

HÅMSØ PATENTBYRÅ AS  
Postboks 171  
4301 SANDNES

Oslo, 2020.04.07

Your ref.: P28496NO00  
Application no.: 20180759 (please include in your reply)  
Applicant: BERGEN CARBON SOLUTIONS AS  
Due date: 2020.07.07

## Office action in patent application no. 20180759

### Basis of the opinion

Description received 2019.04.26  
Claims received 2019.04.26  
Drawings received 2018.05.31

This is a continued evaluation of your application, based on your amended claims and description received 2019.12.09. The amended claims address most of the formal defects pointed out in our office action dated 2018.11.01. However, a few formal defects remain before the application may be approved for grant of patent.

In the amended claim 1, the term “magnetic impurities” has been introduced. Although the particles to be removed are implicitly both magnetic and impurities, the term as such does not appear in the application as originally filed and is therefore not acceptable, in reference to the Norwegian Patents Act, Section 13. The term used elsewhere in the original application is “metal particles”. The terminology shall be consistent throughout the application for the sake of clarity, in reference to the Norwegian Patents Act, Section 8, second paragraph, first sentence.

The present claim 4 is characterized in that “...the method additionally comprises the step of generating a magnetic field to extract the metal particles from the solution after the sonication step and before the filtration step”. The terms “before” and “after” indicate that the steps shall be performed in sequence. Claim 5 on the other hand specifies that the steps of sonication and application of a magnetic field in the method may be performed simultaneously. We regard it as unclear how the aforementioned steps can be performed both sequentially and simultaneously. See the Norwegian Patents Act, Section 8, second paragraph, first sentence.

You are requested to submit new amended documents according to the above, made ready for final approval.

#### Instructions

When you amend the patent claims, you must state where in the application as filed support for the amendment is found, ref. Regulations to the Norwegian Patents Act (Patent Regulations), Section 20. If you file an amended description, you must specify which parts of the description are not in accordance with the previously filed description and specify in which way the amendments imply anything new with respect to the substantive content, ref. Patent Regulations, Section 21.

#### Time limit for response

You are invited to submit a written response within the due date above. You may respond via [Altinn](#). If you fail to respond, the application will be shelved. However, the processing of the application may be resumed by paying a fee. Ref. Norwegian Patents Act, Section 15, third paragraph and Regulation Relating to Payments etc. to the Norwegian Industrial Property Office and the Board of Appeal for Industrial Property Rights (Regulation on fees), Section 26. You may request an extension of the due date, see «patentretningslinjene del A, kap. I, punkt 5.1» Examination Guidelines, part A, Chapter I, 5.1 (in Norwegian only). This must be done within the due date.

For general provisions regarding submitting of documents and payments, see Regulation on fees, Sections 1-6 and 8.

#### For your information

Relevant laws and regulations, as well as Examination Guidelines are available on our webpage, [www.nipo.no](http://www.nipo.no).

Please contact us if you have any questions

Sincerely,

Fredrik Lundvall  
Telephone: +47 22 38 73 97