(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization

International Bureau



(43) International Publication Date 20 November 2003 (20.11.2003)

PCT

(10) International Publication Number WO 2003/095007 A3

(51) International Patent Classification⁷: A61M 11/02, B05B 11/00

(21) International Application Number:

PCT/EP2003/004858

(22) International Filing Date: 7 May 2003 (07.05.2003)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:

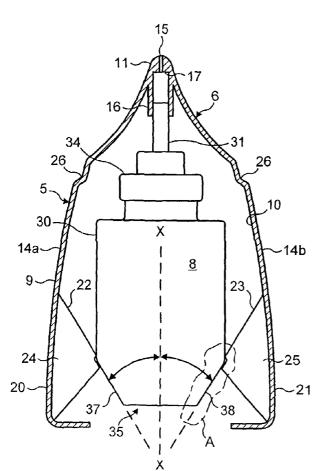
0210605.2 9 May 2002 (09.05.2002) GB 0217798.8 1 August 2002 (01.08.2002) GB 0219462.9 21 August 2002 (21.08.2002) GB

(71) Applicant (for all designated States except US): GLAXO GROUP LIMITED [GB/GB]; Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex UB6 0NN (GB).

- (72) Inventor: and
- (75) Inventor/Applicant (for US only): DAVIES, Michael, Birsha [GB/GB]; GlaxoSmithKline, Park Road, Ware, Hertfordshire SG12 0DP (GB).
- (74) Agent: RICE, Jason, Neale; GlaxoSmithKline, 980 Great West Road, Brentford, Middlesex TW8 9GS (GB).
- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, 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, NI, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE,

[Continued on next page]

(54) Title: A FLUID DISPENSING DEVICE



(57) Abstract: A fluid dispensing device (5, 105, 205, 305, 405, 505) is disclosed having a housing (9, 109, 209, 309, 409, 509) and a fluid discharge device (8, 108, 208, 308, 408, 508). The fluid discharge device (8, 108, 208, 308, 408, 508) is arranged to be actuated by one or more levers (20, 21; 120, 121; 170; 220, 221; 320, 321; 420, 421; 520) so as to apply a force transversely to the fluid discharge device (8, 108, 208, 308, 408, 508) which is used to move a container (30, 130, 230, 330, 430, 530) forming part of the fluid discharge device (8, 108, 208, 308, 408, 508) along a longitudinal axis of the fluid discharge device (8, 108, 208, 308, 408, 508) to cause actuation of a pump forming part of the fluid discharge device (8, 108, 208, 308, 408, 508).A pre-load means (28; 27, 28; 39,40; 41, 42, 44; 144, 47a, 47b; 150, 152, 153; 224, 227; 342; 424x, 446; 425a; 427, 428; 560, 561) is used to prevent actuation of the pump until a pre-determined force is applied to each lever (20, 21; 120, 121; 170; 220, 221; 320, 321; 420, 421; 520) of sufficient magnitude to guarantee the production of a well developed efficient spray from the fluid dispensing device (5, 105, 205, 305, 405, 505).

WO 2003/095007 A3



ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (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: 1 April 2004

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.

INTERMATIONAL SEARCH REPORT

Internatio application No PCT/EP 03/04858

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61M11/02 B05B11/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

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

C. DOCUM	ENTS CONSIDERED TO BE RELEVANT	
Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5 899 365 A (HOCHRAINER DIETER ET AL) 4 May 1999 (1999-05-04)	1-3, 8-17, 41-43, 48,49
	column 1, line 51 - line 67 column 2, line 35 -column 3, line 4 claims 1,2; figure 6	15, 15
Υ	FR 2 812 826 A (VALOIS SA) 15 February 2002 (2002-02-15)	1-6, 8-26, 30-32, 34-36, 41-43
	page 1, line 1 - line 5 page 2, line 2 -page 4, line 27 page 6, line 27 -page 10, line 16 claims 1-10; figures 1,2,3A,4,6A,6B,7,8A,8B,9A,9B,10,11	41-45
	-/	

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	Date of mailing of the international search report				
28 November 2003	0 8, 12, 03				
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2	Authorized officer				
NL – 2280 HV Rijswijk Tel. (+31–70) 340–2040, Tx. 31 651 epo ni, Fax: (+31–70) 340–3016	Borowski, A				

INTERNATIONAL SEARCH REPORT

Internation Application No
PCT/EP 03/04858

		PCT/EP 03/04858
	ation) DOCUMENTS CONSIDERED TO BE RELEVANT	Deliver the stein No.
Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	GB 659 132 A (BETTY KEVITT ROTHERHAM;ROTHERHAM & SONS LTD) 17 October 1951 (1951-10-17)	1-4, 12-23, 30-32, 36,41-43
	page 1, line 11 - line 49 page 1, line 58 -page 2, line 57 claims 1,2; figures 1,2	
Y	DE 196 10 456 A (PFEIFFER ERICH GMBH & CO KG) 18 September 1997 (1997-09-18)	1,2,4,5, 8-20, 41-43
	column 1, line 3 - line 13 column 1, line 58 -column 3, line 19 column 3, line 43 -column 12, line 20 claims 1-14; figures 1,2,4,5,7,8	
Υ	GB 1 097 254 A (NEOTECHNIC ENG LTD) 3 January 1968 (1968-01-03)	1,2,4, 12-17, 41-43
	page 1, line 9 -page 2, line 37 page 2, line 66 -page 4, line 44 claims 1-9; figures 1,3-5,8,9	
Υ	US 6 189 739 B1 (VON SCHUCKMANN ALFRED) 20 February 2001 (2001-02-20)	1-6, 8-26, 30-32, 34-36, 41-43, 48,49
	column 1, line 6 -column 2, line 57 column 5, line 31 - line 58 claim 1; figures 1,2,5,6,10	
Y	US 4 083 476 A (SCHWARTZ HANS ET AL) 11 April 1978 (1978-04-11)	1-6, 8-26, 30-32, 34-36, 41-43, 48,49
	column 1, line 8 -column 2, line 12 claim 1; figures 1-3	,
A	FR 2 807 954 A (CMC JEAN LOUIS VERMEIL) 26 October 2001 (2001-10-26) page 4, line 7 - line 18 figure 1	28,29
		·
:		

International application No. PCT/EP 03/04858

INTERNATIONAL SEARCH REPORT

Box I	Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)
This Inte	rnational 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. X	Claims Nos.: 50, 51 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 II	Observations where unity of invention is lacking (Continuation of item 2 of first sheet)
This Inte	rnational Searching Authority found multiple inventions in this international application, as follows:
	see additional sheet
1. X	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.
з	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. X 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: 1-47

the subject-matter of independent claim 1, followed by dependent claims 2 to 47 defines a fluid dispensing device;

2. Claims: 48-49

the subject matter of independent claim 48, followed by dependent claim 49 defines a housing assembly.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 50, 51

Claims 50 and 51 do not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined, as said claims contain references to the drawings. According to Rule 6.2(a) PCT, claims should not contain such references except where absolutely necessary, which is not the case here.

The applicant's attention is drawn to the fact that claims, or parts of 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.

INTERNATIONAL SEARCH REPORT

Information on patent family members

Internation Application No
PCT/EP 03/04858

	tent document I in search report		Publication date		Patent family member(s)		Publication date
US	5899365	A	04-05-1999	DE	4436051	A1	11-04-1996
-	333333	••	0. 00 2332	ĀT	184567		15-10-1999
				ΑU	3840195		02-05-1996
				CA	2202252		18-04-1996
				DE	59506850		21-10-1999
				DK	783443		03-04-2000
				WO	9611152		18-04-1996
				EP	0783443		16-07-1997
				ĒS	2135776		01-11-1999
				GR	3031648		29-02-2000
				ĴΡ	2002514989		21-05-2002
FR	2812826	Α	15-02-2002	FR	2812826	A1	15-02-2002
GB	659132	A	17-10-1951	NONE			
DE	19610456	A	18-09-1997	DE	19610456	A1	18-09-1997
GB	1097254	A	03-01-1968	FR	1444387	A	01-07-1966
US	6189739	B1	20-02-2001	DE	19622124	A1	04-12-1997
				AU	722098	B2	20-07-2000
	•			ΑU	3169397		05-01-1998
				BR	9709503		10-08-1999
				CN	1220622		23-06-1999
				WO	9746324		11-12-1997
				EP	0901406		17-03-1999
				JP	2000511499		05-09-2000
				NO	985610		01-12-1998
				NZ	333604		28-04-2000
				PL	329938	A1	26-04-1999
US	4083476	Α	11-04-1978	AT	343788		12-06-1978
				ΑT	871274		15-10-1977
				ΑU	7518274		13-05-1976
				BE	822806		29-05-1975
				CH	582023		30-11-1976
				DK	623874		28-07-1975
				ES	432098	A1	01-11-1976
				FΙ	346474	А,В,	31-05-1975
				FR	2252877		27-06-1975
				GB	1481199		27-07-1977
				JΡ	50106210		21-08-1975
				NL	7415581		03-06-1975
				NO	744313		23-06-1975
				SE	415324		29-09-1980
				SE	7415026		02-06-1975
FR	2807954	Α	26-10-2001	<u>-</u> -	2807954	A1	26-10-2001