, AU, BB, BG, BR, CA, CH, DE, DK, ES, FI, GB, HU, JP, KP, KR, LK, LU, MG, MN, MW, NL, NO, PL, RO, RU, SD, SE, European patent (AY, BE, CH, DE, DK, ES, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, SN, TD, TG).</p> <p>Published <i>With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i></p>
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(54) Title: SOFT RESILIENT INTEROCCLUSAL DENTAL APPLIANCE



(57) Abstract

A unitary plural-material, interocclusal dental appliance (10) is disclosed for use in connection with orthodontic/orthopedic treatment of the teeth and jaws of a patient's mouth. The appliance includes a first region (14) made from a first material that provides a relatively hard expanse with first and second surfaces, and with the second surface being contactable by one such set of teeth. The second surface may be constructed with a substantially planar shape, or with a shape conforming generally to the cusps of such one set of teeth. A second region (16) is joined to the first region (14) and is made from a second material that provides a relatively soft, persistently resilient enclosure for the other such set of teeth. Additionally, a curable composition for making a soft, persistently resilient dental appliance is disclosed and it includes a polymer component including butyl methacrylate monomer.

SOFT RESILIENT INTEROCCLUSAL DENTAL APPLIANCE**Background and Summary of the Invention**

5 The invention relates generally to dental appliances and synthetic compositions used to make them. More particularly, the invention concerns an improved interocclusal appliance which provides improved appliance retention and precise vertical and lateral positioning of the mandible, as well as a method of forming such appliance, and a curable composition for making dental appliances such as the invented appliance.

10 Interocclusal appliances, commonly referred to as splints, are well known, and are used to secure or hold in proper position (or desired range of positions) the mandible of a patient. Splints may be used for orthodontic treatment, as well as for orthopedic treatment of the bone, joints and supporting tissue associated with the mouth.

15 For example, splints are used to treat various conditions including temporo-mandibular joint (TMJ) dysfunction syndromes, myofascial pain dysfunction syndrome, and symptomatic or asymptomatic loss of tooth structure from subconscious parafunctional mandibular habits known as bruxism (grinding) or clenching. Splints are also used to reduce wear on teeth caused by metal or
20 porcelain dental restorations during normal, functional or parafunctional mandibular movement. Splints may also be used as anti-snoring devices to resolve snoring problems and obstructive sleep apnea (OSA).

Several unimaterial, conventional splints have been proposed but there are certain problems common to all of them. First, none of the so-called
25 "soft" splints remain soft over time. Conventional splints harden over time due to their composition and/or due to leaching out of unreacted plasticizers present in them. Such hardening is a drawback because soft, resilient splints are preferred. Soft splints are preferred because they are more comfortable to wear than hard appliances, and because they provide improved retention of the splint
30 held by the teeth.

A second drawback associated with such splints is that they are notoriously imprecise in terms of vertical and lateral positioning of the mandible

under desired patient-bite conditions before they harden. Precise vertical and lateral positioning the mandible is critical to proper orthodontic/orthopedic treatment. The section of conventional soft splints that is sandwiched by opposing sets of teeth is imprecise because it "gives" an irregular amount when the patient bites down under
5 normal pressure, resulting in reduced TMJ stability in all dimensions.

Certain proposals have been made to make splints and other dental appliances out of two materials with differentiated hardness. Apparently, the idea is to use harder material in such appliances where harder material is needed and softer material where it is needed. For example, such proposals have been made in U.S. Patent No. 4,448,735
10 to Huge, U.S. Patent No. 3,404,056 to Baldwin, U.S. Patent No. 2,934,823 to Preis and U.S. Patent No. 2,789,351 to Gordon. However, none of the prior art proposals has been effective in overcoming the above-identified problems for splints.

Accordingly, it is a principal object of the present invention to provide an improved soft, persistently resilient, interocclusal dental appliance.

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In one broad form the present invention provides a soft, persistently resilient interocclusal dental appliance, comprising:

a body made from an injectable, curable composition, with the composition including a polymer component made substantially of butyl methacrylate polymer, a
5 monomer component made substantially of butyl methacrylate monomer, and an effective amount of polymerizing agent.

Brief Description of the Drawings

In the interest of clarity, it will be appreciated that the preferred embodiment of the invention is illustrated and described consistently, with respect to orientation,
10 relative to its use in a patient's mouth. Thus, the orientation of the dental appliance illustrated in Figs. 1 through 6 is described using anatomical terminology, as though the appliance were positioned in the mouth.

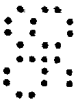
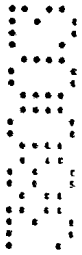


Fig. 1 is a top view of the preferred embodiment of the invention which is in place in the mouth of a patient, showing the upper teeth of the patient located in the appliance but blocking out all remaining portions of the mouth.

Fig. 2A is a right, buccal side view of the preferred embodiment of the invention shown in Fig. 1 with certain portions of the mouth shown.

Fig. 2B is a right, buccal side view similar to Fig. 2A only showing a second embodiment of the invention.

Fig. 3 is a fragmentary sectional view through line 3-3 of Fig. 1 which also shows portions of the gums and jaw of the mouth as well as a pair of opposing teeth.

Fig. 4 is a sectional view through lines 4-4 of Fig. 3.

Fig. 5 is like Fig. 3 only slightly more fragmentary and showing a third embodiment of the invention.



Detailed Description of the Preferred Embodiment

Figs. 1 and 2A depict top and side views of the invented unitary, plural-material interocclusal dental appliance, made in accordance with its preferred embodiment and indicated at 10. Preliminarily, it should be understood that appliance 10 may also be thought of as a TMJ dysfunction appliance. As will be understood, appliance 10 may be used by a patient for orthodontic/orthopedic treatment of the teeth, joints and bone associated with a patient's mouth.

Focusing first on Fig. 1, appliance 10 preferably has a generally U-shaped body 12. The inner U-shaped border 12a of body 12 corresponds to the tongue or lingual side of the appliance and the outer U-shaped border 12b corresponds to the cheek or buccal side of the appliance.

Referring to Figs. 2-3, body 12 includes a first region 14, also referred to as an occlusal layer or a relatively hard occlusal layer, joined to a second region 16, also referred to as a jacketing section. Further discussion of techniques for forming body 12 will follow soon. As for joinder of the two regions, such joinder may be accomplished by any suitable method such as by bonding them together. First region 14 is formed from a first material and second region 16 is formed from a second material, and both materials will be more particularly described below.

Referring to Figs. 2A and 3, first region 14 takes the form of an expanse 18 with first and second surfaces 18a, 18b, respectively. Preferably, expanse 18 is constructed with a substantially planar second surface 18b but, as shown in Fig. 2B, a second embodiment of the invention is shown as an appliance 110 which includes expanse 118 being formed with a second surface 118b that conforms to the cusps of the lower teeth. The significance of constructing second surface 118b to conform with the cusps of the lower teeth will be described below.

Referring again to Fig. 3, second surface 18b is contactable by one set of teeth, such as the patient's lower teeth, one of which is shown at 20 in Fig. 3. Second region 16 takes the form of an enclosure (or jacketing section) for the patient's opposing set of teeth, such as the upper teeth, one of which is shown at 22. It should of course be understood that appliance 10 may be formed so that the jacketing section is usable on either the upper or lower set of teeth.

Referring to teeth 20 and 22, each includes corresponding roots 20_a, 22_a which are shown positioned in lower and upper jaws 24, 26, respectively. Each tooth also includes corresponding cusps 20_b, 22_b. Each cusp may be thought of as having a top 20_c, 22_c and sides 20_d, 22_d, respectively.

5 Referring to Figs. 3-4, one can see that second region 16 is formed with plural zones 28 which preferably take the form of openings that allow cusps 22_b to contact first surface 18_a of first region 18. Zones 28 may also be thought of as means for providing communication between selected ones of jacketed teeth (such as tooth 22 of Fig. 3) and first surface 18_a of planar expanse 18. Referring
10 for a moment to Fig. 5, a third embodiment of appliance is shown at 210 which includes plural zones 228 formed as relatively thin sections, i.e. with a thickness of about 0.5mm -1.0mm.

Referring to Figs. 3 and 5 zones 28 and 228 each allow cusps 22_b, 222_b, to penetrate into first region 14, 214, respectively. Such penetration will be
15 discussed further, but first it is important to understand certain details about the first and second material from which first and second regions 14, 16 (Fig. 3) are formed, respectively.

Referring again to Figs. 1-3, first region 14 may be formed of any suitable relatively hard material that will allow teeth to penetrate into it only a
20 relatively small, yet precise amount. Preferably, the first material is formed from known curable, acrylic-based polymer formulations that are commonly used in the field of orthodontics, such as polymethyl methacrylate (PMMA). PMMA, when cured, has a hardness that is greater than the to-be-described second material which is used to form second region 16.

25 Still referring to Figs. 1-3, second region 16 is formed from a second material which forms another aspect of the present invention. This second material is characterized by a curable composition that is usable to make a soft, persistently resilient dental appliance. The composition includes a polymer component including butyl methacrylate polymer, and a monomer component
30 including butyl methacrylate monomer. Preferably, the polymer component is about 20-80% by volume of the composition.

One example of a suitable composition for the second material is:

EXAMPLE 1

Butyl Methacrylate polymer (BMA-P)	10g (9.35ml)
Butyl Methacrylate monomer (BMA-M)	13.4ml
Benzoyl Peroxide	0.2g (0.15ml)

5 The butyl methacrylate polymer (BMA-P) is available from E.I. Du Pont de Nemours & Co., Inc. and is marketed under the trademark ELVACITE 2044. The butyl methacrylate monomer (BMA-M) is available from Rohm and Haas Co. Benzoyl peroxide is available from Spectrum Chemical Mfg. Corp. of Gardena, California.

10 The above example composition may be mixed with suitable mixing means and, once mixed, is in a liquid state. A suitable mold may be formed using conventional processes such as those disclosed in U.S. Patent No. 4,654,006 to Kusano et al., U.S. Patent No. 4,080,412 to Colpitts et al. and U.S. Patent No. 2,859,088 to Erdle et al., which patents are incorporated herein by reference. The
15 liquid composition is injectable into the mold cavity by using a suitable syringe with suitable pressure, and then a curing operation is followed to form the desired appliance.

 The newly formed appliance is persistently resilient based on in-mouth aging tests performed on appliances made from the above-described
20 curable composition. Such tests gave the following results:

	<u>Appliance A</u>	<u>Appliance B</u>
Age	3 wks. old - unused	52 wks. old - used
Hardness* (Shore D)	68.8 (73° F)	68.8 (73° F)
25	58.8 (99° F)	59.2 (99° F)

*Hardness readings for the above tests were averaged from seven readings taken at random locations.

30 Prior to forming the unitary, plural-material interocclusal appliance of the present invention, certain conventional steps are followed and then certain novel steps are also performed, the latter forming another aspect of the invention. The conventional steps involve the usual unimaterial dental-appliance-molding techniques disclosed in the above patents. These conventional techniques are also
35 known as a "lost wax" method of forming a dental appliance.

Briefly, the techniques involve forming a suitable cavity in a mold (also called a flask) that corresponds to the shape of the desired splint. A wax pattern of the splint is formed and placed in a desired position on a stone impression of a desired set of the patient's teeth. Then, the impression and wax pattern are placed in a suitable mold with sprues, which is then filled with a suitable material, such as a hydrocolloid material. Thereafter, the mold is put in a heated water bath to boil out the wax pattern and also to solidify the hydrocolloid material. The resulting mold includes a cavity that defines the desired splint.

The novel steps of the invention include certain improved steps practiced in connection with the above conventional molding techniques. The above conventional techniques are usable to form a unimaterial interocclusal dental appliance in the corresponding cavity of the mold. The improved steps are practiced to form a unitary plural-material, interocclusal dental appliance from such unimaterial one.

From an overview, the method of the invention involves (1) removing a first section of the conventionally formed unimaterial interocclusal dental appliance to expose a surface of a second section of it, (2) putting such unimaterial appliance back in the mold so that a void is defined by the removed first section, (3) filling the void with curable material that is different from the material used to form such unimaterial appliance, and (4) curing the newly formed appliance so that the two materials bond together along the surface of the second region, thus to form a unitary plural-material, interocclusal dental appliance with the first section made from material that is different from the second section.

Now focusing on further details of the method, after conventionally forming and curing the unimaterial appliance it is removed from the mold and cooled. Such appliance would have the appearance of appliance 10 of Figs. 1, 2A and 3, only that it would be made solely of one material (such as the above-identified novel composition) instead of being made of two materials with corresponding regions like regions 14, 16. If the above-identified novel composition is used, it may be injected into the mold via the sprues and cured by

placing the filled mold in a heated water bath (160° F) for about two hours at 20 p.s.i.

It should be understood that appliance 10 in Fig. 3, which is a finished product, is now being used to further detail the steps used to practice the method of the invention. Generally, such steps involve forming a plural-material appliance (appliance 10) from a unimaterial appliance (undepicted). With reference to Fig. 3, imagine that it depicts a fragmentary section of stone teeth and gums, and a unimaterial appliance fitted on the upper stone teeth, all of which reside in a conventional mold (undepicted). Such unimaterial appliance would look like appliance 10 of Fig. 3 except that it would be unimaterial instead of having two regions 14, 16 made from different materials. Next, according to the method of the invention, the unimaterial appliance would be removed from the mold and a first section of it (corresponding to first region 14) would be removed with a suitable cutting device to expose a surface in a second section of it (corresponding to second region 16). Such exposed surface would correspond to the second-region side of the interface between first and second regions 14, 16 in Fig. 1. The result of such removal step would be to form zones in the unimaterial appliance like zones, or openings, 28 (Figs. 3 and 4).

Then, the remainder of such unimaterial appliance is put back in the mold and a void is formed being defined by the just removed section of the appliance. For example, again referring to Fig. 3, the just cut unimaterial appliance would be put back in the mold in a position like that of appliance 10 with region 16 jacketing upper teeth such as tooth 22. However, the just cut unimaterial appliance would not have a section corresponding to region 14 because that would have been removed by the removing step. Next, suitable liquid PMMA is injected into the conventional mold (undepicted) via sprues to fill the void. Such liquid does not flow up through the openings in the surface of the second region because the stone teeth block such flow. To understand such relative positioning of the stone teeth and second section, Fig. 3 is again used to illustrate that the stone teeth would be positioned like upper tooth 22, which is seated in region 16 (corresponds to the second section of the unimaterial appliance). The cusps of tooth 22 block holes 28 by covering them.

Continuing with the description of the method of the invention, the conventional acrylic-based polymer in the mold is cured and the product is demolded using conventional procedures. The product is characterized by having a first region made from the above-described, relatively hard first material (see region 14 of Fig. 3) joined, or bonded, to a second region made from the above-described soft, persistently resilient second material (see region 16 of Fig. 3).

To achieve an even greater bond between the two regions, a suitable bonding agent may be applied to the surface that was exposed by the removing step prior to placing the unimaterial appliance back in the mold for injection of the liquid PMMA.

Turning now to Figs. 3-5, it will be appreciated that zones 28 (Fig. 3)/128 (Fig. 5) allow an adjacent enclosed tooth, such as tooth 22 (Fig. 3)/128 (Fig. 5), to move toward first surface 18a (Fig. 3)/118a (Fig. 5) of first region 14 (Fig. 3)/114 (Fig. 5). Such movement results in penetration of corresponding teeth such as tooth 22/122 into the relatively hard first material of first region 14/114 for a relatively precise distance. Such penetration defines lateral borders in the first material, such as those shown at 30, around such teeth. The result of both such types of tooth movement toward expanse 18 and such lateral-border formation is that appliance 10/110 accommodates relatively fixed vertical and lateral positioning of the mandible by enclosing teeth such as tooth 22/122.

Put another way, and referring to Fig. 3 only, zones 28 allow advancement of cusps 22b into first surface 18a, thereby to form a pocket 32 in the first surface whose shape conforms generally to the cusp and has dimensions spanning top 22c of the cusp and at least part way down sides 20d of the cusp. With such cusp advancement and pocket formation defining lateral borders 30 in the first material of first region 14 around such teeth, the appliance accommodates relatively fixed lateral and vertical positioning of such enclosed teeth upon desired biting action by the patient.

Referring back to Fig. 3, another advantage of appliance 10 of the present invention is shown by the fact that soft, persistently resilient region 16 provides for improved retention of jacketed teeth such as tooth 22 by extending apically to what are known as the undercuts of the tooth. Conventional hard

splints cannot extend apically to the undercuts, and conventional "soft" splints are only able to extend to the undercuts before they eventually harden, at which point such extension is impossible.

Referring to Figs. 3-4, it should also be understood that the exact
5 number of zones 28 formed in a given area of region 16 may vary. To achieve
the desired precise vertical and lateral positioning of the mandible described
above, appliance 10 must be formed with at least three such zones, two being
located substantially distally from the sagittal plane and one being located
substantially mesially from the sagittal plane. For example, referring back to Fig.
10 1, such a requirement would necessitate forming two zones in region 16 adjacent
teeth 34, 36 that are distal to the sagittal plane (represented by dashed line 38)
and one zone adjacent tooth 40 that is mesial to the sagittal plane.

Referring to Figs. 2A-2B, it should be apparent that the appliance
of the present invention may be constructed with expanse 18 having substantially
15 planar second surface 18b (Fig. 2A) or with expanse 118 having second surface
118b that conforms generally to the cusps of a desired set of teeth such as the
lower teeth. The latter embodiment results in a splint that is usable as a so-called
anatomical splint, or repositioning splint, which is used to do what is known as
"recapture the disk" associated with the TMJ. The former embodiment is for
20 splints that are to be used as relaxation or stabilization splints.

Accordingly, while a preferred embodiment of the invention has
been described herein, it is appreciated that modifications are possible that are
within the scope of the invention.

The claims defining the invention are as follows:

1. A soft, persistently resilient interocclusal dental appliance, comprising:

5 a body made from an injectable, curable composition, with the composition including a polymer component made substantially of butyl methacrylate polymer, a monomer component made substantially of butyl methacrylate monomer, and an effective amount of polymerizing agent.

2. The appliance of claim 1 wherein the polymer component is about 20-80% by volume of it.

10 3. The appliance of claim 2 being formed into a temporomandibular joint dysfunction appliance.

4. The appliance of claim 2 being formed into an anti-snoring device.

5. A soft, persistently resilient interocclusal dental appliance, substantially as hereinbefore described with reference to the Example.

Dated 7 September, 1998

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SPRUSON & FERGUSON

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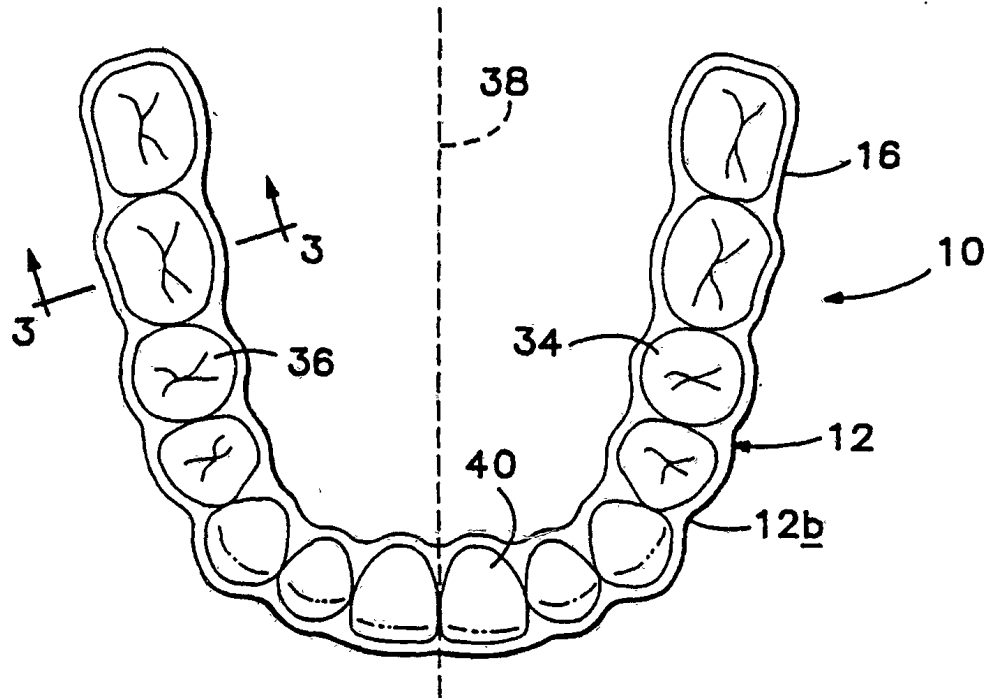


Fig. 1

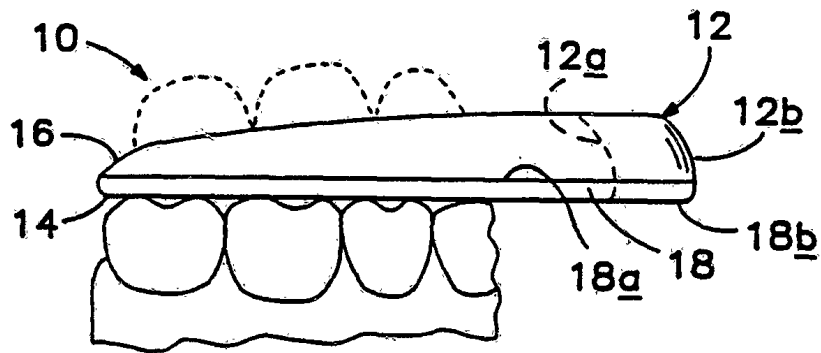


Fig. 2A

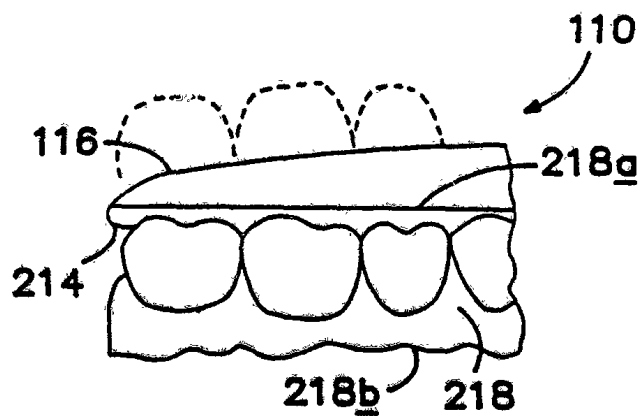


Fig. 2B

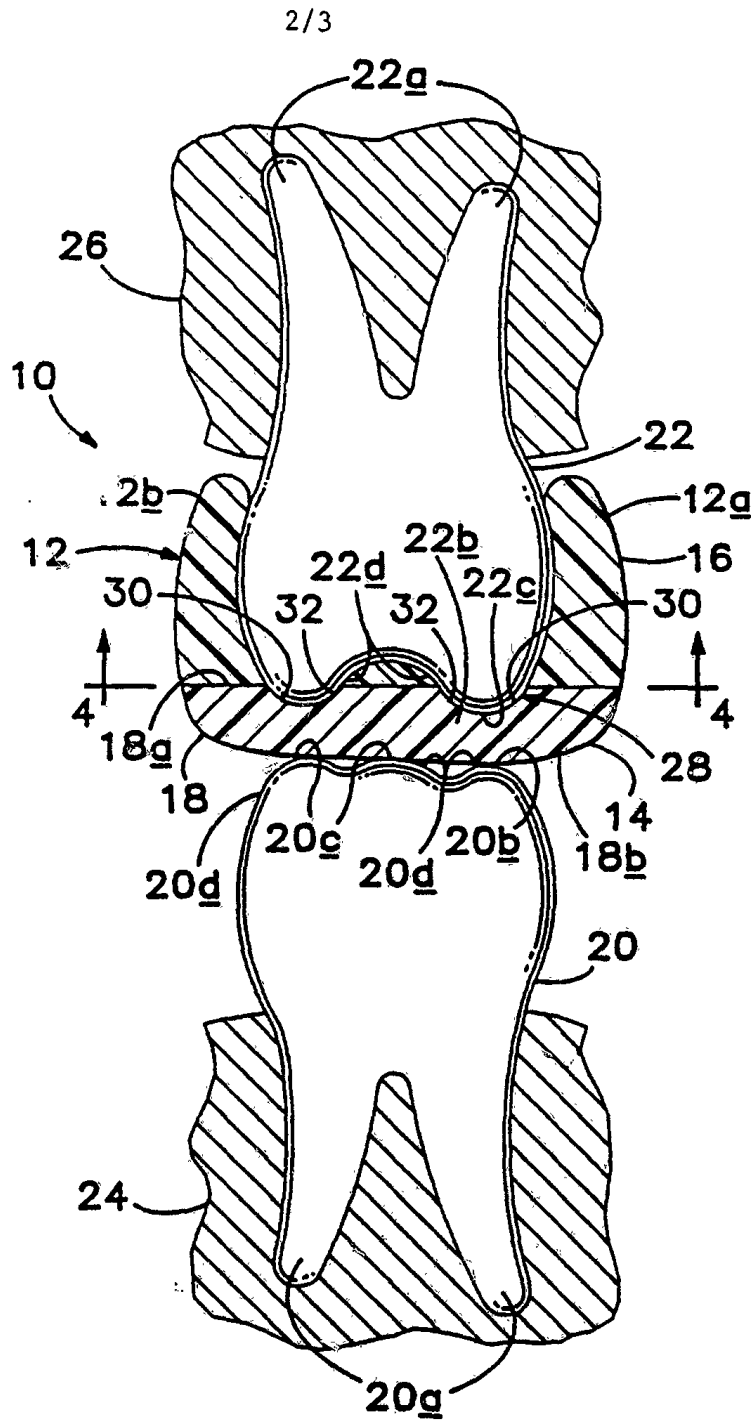


Fig. 3

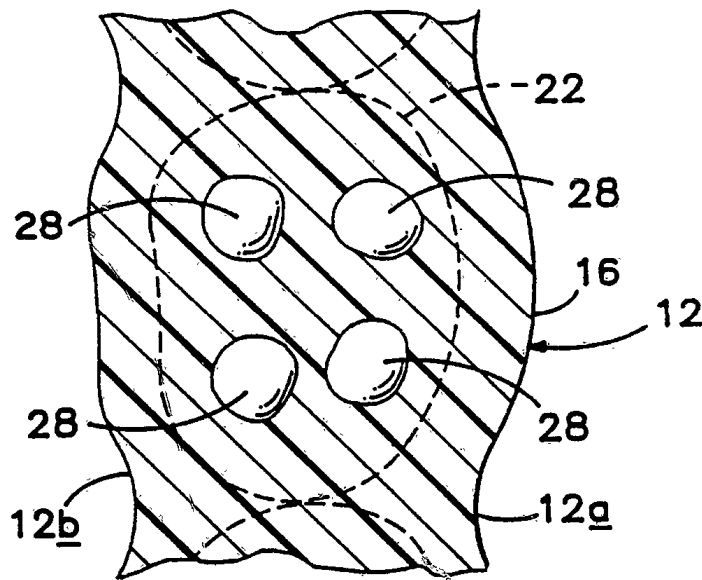


Fig. 4

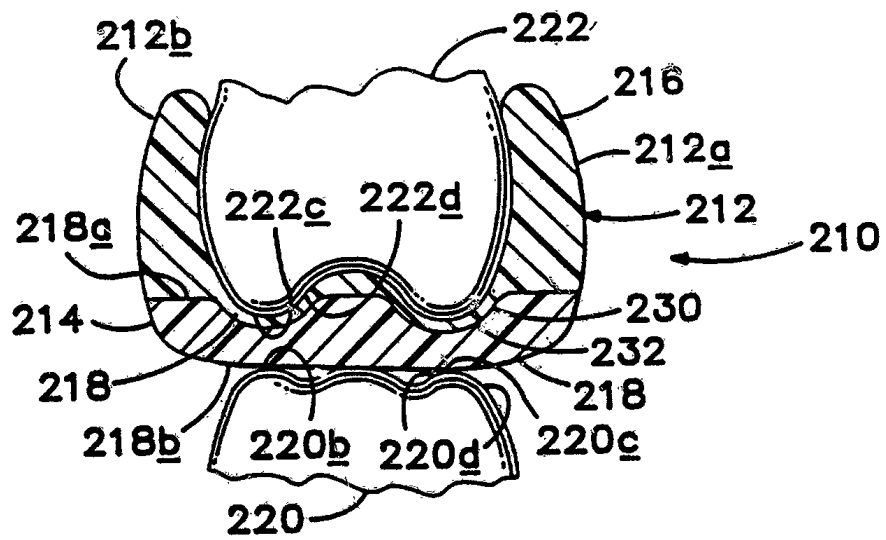


Fig. 5

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US93/02159

A. CLASSIFICATION OF SUBJECT MATTER

IPC(5) :A61C 3/00; C09K 3/00
US CL :433/6; 252/182.13

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)

U.S. : 523/115,120

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 practicable, search terms used)

USPTO ASP "butyl METHACRYLATE polymer" and "butyl METHACRYLATE MONOMER"

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US,A, 4,304,227 (Samelson) 08 December 1981 See col. 2, lines 35-49.	28,29,32, 44,45,47, 48,49,51, 52,53,55
Y	US,A, 4,568,280 (Ahlin) 04 February 1986 See col. 2, lines 61-68 and col. 3, lines 1-5.	28,29,31, 44,45,46, 48,49,50, 52,53,54

Further documents are listed in the continuation of Box C. See patent family annex.

* Special categories of cited documents:	*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.
A document defining the general state of the art which is not considered to be part of particular relevance	*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
E earlier document published on or after the international filing date	*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
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)	*Z*	document member of the same patent family
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		

Date of the actual completion of the international search 18 JUNE 1993	Date of mailing of the international search report 07 JUL 1993 <i>ny initials</i>
Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. NOT APPLICABLE	Authorized officer <i>JACK LUCCHESI</i> Telephone No. (703) 308-2698

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US93/02159

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X Y	US, A, 4,873,269 (Nakazato) 10 October 1989 See col. 2, lines 46-62 and col. 6, lines 19-54.	28,29, 44,45,48, <u>49,52,53</u> 28,29,31, 32,44,45, 46,47,48, 49,50,51, 52,53,54, 55

INTERNATIONAL SEARCH REPORTInternational application No.
PCT/US93/02159**Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)**

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

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
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:

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 II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

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

Group I, claims 1-27, 33-43, drawn to an interocclusal dental appliance, classified in class 433, subclass 6.

Group II, claims 28-32, drawn to a curable composition, classified in class 252, subclass 182.13.

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers 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.

No protest accompanied the payment of additional search fees.