



DECLARATION

which under Rule 45 of the European Patent Convention EP 01 99 6210 shall be considered, for the purposes of subsequent proceedings, as the European search report

<p>The Search Division considers that the present application, does not comply with the provisions of the EPC to such an extent that it is not possible to carry out a meaningful search into the state of the art on the basis of all claims</p>	<p>CLASSIFICATION OF THE APPLICATION (IPC)</p>
<p>Reason:</p> <p>A meaningful search is not possible on the basis of all claims because all claims are directed to - Method for treatment of the human or animal body by surgery and therapy - Article 52 (4) EPC</p> <p>All method claims contain the step of performing reference blood glucose measurements at predetermined intervals. From the description, page 3, lines 38 and 39 (summary of the invention), it is clear that these reference measurements are done invasively in order to correlate them with the non-invasive spectral measurements. The presence of this invasive step in the method claim renders the method surgical. Furthermore, the step of manipulating the individual's blood glucose level is considered as a therapeutical step. In the same way, the presence of this step renders the method claims therapeutical.</p> <p>The applicant's attention is drawn to the fact that a search may be carried out during examination following a declaration of no search under Rule 45 EPC, should the problems which led to the declaration being issued be overcome (see EPC Guideline C-VI, 8.5).</p> <p style="text-align: center;">-----</p>	<p>INV. A61B5/00</p>

Place of search Munich

Date 30 October 2006

Examiner Rivera Pons, Carlos

专利名称(译)	在无创血糖监测仪的校准中使用目标血糖谱		
公开(公告)号	EP1359839A4	公开(公告)日	2006-12-13
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摘要(译)

向糖尿病测试受试者校准非侵入式血糖测量仪器的方法采用反相关对中的目标血糖谱。在校准期间,使用常规侵入性采样方法进行参考血糖测定。同时,使用非侵入性葡萄糖监测仪进行无创光谱测量。通过受试者对计算量的碳水化合物的受控口服摄取,操纵受试者的血糖水平以模拟目标概况的模式。在第一次访问期间,诱导一对的第一个轮廓;在第二次访问期间,诱导第一轮廓的逆。目标分布图产生参考血糖值,其中减少或消除与采样因子的相关性,因此得到的校准与葡萄糖相关,而不与其他分析物,采样因子或环境因素相关。提供了用于计算摄入的碳水化合物的所需量以在受试者中诱导目标血糖谱的公式。

A meaningful search is not possible on the basis of all claims because all claims are directed to - Method for treatment of the human or animal body by surgery and therapy - Article 52 (4) EPC
All method claims contain the step of performing reference blood glucose measurements at predetermined intervals. From the description, page 3, lines 38 and 39 (summary of the invention), it is clear that these reference measurements are done invasively in order to correlate them with the non-invasive spectral measurements. The presence of this invasive step in the method claim renders the method surgical. Furthermore, the step of manipulating the individual's blood glucose level is considered as a therapeutic step. In the same way, the presence of this step renders the method claims therapeutical.
The applicant's attention is drawn to the fact that a search may be carried out during examination following a declaration of no search under Rule 45 EPC, should the problems which led to the declaration being issued be overcome (see EPC Guideline C-VI, 8.5).
