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(54) Title: TEMPERATURE CONTROLLED FLUID BATH FOOD HOLDING DEVICE AND METHOD

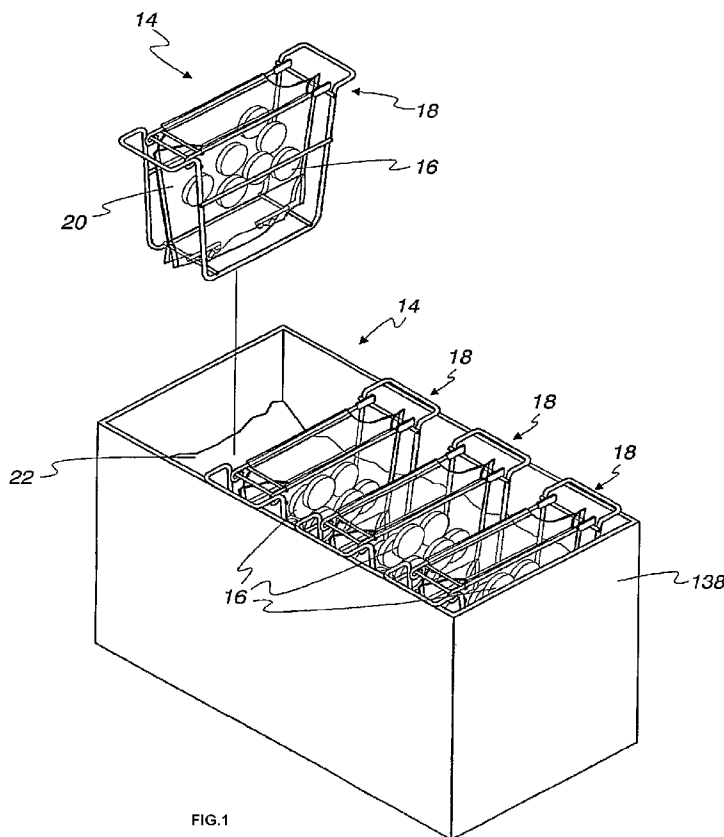


FIG. 1

(57) Abstract: A device and method are provided for storing a cooked food in a flexible-walled container having an opening. The method includes placing a quantity of food in a flexible-walled container and submerging at least a portion of the container in a liquid with the opening being located so that liquid does not enter the opening. At least the lower portion of the container is maintained in the liquid and the food is maintained in the container below the surface of the liquid. The liquid collapses the container to seal the container. The temperature of the liquid may be maintained at a non-ambient temperature to heat or cool the food as it is stored. The method may also include storing the food adjacent a work surface, or at a remote main vat and transporting the rack to the work surface at which a serving that includes the food is prepared.

WO 2007/127075 A3



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Declarations under Rule 4.17:

- *as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))*
- *as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))*

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US07/09200

A. CLASSIFICATION OF SUBJECT MATTER
 IPC: **B65D 25/00** (2006.01)

USPC: 220/9.4

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. : 220/9.4, 9.1, 9.3; 383/16, 22, 120; 248/97, 99; 099/516, 517, 534, 356, 426

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)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 1,310,669 A (MORGAN) 22 July 1919 (22.07.1919) Entire document	21-37, 39
X --- Y	US 3,501,318 A (WILSON) 17 March 1970 (17.03.1970) Figures 1-5, column 3, lines 71-74; column 4, lines 70-75; column 6, lines 50-55	43, 44, 46, 47, 51, 53, 57, 58, 61, 62 ----- 17, 45, 54
Y	US 5,706,718 A (SVENSSON) 13 January 1998 (13.01.1998), Figures 4 and 5, column 4, lines 30-40, column 6, lines 16-29	17, 54

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	"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
"E" earlier application or patent published on or after the international filing date	"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
"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)	"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
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"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 22 August 2008 (22.08.2008)	Date of mailing of the international search report 11 SEP 2008
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer HARRY A. GROSSO Telephone No. 571-272-4539 <i>Harry A. Grosso</i> <i>See</i>

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US07/09200

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.:
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 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:
Please See Continuation 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 additional fees, this Authority did not invite payment of any additional fees.
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 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.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US07/09200

BOX III. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group 1, claim(s) 1-16, drawn to an apparatus for holding food submerged comprising a frame having a top and bottom and a flexible-walled container secured to the frame.

Group 2, claim(s) 17-20, drawn to an apparatus for holding food submerged and for preparing food comprising a work surface, a vat and a frame with a mounting member.

Group 3, claim(s) 21-23, drawn to a rack for use with a flexible-walled container.

Group 4, claim(s) 24-39, drawn to a flexible-walled container with a first attachment structure and a retaining structure.

Group 5, claim(s) 40-42, drawn to a flexible-walled container with first and second storage compartments, a first attachment structure and a retaining structure.

Group 6, claim(s) 43-62, drawn to a method of storing cooked food in a flexible-walled container.

This International Searching Authority considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated below: The inventions listed as Groups 1-6 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The invention of group one recites a frame having a top and bottom portion and a flexible-walled container secured to the frame with the frame interacting with the container in a specific manner. The remaining inventions do not recite the frame having a top and bottom portion and a container secured to the frame to interact in a similar manner.