AMENDED PATENT CLAIMS

1. A brewing device (1) for extracting from a portion capsule (2), having a first brewing chamber element (3) and a second brewing chamber element (4), wherein the first brewing chamber element (3) is movable between a loading position, in which the first and the second brewing chamber element (3, 4) are spaced apart from one another in order to introduce the portion capsule (2), and an extraction position, in which the first and the second brewing chamber element (3, 4) have been moved together in order to form a substantially closed brewing chamber for the portion capsule (2), characterized in that the brewing device (1) is configured such that the orientation of the portion capsule (2) remains substantially constant during transfer from the loading position into the extraction position, wherein the brewing device (1) has a spacer (5) which is provided to space apart the portion capsule (2) from the first brewing chamber element (3) at least in the loading position, wherein the spacer (5) has a free end (22) that projects in a spring-elastic manner in the direction of the second brewing chamber element (4), wherein the first brewing chamber element (3) has a lower retaining means (10) for retaining a lower peripheral region of the portion capsule (2), and wherein the spacer (5) is configured to space apart the portion capsule (2) from the first brewing chamber element (3) in the region of the retaining means (10), wherein the spacer (5) is formed integrally with a base plate (6) fastened to the first brewing chamber element (3), and the base plate (6) has at least one perforation spike (7) that projects in the direction of the second brewing chamber element (4).

2. The brewing device (1) as claimed in claim 1, wherein the base plate (6) or the further base plate (9) has four perforation spikes (7) that project in the direction of the second brewing chamber element (4), wherein two first perforation spikes (7′) are arranged in a common horizontal plane (101), and wherein two second perforation spikes (7″) are arranged in a common vertical plane (102), wherein the vertical plane (102) extends preferably centrally between the two first perforation spikes (7′).

3. The brewing device (1) as claimed in either of the preceding claims, wherein the base plate (6) or the further base plate (9) has a feed opening (8) for introducing extraction liquid into the brewing chamber, wherein the feed opening (8) is arranged preferably in the vertical plane (102), and/or wherein the feed opening (8) is arranged preferably between the two second perforation spikes (7″), and/or wherein the feed opening (8) comprises a half-side cutout formed in a peripheral region of the base plate (6) or of the further base plate (9).

4. The brewing device (1) as claimed in one of the preceding claims, wherein the free end (22) is arranged on a side, facing the retaining means (10), of the base plate (6) or of the further base plate (9).

5. The brewing device (1) as claimed in one of the preceding claims, wherein the brewing device (1) comprises lateral retaining arms (11) having retaining surfaces (12) facing the first brewing chamber element (3), wherein the spacer (5) is configured such that, in the loading position, the

spacer (5) presses the portion capsule (2) in a spring-elastic manner against the retaining surfaces (12).

6. The brewing device (1) as claimed in one of the preceding claims, wherein the spacer (5) is configured such that the spacer (5) conforms to the first brewing chamber element (3) in the extraction position.

7. A method for operating a brewing device (1), in particular as claimed in one of the preceding claims or according to the preamble of claim 1, wherein, in a first method step, a portion capsule (2) is introduced between the first and the second brewing chamber element (3, 4), and wherein, in a subsequent second method step, the first brewing chamber element (3) is moved from the loading position into the extraction position, characterized in that the orientation of the portion capsule (2) is kept constant during the second method step, wherein the portion capsule (2) is retained in a vertical orientation during the second method step, wherein, during the second method step, the first brewing chamber element (3) is firstly moved linearly in an axial direction and subsequently additionally pivoted about a pivot axis perpendicular to the axial direction, wherein the portion capsule (2) is spaced apart from the first brewing chamber element (3) by means of a spring-elastic spacer (5) at the start of the second method step, and wherein the spacer (5) is pressed by the portion capsule (2) against the first brewing chamber element (3) at the end of the second method step.

CLAIMS

1. A brewing device for extracting from a portion capsule, having a brewing chamber closure element and a brewing chamber receiving element, wherein the brewing chamber closure element is movable between a loading position, in which the brewing chamber closure element and the brewing chamber receiving element are spaced apart from one another in order to introduce the portion capsule, and an extraction position, in which the brewing chamber closure element and the brewing chamber receiving element have been moved together in order to form a substantially closed brewing chamber for the portion capsule, the brewing device is configured such that the orientation of the portion capsule remains substantially constant during transfer from the loading position into the extraction position, wherein the brewing device has a spacer which is provided to space apart the portion capsule from the brewing chamber closure element at least in the loading position, wherein the spacer has a free end that projects in a spring-elastic manner in the direction of the brewing chamber receiving element, wherein the brewing chamber closure element has a lower retaining means for retaining a lower peripheral region of the portion capsule, and wherein the spacer is configured to space apart the portion capsule from the brewing chamber closure element in the region of the retaining means, wherein the spacer is formed integrally with a base plate fastened to the brewing chamber closure element, and wherein the brewing device has a further base plate which has at least one perforation spike that projects in the direction of the brewing chamber receiving element.

2. The brewing device as claimed in claim 1, wherein the base plate or the further base plate has four perforation spikes that project in the direction of the brewing chamber receiving element, wherein two first perforation spikes are arranged in a common horizontal plane, and wherein two second perforation spikes are arranged in a common vertical plane, wherein the vertical plane extends centrally between the two first perforation spikes.

3. The brewing device as claimed in claim 1, wherein the base plate or the further base plate has a feed opening for introducing extraction liquid into the brewing chamber, wherein the feed opening is arranged in the vertical plane, and/or wherein the feed opening is arranged preferably between the two second perforation spikes, and/or wherein the feed opening comprises a half-side cutout formed in a peripheral region of the base plate or of the further base plate.

4. The brewing device as claimed in claim 1, wherein the free end is arranged on a side, facing the retaining means, of the base plate or of the further base plate.

5. The brewing device as claimed in claim 1, wherein the brewing device comprises lateral retaining arms having retaining surfaces facing the brewing chamber closure element, wherein the spacer is configured such that, in the loading position, the spacer presses the portion capsule in a spring-elastic manner against the retaining surfaces.

6. The brewing device as claimed in claim 1, wherein the spacer is configured such that the spacer conforms to the brewing chamber closure element in the extraction position.

7. A method for operating a brewing device as recited in claim 1, wherein, in a first method step, a portion capsule is introduced between the brewing chamber closure element and the brewing chamber receiving element, and wherein, in a subsequent second method step, the brewing chamber closure element is moved from the loading position into the extraction position, characterized in that the orientation of the portion capsule is kept constant during the second method step, wherein the portion capsule is retained in a vertical orientation during the second method step, wherein, during the second method step, the brewing chamber closure element is firstly moved linearly in an axial direction and subsequently additionally pivoted about a pivot axis perpendicular to the axial direction, wherein the portion capsule is spaced apart from the brewing chamber closure element by means of a spring-elastic spacer at the start of the second method step, and wherein the spacer is pressed by the portion capsule against the brewing chamber closure element at the end of the second method step.

8. A brewing device for extracting from a portion capsule, having a first brewing chamber element and a second brewing chamber element, wherein the first brewing chamber element is movable between a loading position, in which the first and the second brewing chamber element are spaced apart from one another in order to introduce the portion capsule , and an extraction position, in which the first and the second brewing chamber element have been moved together in order to form a substantially closed brewing chamber for the portion capsule, the brewing device is configured such that the orientation of the portion capsule remains substantially constant during transfer from the loading position into the extraction position, wherein the brewing device has a spacer which is provided to space apart the portion capsule from the first brewing chamber element at least in the loading position, wherein the spacer has a free end that projects in a spring-elastic manner in the direction of the second brewing chamber element, wherein the first brewing chamber element has a lower retaining means for retaining a lower peripheral region of the portion capsule, and wherein the spacer is configured to space apart the

portion capsule from the first brewing chamber element in the region of the retaining means, wherein the spacer is formed integrally with a base plate fastened to the first brewing chamber element, and wherein the brewing device has a further base plate which has at least one perforation spike that projects in the direction of the second brewing chamber element, wherein the free end is arranged on a side, facing the retaining means, of the base plate or of the further base plate.