

(19) World Intellectual Property
Organization
International Bureau



(43) International Publication Date
23 December 2004 (23.12.2004)

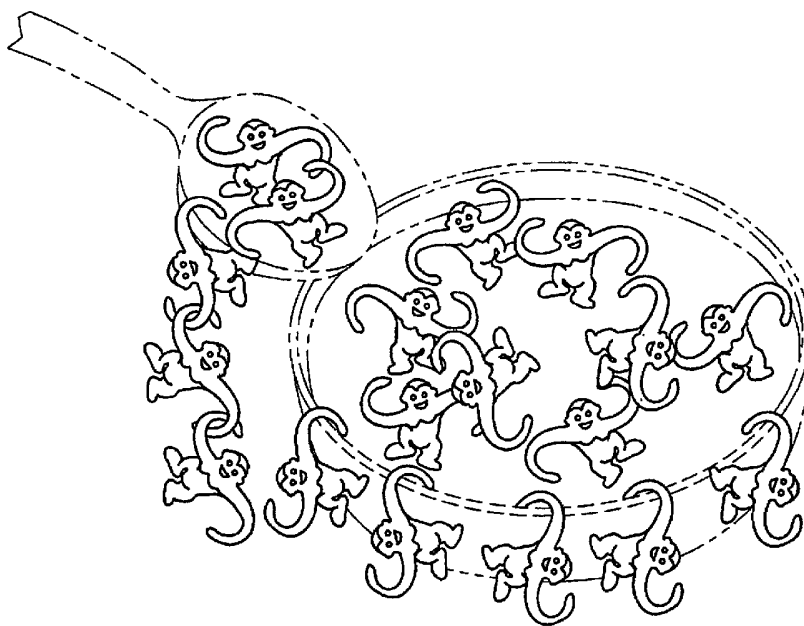
PCT

(10) International Publication Number
WO 2004/110167 A3

- (51) International Patent Classification⁷: **A23L 1/00**, A21D 13/00, A23G 3/00, A23L 1/16
- (21) International Application Number:
PCT/US2004/018415
- (22) International Filing Date: 9 June 2004 (09.06.2004)
- (25) Filing Language: English
- (26) Publication Language: English
- (30) Priority Data:
60/477,157 9 June 2003 (09.06.2003) US
- (71) Applicant (for all designated States except US): **MAGIC-COM, INC.** [US/US]; 820 North Lilac Drive, Suite 200, Minneapolis, MN 55422 (US).
- (72) Inventor; and
- (75) Inventor/Applicant (for US only): **WITKOWSKI, Daniel, D.** [US/US]; 820 North Lilac Drive, Minneapolis, MN 55422 (US).
- (74) Agent: **RAASCH, Kevin, W.**; Muetting, Raasch, Gebhardt, P.A., P.O. Box 581415, Minneapolis, MN 55458-1415 (US).
- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- Published:
— with international search report
- (88) Date of publication of the international search report:
9 June 2005

[Continued on next page]

(54) Title: EDIBLE NOVELTY PRODUCTS



(57) Abstract: The present invention, in various embodiments, may combines a toy, and/or a game of skill, and/or chance, and/or a craft activity, and/or a novelty entertainment or amusement, or any combination thereof with food or consumable product. The edible novelty products of the invention may include, e.g., linking articles, puzzle pieces, words, gas-producing compositions, etc. The edible novelty products of the present invention may preferably include a container for the edible articles. The container may be in the form of a can, bottle, pouch, bag, box, etc. The container may preferably be sealed to retain product freshness, etc. until use.



For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US2004/018415

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A23L1/00 A21D13/00 A23G3/00 A23L1/16

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)
IPC 7 A23L A21D A23G

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, PAJ, FSTA

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2 903 365 A (O'BRIAN EDWARD D ET AL) 8 September 1959 (1959-09-08) the whole document	1-15,18
X	DE 36 15 221 A (MOOZ DIETRICH DIPL ING) 12 November 1987 (1987-11-12) figures	1,2,7, 11-18
X	US 4 943 063 A (MOREAU CLAUDE R M) 24 July 1990 (1990-07-24) figures	1,2,7, 11-15
X	DE 94 17 487 U (BOQUOI HANDELS KG) 12 January 1995 (1995-01-12) figures	1,2,7, 11-15
	- / - -	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in 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.

"&" document member of the same patent family

Date of the actual completion of the international search

19 October 2004

Date of mailing of the international search report

10 FEB 2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Vuillamy, V

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2004/018415

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/011036 A (MARIC RAFAEL ; AUSTRALIAN ENTPR PTY LTD (AU)) 13 February 2003 (2003-02-13) figures -----	1,2,7-17
X	US 6 120 827 A (ROCCA ANTHONY) 19 September 2000 (2000-09-19) figures -----	1,2,7, 11-17
Y	US 4 208 439 A (HSU JAU Y) 17 June 1980 (1980-06-17) column 4, lines 40-61 column 5, line 10 - line 53 -----	19-21
Y	US 5 134 926 A (DEFRANCISCI LEONARD) 4 August 1992 (1992-08-04) column 3, lines 32-35 column 4, lines 48-57 -----	19,20
Y		19,21

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2004/018415

Box 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.:
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 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:

see additional sheet

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.:

1-21

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-21

A product comprising a container and a plurality of edible linking articles.

2. claims: 22-33

A product comprising a container and a plurality of edible articles in the shape of one or more words.

3. claims: 34-50

A product comprising a container, a plurality of edible articles comprising indicia in the form of a word on the surface of the article, and liquid or a dried soup, broth, sauce, or beverage powder.

4. claims: 51-54

A product comprising an edible body comprising a cavity and a composition forming gas in said cavity when contacted with an aqueous solution.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US2004/018415

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 2903365	A	08-09-1959	NONE	
DE 3615221	A	12-11-1987	DE 3615221 A1	12-11-1987
US 4943063	A	24-07-1990	AU 5430890 A CA 2050491 A1 JP 4504207 T WO 9011110 A1	22-10-1990 30-09-1990 30-07-1992 04-10-1990
DE 9417487	U	12-01-1995	DE 9417487 U1	12-01-1995
WO 03011036	A	13-02-2003	WO 03011036 A1 AU 5273802 A	13-02-2003 30-01-2003
US 6120827	A	19-09-2000	NONE	
US 4208439	A	17-06-1980	AU 516391 B2 AU 4096578 A CA 1100352 A1 CH 636250 A5 DE 2846045 A1 ES 474469 A1 FR 2406961 A1 GB 2006599 A ,B IT 1109329 B JP 1509369 C JP 54070453 A JP 63059669 B MX 5844 E MY 25784 A NL 7810614 A NZ 188518 A SG 29283 G ZA 7805457 A	28-05-1981 01-05-1980 05-05-1981 31-05-1983 26-04-1979 01-11-1979 25-05-1979 10-05-1979 16-12-1985 26-07-1989 06-06-1979 21-11-1988 08-08-1984 31-12-1984 27-04-1979 14-11-1980 19-04-1984 26-09-1979
US 5134926	A	04-08-1992	US 5294452 A	15-03-1994