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

# (19) World Intellectual Property Organization

International Bureau



# 

# (10) International Publication Number WO 2010/078381 A3

#### (43) International Publication Date 8 July 2010 (08.07.2010)

(51) International Patent Classification:

C08L 95/00 (2006.01) C09J 195/00 (2006.01)

C09D 195/00 (2006.01)

(21) International Application Number:

PCT/US2009/069757

(22) International Filing Date:

29 December 2009 (29.12.2009)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

61/141,389 30 December 2008 (30.12.2008) US 61/142,847 6 January 2009 (06.01.2009) US

- (72) Inventor; and
- (71) Applicant: COE, William, B. [US/US]; P.O. Box 646, Wrightwood, CA 92397 (US).
- (74) Agent: DELANEY, Karoline, A.; Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14th Floor, Irvine, CA 92614 (US).
- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO,

DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

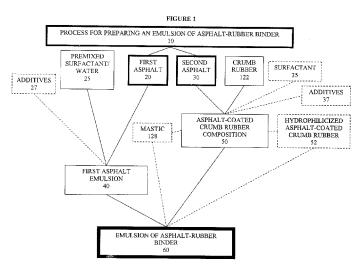
(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

#### Published:

- with international search report (Art. 21(3))
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))
- (88) Date of publication of the international search report:

4 November 2010

#### (54) Title: ASPHALT - RUBBER COMPOSITIONS AND SYSTEMS AND METHODS FOR PREPARING SAME



(57) Abstract: One embodiment provides a process for preparing an asphalt-coated crumb rubber composition that meets the specification set forth in ASTM D80-02 or deviations thereof which may be established by the specifying agency from time to time. The process generally comprises obtaining asphalt of different penetration grades, combining the asphalt of each grade with preselected chemicals to form separate premixed components, blending the premixed components together under predetermined conditions to form, upon curing, an asphalt-coated crumb rubber composition that meets certain physical requirements for asphalt-rubber binder (ARB), such as those set forth in ASTM D8-02. Advantageously, the resulting asphalt-coated crumb rubber composition not only meets the physical requirements of ARB used in road paving but also has improved dispersion of the rubber, such as dispersion of the rubber in an oil-in-water emulsion of an asphalt.



#### INTERNATIONAL SEARCH REPORT

International application No PCT/US2009/069757

A. CLASSIFICATION OF SUBJECT MATTER INV. C08L95/00 C09D195/00 C09J195/00 ADD.

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)  $c08L\ c09D\ c09J$ 

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, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Citation of document, with indication, where appropriate, of the	relevant passages	Relevant to claim No.		
19 April 1977 (1977-04-19)		1-19, 21-26 20		
30 January 1979 (1979-01-30)	1-19, 21-26 20			
ET AL) 19 May 1970 (1970-05-19)	20-24 1-9,25, 26			
ther documents are listed in the continuation of Box C.  categories of cited documents:  ent defining the general state of the art which is not dered to be of particular relevance document but published on or after the international date  ent which may throw doubts on priority claim(s) or is cited to establish the publication date of another or or other special reason (as specified)  lent referring to an oral disclosure, use, exhibition or means  ent published prior to the international filing date but han the priority date claimed  actual completion of the international search	"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 mailing of the international search report			
R September 2010  mailing address of the ISA/  European Patent Office, P.B. 5818 Patentlaan 2  NL - 2280 HV Rijswijk	10/09/2010  Authorized officer			
	19 April 1977 (1977–04–19) column 1, line 7 – line 53; cla examples 1–7  US 4 137 204 A (MCDONALD CHARLE 30 January 1979 (1979–01–30) column 3, line 23 – line 53; cl example 7  US 3 513 005 A (BRADSHAW LEONAR ET AL) 19 May 1970 (1970–05–19) column 5, line 49 – column 6, l claims 1,14; examples 1,5  ent defining the general state of the art which is not lered to be of particular relevance document but published on or after the international late ent which may throw doubts on priority claim(s) or is cited to establish the publication date of another nor other special reason (as specified) ent referring to an oral disclosure, use, exhibition or means ent published prior to the international filling date but han the priority date claimed actual completion of the international search  September 2010  mailing address of the ISA/ European Patent Office, P.B. 5818 Patentlaan 2	column 1, line 7 - line 53; claims 1,7; examples 1-7  US 4 137 204 A (MCDONALD CHARLES H) 30 January 1979 (1979-01-30) column 3, line 23 - line 53; claims 1-6; example 7  US 3 513 005 A (BRADSHAW LEONARD CHARLES ET AL) 19 May 1970 (1970-05-19) column 5, line 49 - column 6, line 29; claims 1,14; examples 1,5 /  The defining the general state of the art which is not lered to be of particular relevance of the beof particular relevance of the international late and which may throw doubts on priority claim(s) or is cited to establish the publication date of another no or other special reason (as specified) ent which may throw doubts on priority claim(s) or is cited to establish the publication date of another no or other special reason (as specified) ent referring to an oral disclosure, use, exhibition or means ent referring to an oral disclosure, use, exhibition or means actual completion of the international search  September 2010  The international search is combined with one or means actual completion of the international search in the priority date claimed  Authorized officer  Authorized officer  Authorized officer  Authorized officer  Authorized officer		

# **INTERNATIONAL SEARCH REPORT**

International application No PCT/US2009/069757

0/0	March DOCUMENTO CONCIDENTS TO THE TOTAL TO T	PC1/US2009/069/5/
C(Continua		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 478 642 A (SCHILLING PETER [US] ET AL) 23 October 1984 (1984-10-23)	20
Υ	column 20, line 34 - line 43; examples 1-3; tables I-VII 	1-19, 21-26
X	CA 1 136 794 A1 (POUNDER EMULSIONS LTD) 30 November 1982 (1982-11-30)	19,21
Y	claims 1-25; examples 1-18	1-18,20, · 22-26
X	US 5 674 313 A (AOYAMA TSUYOSHI [JP] ET AL) 7 October 1997 (1997-10-07)	19–21
Y	column 2, line 65 - column 4, line 15	1–26
<b>A</b>	GB 1 167 265 A (BAYER AG [DE]) 15 October 1969 (1969-10-15) the whole document	1–26
A	US 2003/018106 A1 (SYLVESTER LAURENCE M [US]) 23 January 2003 (2003-01-23) the whole document	1-26
A	US 6 964 940 B1 (TREYBIG DUANE S [US] ET AL) 15 November 2005 (2005-11-15) the whole document	1–26
A	US 3 262 951 A (JACOB KATZ) 26 July 1966 (1966-07-26) the whole document	1–26

International application No. PCT/US2009/069757

### **INTERNATIONAL SEARCH REPORT**

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:
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:
see additional sheet
As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. X As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of 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.:
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.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-18, 25, 26

Method for preparing an asphalt-rubber (crumb rubber) emulsion as well as the emulsion obtained therewith '

2. claim: 19

Aqueous asphalt emulsion comprising asphalt, crumb rubber and a cationic surfactant

3. claim: 20

Aqueous asphalt emulsion comprising asphalt, an amido amine surfactant and water

4. claims: 21-24

Asphalt coated-rubber composition comprising asphalt, crumb rubber and an cationic surfactant defined by a functional feature

#### **INTERNATIONAL SEARCH REPORT**

Information on patent family members

International application No PCT/US2009/069757

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
US 4018730	Α	19-04-1977	CA	1042145	A1	07-11-1978
US 4137204	Α	30-01-1979	CA	1102655	A1	09-06-1981
US 3513005	Α	19-05-1970	NONE			
US 4478642	Α	23-10-1984	CA	1224774		28-07-1987
			DE	3422938		07-03-1985
			FR	2548044		04-01-1985
•			GB	2146018		11-04-1985
			JP		C	13-07-1992
			JP JP	3042305   60013848		26-06-1991 24-01-1985
CA 1136794	A1	30-11-1982	NONE			
US 5674313	Α	07-10-1997	NONE			
GB 1167265	 A	15-10-1969	 AT	281235	 В	11-05-1970
			BE	696440	Α	01-09-1967
			NL	6704641	A	03-10-1967
US 2003018106	A1	23-01-2003	US	2005131113	A1	16-06-2005
US 6964940	B1	15-11-2005	NONE			
US 3262951	Α	26-07-1966	NONE			