

Sindre André Zeiner-Gundersen
Jongsåsveien 46 B
1338 SANDVIKA

Oslo, 2021.01.14

Your ref.: 20180245
Application no.: 20180245 (please include in your reply)
Applicant: Dag Herman Zeiner-Gundersen, Sindre André Zeiner-Gundersen
Due date: 2021.04.14

Office action in patent application no. 20180245

Basis of the opinion

Description received 2019.06.14
Claims received 2019.06.14
Drawings received 2019.06.14

Conclusion

After discussion with colleagues, important issues have appeared regarding evaluation of patentability of this patent application. As a result of this, it is now regarded that this patent application does not meet the patentability criteria.

Significant deficiencies of relevance for the assessment of patentability

One of the criteria for patentability that has to be fulfilled before a patent can be granted, is that the description of the application is sufficient clear and thorough to ensure that a person skilled in the art can practise the invention, cf. Norwegian Patent Act, Section 8, second paragraph, third sentence.

Another aspect of this, is the requirement of technical effect, that implicitly appears from Norwegian Patent Act, Section 1, first paragraph, indicating the criteria for patentability that an invention that can be patented, must be able to be industrially utilized. Technical effect means that the special purpose of the invention must be able to be implemented, cf. that the invention is working as alleged.

One of the features in claim 1 is that hydrogen is converted to “ultra-dense” hydrogen at catalysts, that can be a platinum catalyst. Hydrogen will sure enough dissociate to individual atoms (H) by absorption at the surface of platinum, but by desorption H_2 – molecules will again be formed. It is not established as probable in the patent application that the alleged effect is attained, cf. it is not precisely explained in the description how a person skilled in the art is able to attain this effect in practise. We notice that the description asserts that this is a process that is admitted and experimentally proved, however, we consider it to only be an assertion without reference to proofs. We notice that it seems that Leif Holmlid is related to publications you refer to, including the granted Swedish patent SE 539684 C2, and it is unclear how many scientists and persons skilled in the art that in the reality are admitting that hydrogen is converted to “ultra-dense” hydrogen at catalysts, that can be a platinum catalyst.

Therefore, the patent application does not fulfil Norwegian Patent Act, Section 8, second paragraph, third sentence, and the patent application cannot be patented.

Instructions

If you disagree with our assessments, please send us a letter describing how to establish as probable that the alleged effect is attained.

If 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.

The patent application may be rejected after response from the applicant, cf. Norwegian Patent Act, Section 16.

For your information

Relevant laws and regulations, as well as Examination Guidelines are available on our webpage, www.nipo.no.

Information to applicants using Altinn: You will find cited publications linked in the enclosed search report or as electronic attachments. They will be forwarded in paper format only if not available in electronic format or if protected by copyright.

Please contact us if you have any questions

Sincerely,

Trond Lomås
Telephone: +47 22 38 73 77