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(54) **Assembly of a basket with a grid defining meshes, a fit-in component with perforations and an assembly part for fixing the fit-in component to the basket**

(57) Assembly of a basket (5) with a grid defining meshes (2), a fit-in component (3) with perforations (4) and an assembly part for fixing the fit-in component (3) to the basket (5), wherein the assembly part comprises an anchor (6) which comprises a shaft (7), first protrusions (8) and second protrusions (9) positioned on and sideways extending from the shaft (7) at a distance from each other to define a receiving part between the first and second protrusions (8, 9) for clampingly receiving therein both the grid of the meshes (2) and the fit-in component (3).

Assembly of a basket with a grid defining meshes, a fit-in component with perforations and an assembly part for fixing the fit-in component to the basket

The invention relates to an assembly of a basket with a grid, for instance formed by threads or wires, which grid defines meshes, the assembly further comprising a fit-in component with perforations and an assembly part for fixing the fit-in component to the basket.

The fit-in component for the basket can be simply a plate or plates that is/are upstanding on the bottom of the basket to make a division in the basket, or a receptacle or receptacles for one or more surgical instruments, or a rail or rails which can be provided with flexible strips and be used for holding one or more surgical instruments.

During a surgical operation, surgical instruments are usually presented to the surgeon in wire-mesh baskets according to the preamble. Leveraging medical-grade fixations and flexible strips, the instruments are safely organized on the basket for easy presentation to the surgeon. Additionally, in between surgical operations, such baskets allow for more efficient cleaning and reprocessing of the instruments.

The current assembly process of such baskets includes the steps of:

- Shipping surgical instruments to an assembling factory;
- Drawing an initial design;
- Manufacturing baskets, silicone holders and fixations according to the design;
- Assembling the manufactured items leveraging expensive rivet machines;
- Installing the surgical instruments in the assembly and making sure of an optimal fit-in;
- Shipping the assembly and the surgical instruments to the customer.

It can be observed that the current process presents a number of limitations. The instruments need to be sent to the assembling location where they are kept for a lengthy period of time. More complex shaped instruments are often needed again

for repeat assignments to ensure that they are properly aligned in the baskets.

Consequently, the complex logistics of such process can rapidly become expensive both time- and finance-wise, even more so for international customers.

It is an object of the invention to simplify the logistics of the current assembling process by providing customers with the opportunity to locally mount the silicone holders to the baskets without the need for expensive rivet machines.

It is a further object of the invention to replace the costly current fixations with an assembly part that can neatly attach the silicone holders to the basket via a simple tool e.g. a screwdriver.

It is still a further object of the invention to make the placement and fixation of any fit-in component in the basket less complicated and easy to implement. This applies in particular not only to the mentioned rails with flexible strips (silicone holders), but relates also to the placement of simple dividing plates and receptacles for surgical instruments. Such receptacles for surgical instruments are usually made in stainless steel.

These and other objects which will become apparent from the following disclosure, are provided with an assembly of a basket with threads or wires defining meshes having the features of one or more of the appended claims.

According to a first aspect of the invention the assembly part comprises an anchor which comprises a shaft and first and second protrusions positioned on and sideways extending from the shaft at a distance from each other to define a receiving part between the first and second protrusions for clampingly receiving therein both the grid and the fit-in component.

The grid with meshes can be formed by perforating a plate to provide it with a series of apertures delimited by the original material of the plate, which then forms the grid.

Alternatively the grid can be formed as a wired mesh by a series of threads or wires that define the meshes.

Particularly when the grid comprises threads or wires it is beneficial to compensate for the height difference of the

upper mesh wires relative to the underlying mesh wires, by arranging that the first and second protrusions that are provided on the shaft at a distance from each other taper away from each other so as to provide that said distance between these first and second protrusions increases when looked at in a sideways extending direction of the protrusions from the shaft. This promotes the ease of placement and anchoring of the threads or wires of the meshes and the fit-in component together. The same feature is however also helpful when the grid is formed by a perforated plate. Placing the grid together with the fit-in component between the first and second protrusions, is also than promoted by arranging that the first and second protrusions that are provided on the shaft at a distance from each other taper away from each other so as to provide that said distance between these first and second protrusions increases when looked at in a sideways extending direction of the protrusions from the shaft.

Suitably the grid and the fit-in component are clamped to the largest extent between the first and second protrusions on the shaft when placed in a position immediately adjacent to the shaft.

Advantageously the first protrusions are dimensioned larger than the meshes so as to avoid that the first protrusions can pass the meshes, and the second protrusions are dimensioned to pass through the meshes in one position and be blocked to pass through the meshes in a second position.

More advantageously, the shaft is rotatable for moving the second protrusions from the first position to the second position or vice versa. The second protrusions provide the anchor with a cross-sectional shape that fits precisely within a particular mesh when the anchor is in the first position, and then the second protrusions are able to pass through such a mesh. The first protrusions are designed with dimensions which blocks the first protrusions from passing the meshes.

Preferably, when the fit-in component is a rail which is intended to hold a flexible strip (silicone holder), the shaft is provided with a tapered end for arresting the flexible strip that is receivable in the rail.

The invention will hereinafter be further elucidated

with reference to the drawing of an exemplary embodiment of an assembly according to the invention that is not limiting as to the appended claims.

Although the exemplary embodiment discussed hereinafter relates to the relatively complicated assembly of a basket provided with a rail which is intended to hold a flexible strip (silicone holder), the invention is not restricted thereto. The invention also relates to the placement and fixation of one or more dividing plates in the basket, or the basement at fixation of one or more receptacles, preferably made from stainless steel, in the basket. The manner of fixation with an anchor as further detailed hereinafter, is exactly the same when placing and fixating dividing plates or receptacles for surgical instruments. A further discussion with reference to drawings of these less complicated assemblies with dividing plates and receptacles for surgical instruments can therefore be dispensed with.

In the drawing:

- figure 1A shows a wired-mesh basket;
- figure 1B shows separately an anchor, a fit-in component embodied as a rail, and a flexible strip, forming parts of the assembly of the invention;
- figure 1C shows an exemplary assembly with surgical instruments;
- figures 2A - 2C shows a series of steps to put the assembly of the invention together;
- figure 3A shows a side view at the long side of an anchor of the invention;
- figure 3B shows a top view at an anchor of the invention.

Whenever in the figures the same reference numerals are applied, these numerals refer to the same parts.

`Figure 1A depicts a loose basket 5 which is manufactured in a size that fits the requirements of the costumer to fit in a number of surgical instruments. Figure 1B in turn depicts a loose rail 3 and a loose flexible strip 11 which can be received in the rail 3, to eventually hold said surgical instruments in the manner as shown in figure 1C. The rail 3 is mounted in the basket 1 using one or more anchors 6. The result

is indeed the assembly which as an example is depicted in figure 1C, and which ensures an optimal fitting of the surgical instruments in the basket 5.

Turning now first to figures 3A and 3B, the construction of the anchor 6 used in the assembly according to the invention is elucidated.

Figure 3A depicts a side view at the long side of the anchor 6. The anchor is shown to comprise a shaft 7, first sideways extending protrusions 8 and second sideways extending protrusions 9, both positioned on the shaft 7 at a distance from each other to define a receiving part between the first and second protrusions 8, 9 for clampingly receiving between the first and second protrusions 8, 9 both the threads or wires of the basket's meshes 2 and the rail 3.

The first and second protrusions 8, 9 that are provided on the shaft 7 at a distance from each other taper away from each other as is clearly shown in figure 3A. This tapering of the first and second protrusions 8, 9 arranges that the distance between these first and second protrusions 8, 9 increases when looked at in a direction of the protrusions sideways extending away from the shaft 7.

The threads or wires of the basket 5 and the rail 3 are clamped to the largest extent between the first and second protrusions 8, 9 on the shaft 7 when placed in a position immediately adjacent to the shaft 7. The convex surfaces on the first protrusions 8 and second protrusions 9 then compensate for the height difference of the basket's upper wires of a mesh 2 relative to the underlying wires of the mesh 2.

Figure 3B shows that the first protrusions 8 provide the anchor 6 with a cross-sectional diamond-shape. These first protrusions 8 are dimensioned larger than the meshes of the basket 5 so as to avoid that the first protrusions 8 can pass the meshes. The second protrusions 9 are dimensioned to pass through the meshes in one position and be blocked to pass through the meshes in a second position. To accommodate for assuming the first position and the second position the shaft 7 is rotatable for moving the second protrusions from the first position to the second position or vice versa.

The above description applies to any situation wherein

the anchor 6 is used for fixating a particular fit-in component in the basket 1. Figure 3A however shows a particular embodiment of the anchor 6 which is only used when the rail 3 is intended to receive and hold a flexible strip 11. In that case the shaft 7 of the anchor 6 is provided with a tapered end 10, which serves for arresting the flexible strip 11 that is receivable in the rail 3 at the time that the anchor 6 is used for assembling the rail 3 together with the basket 5. This will now be further elucidated with reference to figures 2A - 2C.

Figures 2A - 2C depict a procedure for fitting a rail 3 to the basket 5. Figure 2A depicts a first position wherein an anchor 6 is placed through a wired mesh 2 of the basket 5, awaiting the receival of a rail 3, usually with a flexible strip 11 already attached thereto.

Figure 2B depicts the turning of the anchor 6 with a screwdriver, so as to move the anchor 6 from a non-clamping first position to a clamping second position, wherein the wire mesh 2 of the basket 5 and the rail 3 are clamped between the first and second protrusions 8, 9 of the anchor 6.

Figure 2C depicts the clamping second position wherein the first protrusions 8 of the anchor 6 are shown to exhibit dimensions that avoid passing of the first protrusions 8 through the meshes 2 of the basket 5. The shaft 7 of course can pass through the wires of the mesh 2, and the second protrusions (not shown in figure 2C) are at the opposite side of the wires of the mesh 2 and turned to a position wherein passing the wires of the mesh 2 is no longer possible. Further a tapered tip 10 of the anchor 6 as is shown in figure 3A can then arrest the flexible strip 11 which is attached to the rail 3. The wired mesh 2 and the rail 3 are clamped to the largest extent between the first 8 and second protrusions 9, when moved close to the shaft 7.

Although the invention has been discussed in the foregoing with reference to an exemplary embodiment of the assembly of the invention, the invention is not restricted to this particular embodiment which can be varied in many ways without departing from the invention. It is for instance possible to replace the wired mesh basket by a mesh basket which is manufactured by perforating a plate to provide it with a series of ap-

ertures delimited by the original material of the plate, which then forms the grid.

A further variation is to provide an assembly of the basket, a label component, and the anchor of the invention for mounting the label component on one of the walls of the basket. After the elucidating description above, also this variation is entirely clear for the skilled person without further reference to a drawing and elucidation with reference to the drawing.

All in all this means that the invention with reference to the discussed exemplary embodiment shall not be used to construe the appended claims strictly in accordance therewith. On the contrary the embodiment is merely intended to explain the wording of the appended claims without intent to limit the claims to this exemplary embodiment. The scope of protection of the invention shall therefore be construed in accordance with the appended claims only, wherein a possible ambiguity in the wording of the claims shall be resolved using this exemplary embodiment.

Aspects of the invention are itemized in the following section.

1. Assembly of a basket (5) with a grid defining meshes (2), a fit-in component (3) with perforations (4) and an assembly part for fixing the fit-in component (3) to the basket (5), characterized in that the assembly part comprises an anchor (6) which comprises a shaft (7), first protrusions (8) and second protrusions (9) positioned on and sideways extending from the shaft (7) at a distance from each other to define a receiving part between the first and second protrusions (8, 9) for clampingly receiving therein both the grid of the meshes (2) and the fit-in component (3).

2. Assembly according to claim 1, characterized in that the first and second protrusions (8, 9) that are provided on the shaft (7) at a distance from each other taper away from each other so as to provide that said distance between these first and second protrusions (8, 9) increases when looked at in a sideways extending direction of the protrusions (8, 9) away from the shaft (7).

3. Assembly according to claim 1 and 2, characterized in that the grid of the meshes (2) and the fit-in component (3)

are clamped to the largest extent between the first and second protrusions (8, 9) on the shaft (7) when placed in a position immediately adjacent to the shaft (7).

4. Assembly according to any one of claims 1 - 3, characterized in that the first protrusions (8) are dimensioned larger than the meshes (2) so as to avoid that the first protrusions (8) can pass the meshes (2), and the second protrusions (9) are dimensioned to pass through the meshes (2) in a first position and be blocked to pass through the meshes (2) in a second position.

5. Assembly according to claim 4, characterized in that the shaft (7) is rotatable for moving the second protrusions (9) from the first position to the second position or vice versa.

6. Assembly according to any one of claims 1 - 5, characterized in that the shaft (7) is provided with a tapered end (10) for arresting a flexible strip (11) that is receivable in the fit-in component (3).

7. Assembly according to any one of claims 1 - 6, characterized in that the first protrusions (8) provide the anchor (6) with a cross-sectional diamond-shape.

8. Assembly according to any one of claims 1 - 7, characterized in that at least one anchor is applied for mounting a label component on a wall of the basket.

9. Anchor (6) described as part of the assembly according to any one of claims 1 - 8.

10. Anchor (6) according to claim 9, characterized in that the anchor (6) is provided with a shaft (7) and first and second protrusions (8, 9) positioned on and sideways extending from the shaft (7) at a distance from each other to define a receiving part between the first and second protrusions (8, 9), wherein said first and second protrusions (8, 9) that are provided on the shaft (7) taper away from each other so as to provide that said distance between these first and second protrusions (8, 9) increases when looked at in a sideways extending direction of the protrusions (8, 9) from the shaft (7).

## CONCLUSIES

1. Samenstel van een mand (5) met een rooster dat mazen (2) definieert, een inbouwcomponent(3) met perforaties (4) en een montagedeel voor het bevestigen van de inbouwcomponent(3) aan de mand (5), **met het kenmerk, dat** het montagedeel een anker (6) omvat dat een as (7), eerste uitsteeksels (8) en tweede uitsteeksels (9) omvat die zijn gepositioneerd op en zijdelings zich vanaf de as (7) op een afstand van elkaar uitstrekken om een opnamedeel tussen de eerste en tweede uitsteeksels (8, 9) te definiëren voor het daarin klemmend opnemen van zowel het rooster van de mazen (2) als de inbouwcomponent (3).

2. Samenstel volgens conclusie 1, **met het kenmerk, dat** de eerste en tweede uitsteeksels (8, 9) die op een afstand van elkaar op de as (7) zijn aangebracht taps van elkaar af lopen om te zorgen dat die afstand tussen deze eerste en tweede uitsteeksels (8, 9) toeneemt gezien in een zijwaarts weg van de as (7) zich uitstrekkende richting van de uitsteeksels (8, 9).

3. Samenstel volgens conclusie 1 en 2, **met het kenmerk, dat** het rooster van de mazen (2) en de inbouwcomponent(3) in de grootste mate tussen de eerste en tweede uitsteeksels (8, 9) op de as (7) zijn geklemd wanneer deze geplaatst zijn in een positie direct grenzend aan de as (7).

4. Samenstel volgens een van de conclusies 1-3, **met het kenmerk, dat** de eerste uitsteeksels (8) groter zijn gedimensioneerd dan de mazen (2) om te vermijden dat de eerste uitsteeksels (8) de mazen (2) kunnen passeren, en de tweede uitsteeksels (9) zijn gedimensioneerd om in een eerste positie door de mazen (2) te gaan en in een tweede positie worden geblokkeerd om door de mazen (2) te gaan.

5. Samenstel volgens conclusie 4, **met het kenmerk, dat** de as (7) roteerbaar is voor het verplaatsen van de tweede uitsteeksels (9) van de eerste positie naar de tweede positie of vice versa.

6. Samenstel volgens een van de conclusies 1-5, **met het kenmerk, dat** de as (7) is voorzien van een taps uiteinde (10) voor het tegenhouden van een flexibele strook (11) die opneembaar is in de inbouwcomponent( 3).

7. Samenstel volgens een van de conclusies 1-6, **met het kenmerk, dat** de eerste uitsteeksels (8) het anker (6) voorzien van een diamantvormige dwarsdoorsnede.

8. Samenstel volgens een der conclusies 1-7, **met het kenmerk, dat** ten minste één anker is gebruikt voor het monteren van een etikethouder op een wand van de mand.

9. Anker (6) beschreven als onderdeel van het samenstel volgens een van de conclusies 1-8.

10. Anker (6) volgens conclusie 9, **met het kenmerk, dat** het anker (6) is voorzien van een as (7) en eerste en tweede uitsteeksels (8, 9) die op afstand van elkaar zijn gepositioneerd op en zijwaarts zich uitstrekken vanaf de as (7) om een opnamedeel tussen de eerste en tweede uitsteeksels (8, 9) te definiëren, waarbij de eerste en tweede uitsteeksels (8, 9) die op de as (7) zijn voorzien taps van elkaar aflopen om er in te voorzien dat genoemde afstand tussen deze eerste en tweede uitsteeksels (8, 9) toeneemt gezien in een zijwaarts vanaf de as (7) zich uitstrekkende richting van de uitsteeksels (8, 9).


Figure 1A

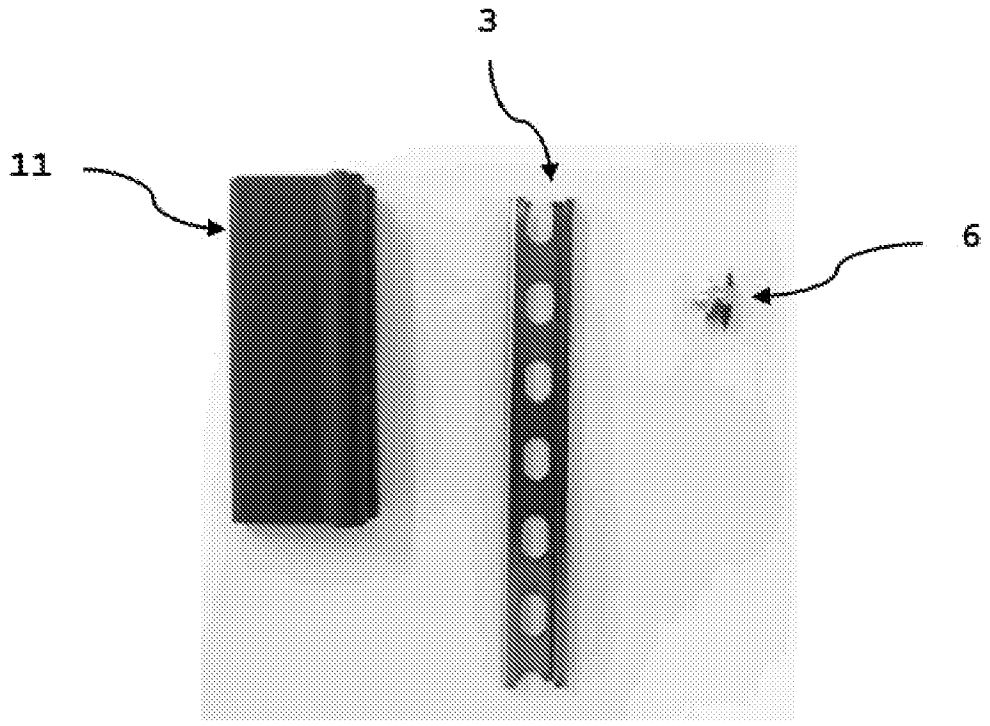


Figure 1B

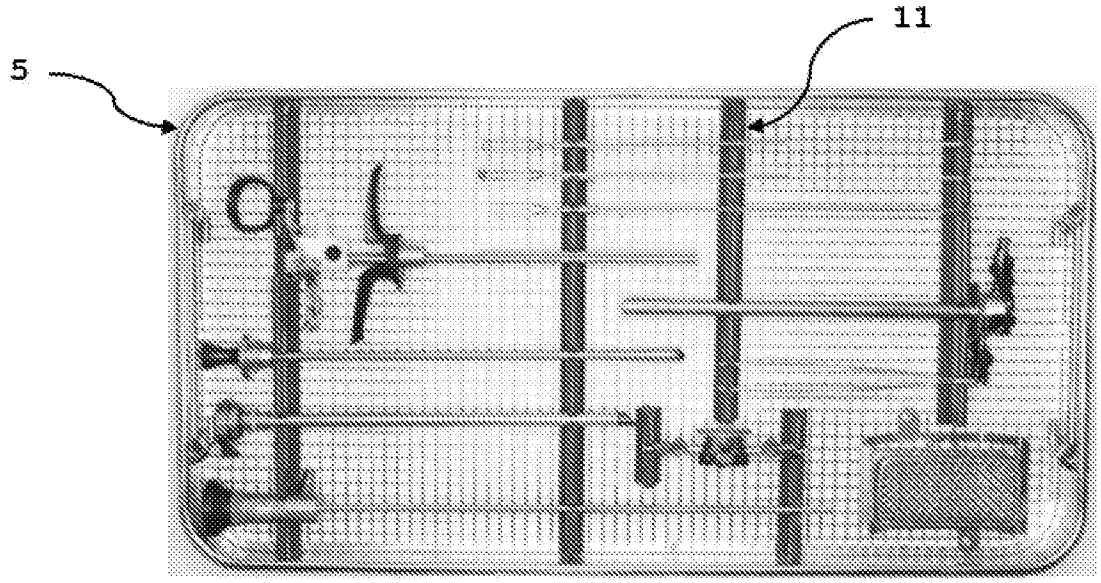


Figure 1C

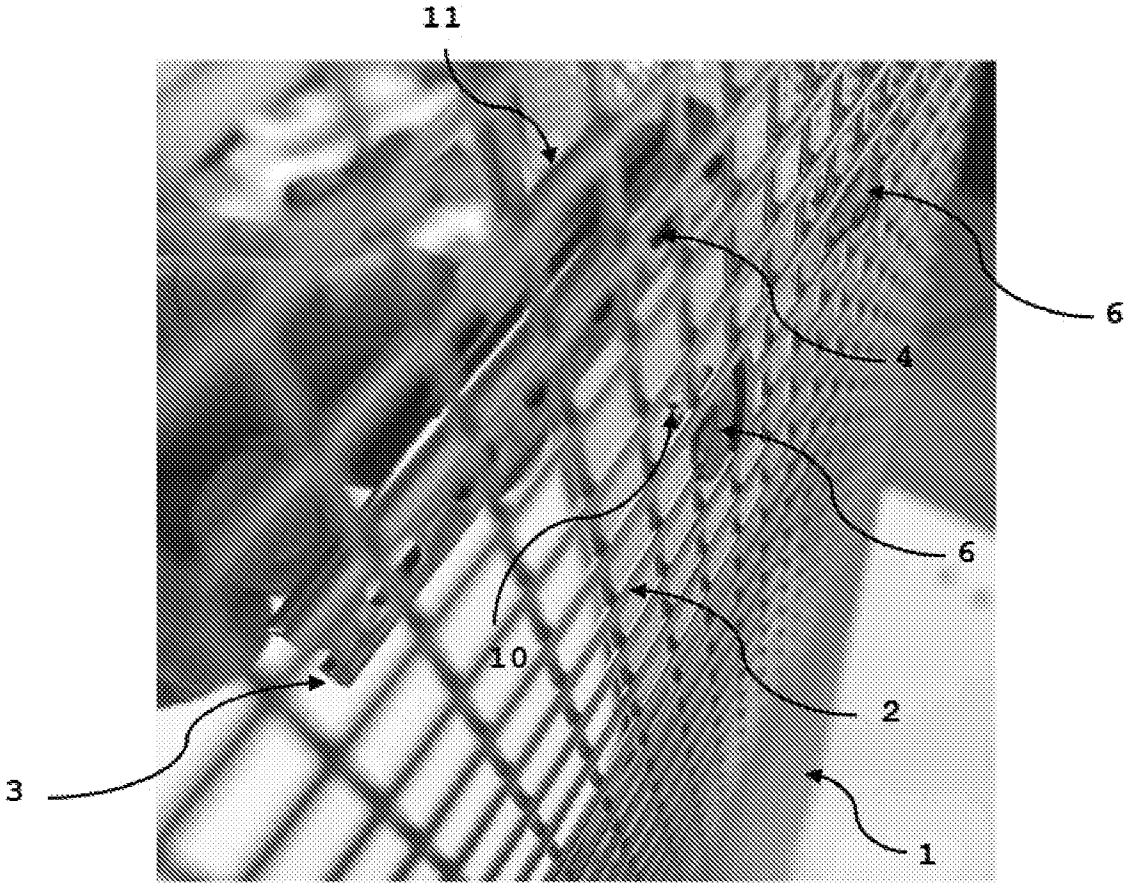


Figure 2A

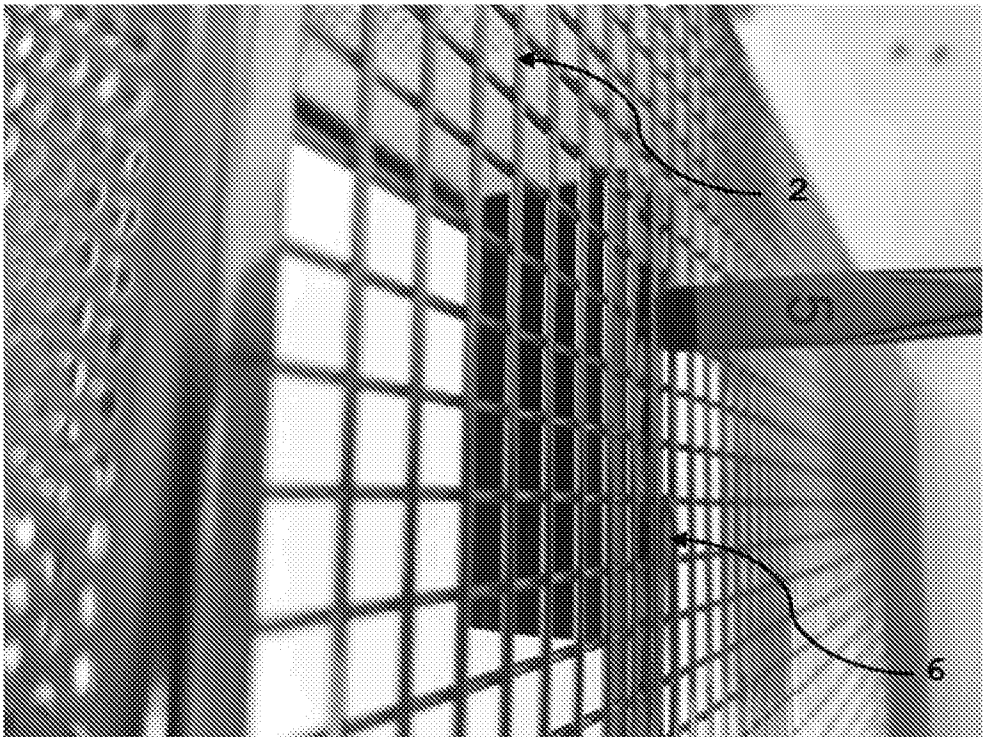


Figure 2B

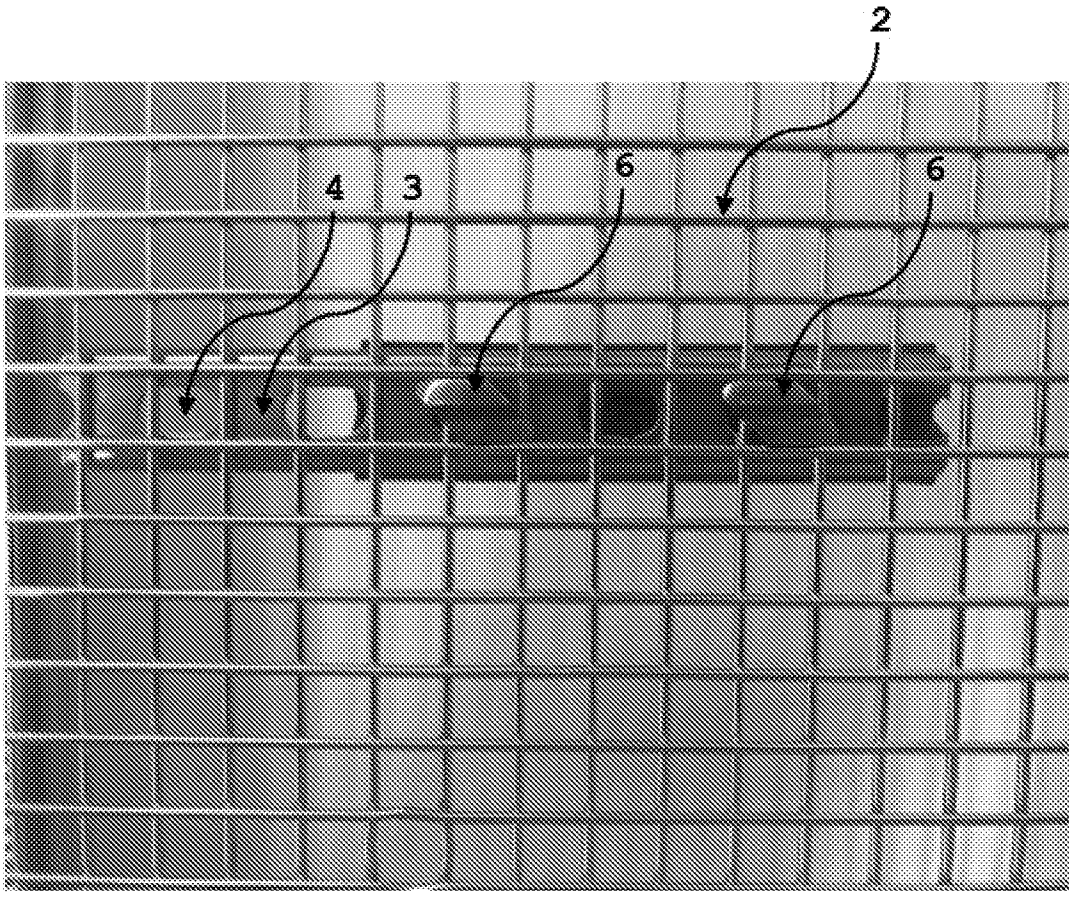


Figure 2C

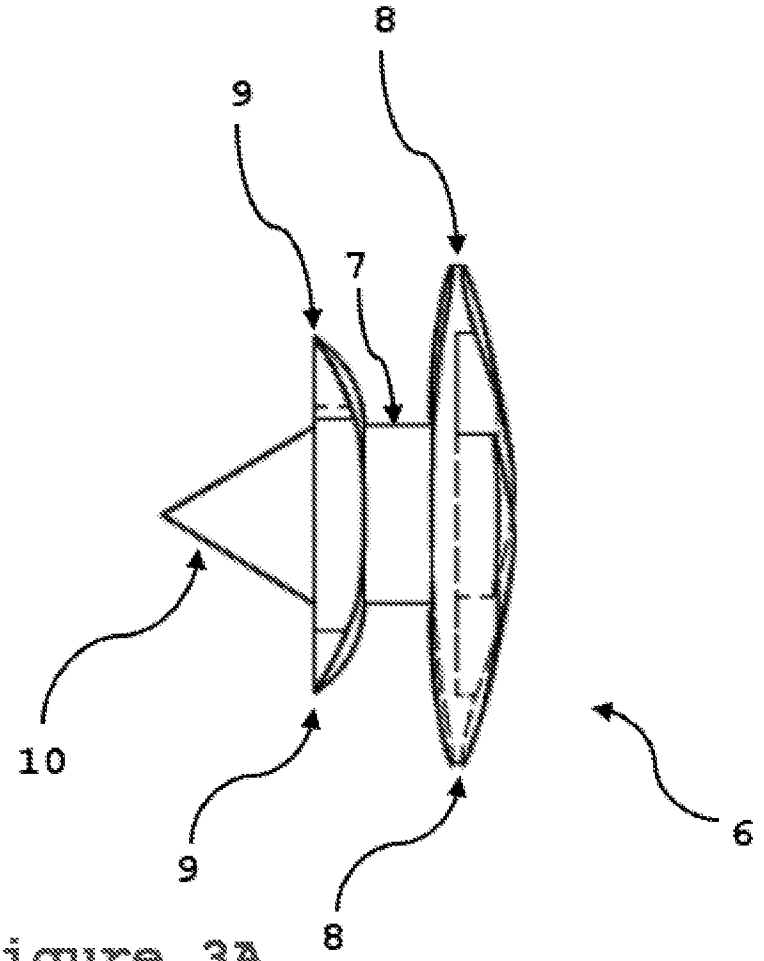


Figure 3A

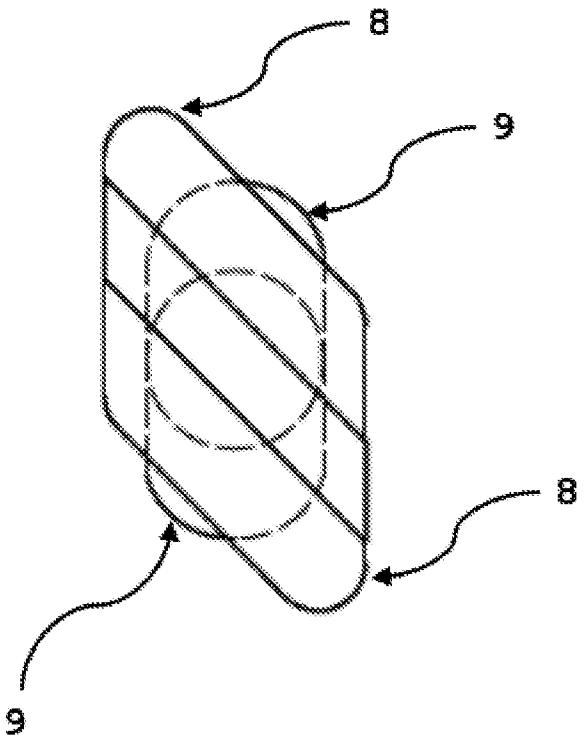


Figure 3B

# SAMENWERKINGSVERDRAG (PCT)

## RAPPORT BETREFFENDE NIEUWHEIDSONDERZOEK VAN INTERNATIONAAL TYPE

| IDENTIFICATIE VAN DE NATIONALE AANVRAGE | KENMERK VAN DE AANVRAGER OF VAN DE GEMACHTIGDE |
|---|---|
| | **019147 NL-PD-VB** |
| Nederlands aanvraag nr.<br>**2024909** | Indieningsdatum<br>**14-02-2020** |
| | Ingeroepen voorrangsdatum |
| Aanvrager (Naam)<br>**Van Straten Medical B.V.** | |
| Datum van het verzoek voor een onderzoek van internationaal type<br>**04-04-2020** | Door de Instantie voor Internationaal Onderzoek aan het verzoek voor een onderzoek van internationaal type toegekend nr.<br>**SN75881** |

**I. CLASSIFICATIE VAN HET ONDERWERP** (bij toepassing van verschillende classificaties, alle classificatiesymbolen opgeven)

Volgens de internationale classificatie (IPC)

**Zie onderzoeksrapport**

**II. ONDERZOCHTE GEBIEDEN VAN DE TECHNIEK**

Onderzochte minimumdocumentatie

| Classificatiesysteem | Classificatiesymbolen |
|---|---|
| **IPC** | **Zie onderzoeksrapport** |

Onderzochte andere documentatie dan de minimum documentatie, voor zover dergelijke documenten in de onderzochte gebieden zijn opgenomen

| | | | |
|---|---|---|---|
| **III.** | ☐ | **GEEN ONDERZOEK MOGELIJK VOOR BEPAALDE CONCLUSIES** | (opmerkingen op aanvullingsblad) |
| **IV.** | ☐ | **GEBREK AAN EENHEID VAN UITVINDING** | (opmerkingen op aanvullingsblad) |

# ONDERZOEKSRAPPORT BETREFFENDE HET RESULTAAT VAN HET ONDERZOEK NAAR DE STAND VAN DE TECHNIEK VAN HET INTERNATIONALE TYPE

Nummer van het verzoek om een onderzoek naar de stand van de techniek
NL 2024909

A. CLASSIFICATIE VAN HET ONDERWERP
INV. A61B50/34 B65D25/04 B65D25/10 A61B50/22
ADD. B65D6/08

Volgens de Internationale Classificatie van octrooien (IPC) of zowel volgens de nationale classificatie als volgens de IPC.

B. ONDERZOCHTE GEBIEDEN VAN DE TECHNIEK

Onderzochte miminum documentatie (classificatie gevolgd door classificatiesymbolen)
A61B B65D

Onderzochte andere documentatie dan de mimimum documentatie, voor dergelijke documenten, voor zover dergelijke documenten in de onderzochte gebieden zijn opgenomen

Tijdens het onderzoek geraadpleegde elektronische gegevensbestanden (naam van de gegevensbestanden en, waar uitvoerbaar, gebruikte trefwoorden)
EPO-Internal, WPI Data

C. VAN BELANG GEACHTE DOCUMENTEN

| Categorie ° | Geciteerde documenten, eventueel met aanduiding van speciaal van belang zijnde passages | Van belang voor conclusie nr. |
|---|---|---|
| X | DE 10 2005 047099 A1 (AESCULAP AG [DE]) 5 april 2007 (2007-04-05) | 1,3-5, 7-9 |
| A | * alineas [0131], [0134] - alinea [0139]; figuren 1-7 * | 2,6,10 |
| | ----- | |
| X | US 2006/266666 A1 (BETTENHAUSEN TODD E [US] ET AL) 30 november 2006 (2006-11-30) | 1,3,6-9 |
| A | * alineas [0028], [0035] - [0039]; figuren 5,6,17-18 * | 2,4,5,10 |
| | ----- | |
| X | EP 1 053 755 A2 (POLY VAC INC [US]) 22 november 2000 (2000-11-22) | 1,3,4, 7-9 |
| A | * alinea [0021] - alinea [0022]; figuren 1-3 * | 2,5,6,10 |
| | ----- | |

☐ Verdere documenten worden vermeld in het vervolg van vak C.

☒ Leden van dezelfde octrooifamilie zijn vermeld in een bijlage

° Speciale categorieën van aangehaalde documenten

"A" niet tot de categorie X of Y behorende literatuur die de stand van de techniek beschrijft

"D" in de octrooiaanvrage vermeld

"E" eerdere octrooi(aanvrage), gepubliceerd op of na de indieningsdatum, waarin dezelfde uitvinding wordt beschreven

"L" om andere redenen vermelde literatuur

"O" niet-schriftelijke stand van de techniek

"P" tussen de voorrangsdatum en de indieningsdatum gepubliceerde literatuur

"T" na de indieningsdatum of de voorrangsdatum gepubliceerde literatuur die niet bezwarend is voor de octrooiaanvrage, maar wordt vermeld ter verheldering van de theorie of het principe dat ten grondslag ligt aan de uitvinding

"X" de conclusie wordt als niet nieuw of niet inventief beschouwd ten opzichte van deze literatuur

"Y" de conclusie wordt als niet inventief beschouwd ten opzichte van de combinatie van deze literatuur met andere geciteerde literatuur van dezelfde categorie, waarbij de combinatie voor de vakman voor de hand liggend wordt geacht

"&" lid van dezelfde octrooifamilie of overeenkomstige octrooipublicatie

| Datum waarop het onderzoek naar de stand van de techniek van internationaal type werd voltooid | Verzenddatum van het rapport van het onderzoek naar de stand van de techniek van internationaal type |
|---|---|
| 8 oktober 2020 | |

| Naam en adres van de instantie | De bevoegde ambtenaar |
|---|---|
| European Patent Office, P.B. 5818 Patentlaan 2<br>NL - 2280 HV Rijswijk<br>Tel. (+31-70) 340-2040,<br>Fax: (+31-70) 340-3016 | van Poelgeest, A |



Formulier PCT/ISA/201 (tweede blad) (Januari 2004)

**ONDERZOEKSRAPPORT BETREFFENDE HET RESULTAAT VAN HET ONDERZOEK NAAR DE STAND VAN DE TECHNIEK VAN HET INTERNATIONALE TYPE**

Informatie over leden van dezelfde octrooifamilie

Nummer van het verzoek om een onderzoek naar de stand van de techniek
NL 2024909

| In het rapport genoemd octrooigeschrift | Datum van publicatie | Overeenkomend(e) geschrift(en) | Datum van publicatie |
|---|---|---|---|
| DE 102005047099 A1 | 05-04-2007 | GEEN | |
| US 2006266666 A1 | 30-11-2006 | US 2006266666 A1 | 30-11-2006 |
| | | US 2007144926 A1 | 28-06-2007 |
| | | WO 2006127230 A2 | 30-11-2006 |
| EP 1053755 A2 | 22-11-2000 | GEEN | |

# WRITTEN OPINION

| File No. | Filing date *(day/month/year)* | Priority date *(day/month/year)* | Application No. |
|---|---|---|---|
| SN75881 | 14.02.2020 | | NL2024909 |

International Patent Classification (IPC)
INV. A61B50/34 B65D25/04 B65D25/10 A61B50/22 ADD. B65D6/08

Applicant
Van Straten Medical B.V.

This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the application
- ☒ Box No. VIII Certain observations on the application

| | Examiner |
|---|---|
| | van Poelgeest, A |

Application number

# WRITTEN OPINION

NL2024909

## Box No. I Basis of this opinion

1. This opinion has been established on the basis of the latest set of claims filed before the start of the search.

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material:

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material:

   ☐ on paper

   ☐ in electronic form

   c. time of filing/furnishing:

   ☐ contained in the application as filed.

   ☐ filed together with the application in electronic form.

   ☐ furnished subsequently for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

## Box No. V Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|---|---|---|---|
| Novelty | Yes: | Claims | 2, 7, 8, 10 |
| | No: | Claims | 1, 3-6, 9 |
| Inventive step | Yes: | Claims | 2, 10 |
| | No: | Claims | 1, 3-9 |
| Industrial applicability | Yes: | Claims | 1-10 |
| | No: | Claims | |

2. Citations and explanations

**see separate sheet**

# WRITTEN OPINION

## Box No. VII Certain defects in the application

see separate sheet

## Box No. VIII Certain observations on the application

see separate sheet

1 **Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1.1 Reference is made to the following documents:

| | |
|---|---|
| D1 | DE 10 2005 047099 A1 (AESCULAP AG [DE]) 5 april 2007 (2007-04-05) |
| D2 | US 2006/266666 A1 (BETTENHAUSEN TODD E [US] ET AL) 30 november 2006 (2006-11-30) |
| D3 | EP 1 053 755 A2 (POLY VAC INC [US]) 22 november 2000 (2000-11-22) |

1.2 The present application does not meet the criteria of patentability, because the subject-matter of claim 1 is not new.

1.2.1 D1 (§0134-§0139; fig. 1-7) discloses (the references in parentheses referring to this document):

Samenstel van een mand (10) met een rooster dat mazen (fig. 1; §0131) definieert, een inbouwcomponent (110) met perforaties (148) en een montagedeel (102) voor het bevestigen van de inbouwcomponent (110) aan de mand (10), waarbij het montagedeel een anker omvat dat een as (132), eerste uitsteeksels (122) en tweede uitsteeksels (140) omvat die zijn gepositioneerd op en zijdelings zich vanaf de as (132) op een afstand van elkaar uitstrekken om een opnamedeel tussen de eerste en tweede uitsteeksels te definiëren voor het daarin klemmend opnemen van zowel het rooster van de mazen als de inbouwcomponent (fig. 4).

1.2.2 D2 (§0028, §0035-§0039; fig. 5-6, 17-18) discloses (the references in parentheses referring to this document):

Samenstel van een mand (30) met een rooster (32) dat mazen (32) definieert, een inbouwcomponent (70) met perforaties (fig. 18) en een montagedeel (108) voor het bevestigen van de inbouwcomponent (70) aan de mand (30), waarbij het montagedeel een anker omvat dat een as (fig. 17), eerste uitsteeksels (116) en tweede uitsteeksels (112) omvat die zijn gepositioneerd op en zijdelings zich vanaf de as op een afstand van elkaar uitstrekken om een opnamedeel tussen de eerste en tweede uitsteeksels te definiëren voor het daarin klemmend opnemen van zowel het rooster van de mazen als de inbouwcomponent (fig. 18).

1.2.3 D3 (§0021-§0022; fig. 1-3) discloses (the references in parentheses referring to this document):

Samenstel van een mand (20) met een rooster dat mazen (32) definieert, een inbouwcomponent (40) met perforaties (50) en een montagedeel (48) voor het bevestigen van de inbouwcomponent (40) aan de mand (20), waarbij het montagedeel een anker omvat dat een as (fig. 3), eerste uitsteeksels (54) en tweede uitsteeksels (52) omvat die zijn gepositioneerd op en zijdelings zich vanaf de as op een afstand van elkaar uitstrekken om een opnamedeel tussen de eerste en tweede uitsteeksels te definiëren voor het daarin klemmend opnemen van zowel het rooster van de mazen als de inbouwcomponent (§0021-§0022).

1.3 Dependent claims 3-9 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of novelty and/or inventive step, the reasons being as set out below.

Claim 3: See D1 (fig. 4), D2 (fig. 18) and D3 (§0022-§0021).

Claim 4: See D1 (fig. 7; §0138-§0139) and D3 (§0022).

Claim 5: See D1 (§0138-§0139).

Claim 6: See D2 (fig. 17 (111) (§0035)).

Claim 7: The feature distinguishing claim 7 from the closest prior art does not appear to result in any technical effect as they are a mere design option. When faced with the problem with designing an alternative shape for the eerste uitsteeksels of any of D1-D3, the person skilled in the art could choose from any well-known geometric design such as a diamond or square (a square is a special version of a diamond) without applying inventive skill. Claim 7 is therefore not inventive.

Claim 8: The feature distinguishing claim 8 from the closest prior art does not appear to result in any technical effect, hence it is a design option. When faced with the problem of attaching an etikethouder to the mand of any of D1-D3, the person skilled in the art would not need to apply any inventive skill to apply the same anker that is used to attach other accessories to also attach an etikethouder. Claim 8 is therefore not inventive.

Claim 9: D1-D3 all disclose an anker with the features of at least the anker of claim 1 (see section 1.2), thus D1-D3 also anticipate claim 9.

1.4 The combination of the features of dependent claims 2 and 10 is neither known from, nor rendered obvious by, the available prior art. None of prior art documents appear to disclose the feature "de eerste en tweede uitsteeksels (8, 9) die op een afstand van elkaar op de as (7) zijn aangebracht taps van elkaar af lopen om te zorgen dat die afstand tussen deze eerste en tweede uitsteeksels (8, 9) toeneemt gezien in een zijwaarts weg van de as (7) zich uitstrekkende richting van de uitsteeksels (8, 9)". This feature having the technical effect that it enables the anker to clamp the inbouwcomponent and the mand when the mazen comprise threads or wires resulting in a height difference. The objective technical problem can then be defined as how to adapt the anchor of either of D1-D3 so that its clamping function is not affected by a grid made of threads or wires. All of the prior art documents disclose a grid that appears to be made of perforated sheet metal. Hence the problem of height differences caused by a wire grid is not known in the prior art, which therefore does not suggest any solution to the problem.

2 **Re Item VII**

**Certain defects in the application**

2.1 The relevant background art disclosed in D1-D3 is not mentioned in the description, nor are these documents identified therein.

3 **Re Item VIII**

**Certain observations on the application**

3.1 Claim 10 is not clear. In its dependency on claim 9, there is included an anchor with the features of claim 10 when claim 9 is dependent from claim 2. Thus claim 10 appears to be redundant.