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- (71) **Applicant (for all designated States except US):** **INOVA-PAK SRL** [IT/IT]; Via Ferravilla 19/C, I-42100 Reggio Emilia (RE) (IT).
- (72) **Inventors; and**
- (75) **Inventors/Applicants (for US only):** **BARTOLI, Andrea** [IT/IT]; Via Dumas, 3, I-42100 Reggio Emilia (RE) (IT). **BARTOLI, Alberto** [IT/IT]; Via Monte Gaio 3, I-42020 Quattro Castella (RE) (IT).
- (74) **Agent:** **CRUGNOLA, Pietro**; Luppi & Associati S.R.L., Via Camperio 11, I-20123 Milano (IT).
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CA, CH, 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, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

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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))

**Published:**

- with international search report (Art. 21(3))

[Continued on next page]

(54) **Title:** CONTAINERS, APPARATUSES AND THE METHODS FOR MAKING CONTAINERS

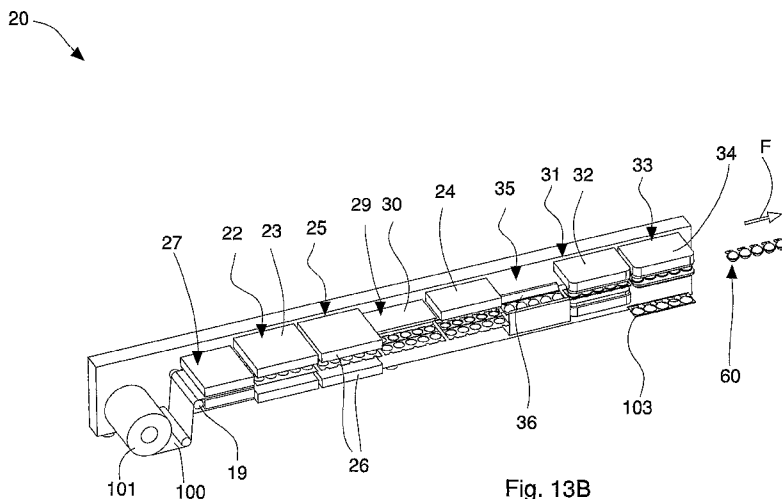


Fig. 13B

(57) **Abstract:** An apparatus comprises means for advancing along an advancing direction (F) sheet material (100) that is thermoformable through a forming station (2), wherein forming means (3) is provided arranged for deforming portions of the sheet material (100) so as to make shells (51, 52) of containers (50) joined by non-deformed parts of the sheet material (100), a filling station (4) wherein the shells (51, 52) are filled with product (80), between the forming station (2) and the filling station (4) there being interposed an inserting station (5) comprising inserting means (6) for inserting spatula elements (40) in respective shells (51, 52) so that gripping portions (40a) of the spatula elements (40) protrude from an edge (100d) of the sheet material (100); an apparatus comprises means for advancing along an advancing direction (F) a sheet material (100) that is thermoformable through a forming station (22; 122) comprising forming means (23; 123), arranged for deforming portions of the sheet material (100) so as to make shell means (61, 62; 161) of containers, (60; 160), and blanking means (26, 34; 126, 134) for blanking further portions of the sheet material (100) and making spatula means (70; 170) to be inserted into the shell means (61, 62).





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— *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:**  
23 December 2009

# INTERNATIONAL SEARCH REPORT

International application No  
PCT/IB2008/001986

**A. CLASSIFICATION OF SUBJECT MATTER**

INV. B65B9/04 B65B61/20 B65D77/24  
ADD. B65B9/06

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)  
B65B B65D

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

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

| Category* | Citation of document, with indication, where appropriate, of the relevant passages   | Relevant to claim No. |
|-----------|--|-----------------------|
| A         | US 2006/131189 A1 (LEE ROBERT [US] ET AL)<br>22 June 2006 (2006-06-22)<br>abstract<br>figures 1-7<br>paragraph [0038] - paragraph [0039] | 1-24,<br>32-90        |
| A         | US 6 116 414 A (DISCKO JR JOHN J [US])<br>12 September 2000 (2000-09-12)<br>abstract<br>figures 5,9                                      | 1-24,<br>32-90        |
| A         | US 1 708 456 A (JACOB TUNICK)<br>9 April 1929 (1929-04-09)<br>figures 1-3<br>page 1, line 85 - line 104                                  | 1-24,<br>32-90        |
|           | -----<br>-/--  |                       |

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
- \*E\* earlier document but published on or after the international filing date
- \*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)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*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 the actual completion of the international search

27 October 2009

Date of mailing of the international search report

05/11/2009

Name and mailing address of the ISA/

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040,  
Fax: (+31-70) 340-3016

Authorized officer

Damiani, Alberto

## INTERNATIONAL SEARCH REPORT

International application No  
PCT/IB2008/001986

| C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT |  |                       |
|--|--|-----------------------|
| Category*  | Citation of document, with indication, where appropriate, of the relevant passages   | Relevant to claim No. |
| A  | US 2 812 577 A (SAUL LEIBOW)<br>12 November 1957 (1957-11-12)<br>figures 1-8<br>claim 1  | 1-24,<br>32-90        |
| A  | US 3 618 751 A (RICH ERNEST J)<br>9 November 1971 (1971-11-09)<br>abstract<br>figures 23-26<br>column 4, line 62 - column 5, line 13                       | 78-90                 |
| A  | US 2002/185401 A1 (DUQUET FREDERIC [FR] ET<br>AL) 12 December 2002 (2002-12-12)<br>page 2, paragraph 27<br>page 2, paragraph 29<br>abstract<br>figures 1,2 | 1-24                  |
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| A  | DE 203 09 546 U1 (KETTENBACH GMBH & CO KG<br>[DE]) 16 October 2003 (2003-10-16)<br>the whole document  | 1-24                  |

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/IB2008/001986

## 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:

see additional sheet

1.  As all required additional search fees were timely paid by the applicant, this international search report covers allsearchable claims.
  
2.  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.:  
1-24, 32-90
  
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.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

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

1. claims: 1-24

A method (and the corresponding apparatus) for filling with product a shell which has spatula elements partially inserted in it.

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2. claims: 25-31

A container comprising a first and a second shell superimposed on one another.

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3. claims: 32-90

A method (and the corresponding apparatus) for inserting spatula means into a shell made out from the same sheet material from which the spatula means is made and a container which can be produced by said method.

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4. claims: 91-151

A method (and the corresponding apparatus) for inserting spatula means into a shell, whereby the spatula means and the shell are obtained from two distinct sheet materials and a container which can be produced by said method.

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## INTERNATIONAL SEARCH REPORT

International application No

PCT/IB2008/001986

| Patent document cited in search report | Publication date | Patent family member(s) | Publication date         |
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