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Señores

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISION DE NUEVAS CREACIONES

E. S. D.

REF: Expediente No. 01 097.420 – Solicitud de Patente
a favor de OWENS - BROCKWAY GLASS CONTAINER INC.
Titulada: MÁQUINA FORMADORA DE ARTÍCULOS DE VIDRIO

RAMIRO CASTRO DUQUE, vecino de Bogotá, portador de la tarjeta profesional No. 1003, obrando como apoderado de la sociedad OWENS - BROCKWAY GLASS CONTAINER INC., según lo acredita el documento de poder protocolizado en esa División bajo el No. 13516, para dar cumplimiento al requerimiento notificado por fijación en lista el 17 de Enero de 2002, y de acuerdo con los artículos 38 y 39 de la Decisión 486 de la Comisión de la Comunidad Andina, me permito anexar al presente escrito los siguientes documentos:

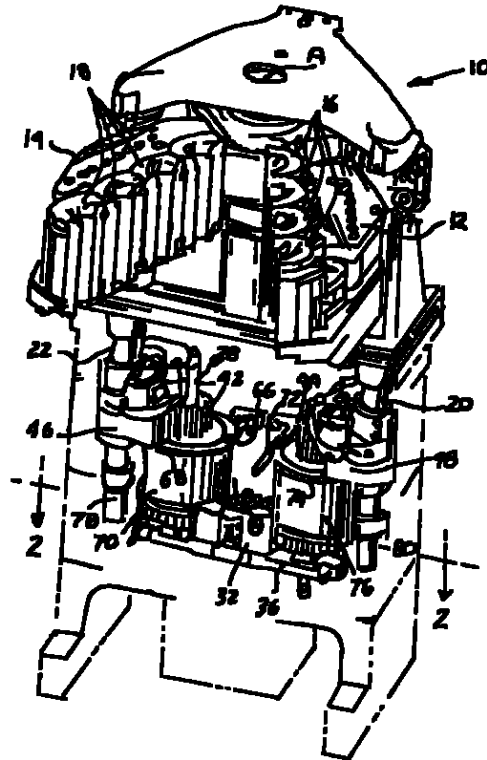
1. Documento donde consta la cesión del derecho a la Patente otorgado por los inventores al solicitante, debidamente apostillado.
2. El lugar de Constitución de la Sociedad solicitante es: Toledo, Ohio, Estados Unidos de América.
3. Artes finales (2 de 12 cm X 12 cm y 1 de 6 cm X 6 cm).
4. Extracto para Publicación y Tarjeta de Archivo Temático.

Del señor Jefe atentamente,



RAMIRO CASTRO DUQUE
C.C. No. 170.322 de Bogotá
Código 340
Cra 7 No. 16-56 Piso 9

Bogotá, Febrero 11 2002
CPB/hsr.



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APOSTILLE

(Convention de la Haye du 5 octobre 1961)

1. Country: United States of America

This public document

2. has been signed by J. BERNIE QUILTER

3. acting in the capacity of Clerk of Court of Common Pleas

4. bears the seal/stamp of Court of Common Pleas, Lucas County

CERTIFIED

5. at Columbus, Ohio

6. December 31, 2001

7. by the Secretary of State of Ohio.

8. N^o 82596

9. Seal/Stamp:

10. Signature:



J. Kenneth Blackwell
J. Kenneth Blackwell
Secretary of State of Ohio

NOTARY CERTIFICATE

THE STATE OF OHIO
COUNTY OF LUCAS

ss.

18 03
J. Bernie Quilter, Clerk of the Common Pleas Court and Court of Appeals for the County of Lucas and State of Ohio, the same being a court of record, and having by LAW a Seal, do hereby certify that

Judith M. Schreiner

whose name is subscribed to the certificate of the proof of acknowledgment of the annexed instrument and thereon written, was, at the time of taking such proof and acknowledgment, a Notary Public, duly commissioned and sworn, and authorized by the laws of said State to take the acknowledgments and proofs of deeds or conveyances for lands, tenements or hereditaments in said State, to be recorded therein. And further, that I am well acquainted with the handwriting of such Notary Public, and verily believe that the signature to said certificate of proof or acknowledgment is genuine, that impression of seal of such officer is not required by law to be filed in my office, and the commission expires on the 2nd day of February 2006

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County, at Toledo, Ohio, December 17, 2001

(Date)

J. Bernie Quilter, Clerk of Courts



J. Bernie Quilter, Clerk

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**CERTIFIED COPY
OF
ASSIGNMENT**

I, JUDITH M. SCHREINER, a Notary Public in and for the State of Ohio, U.S.A., hereby certify that the attached documents are true copies of the Assignments made of an Improvement Invention for METHOD AND APPARATUS FOR FORMING GLASS CONTAINERS by Its Inventors:

- 1) Frank J. DiFrank**
- 2) D. Wayne Ledy**

to Owens-Brockway Glass Container Inc., as executed on November 8 and November 15, 2000, as the case may be, and recorded in the United States Patent and Trademark Office on November 15, 2000 (as evidenced by the Notice of Recordation of Assignment Document also attached), and that the aforesaid Improvement Invention is the subject of United States Patent Application Serial No. 09/713,429 filed November 15, 2000.

Dated: December 7, 2001



JUDITH M. SCHREINER
Notary Public, State of Ohio
Commission Expires 2/2/06

Judith M. Schreiner
Notary Public



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

FEBRUARY 22, 2001

OWENS-ILLINOIS
H. G. BRUSS
ONE SEAGATE, 25-LDP
TOLEDO, OH 43666

PTAS



101552271A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/15/2000

REEL/FRAME: 011329/0962
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
DIFRANK, FRANK J.

DOC DATE: 11/08/2000

ASSIGNOR:
LEIDY, D. WAYNE

DOC DATE: 11/15/2000

ASSIGNEE:
OWENS-BROCKWAY GLASS CONTAINER
INC.
ONE SEAGATE
TOLEDO, OHIO 43666

SERIAL NUMBER: 09713429
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

WHEREAS, I, FRANK J. DiFRANK

3442 Woodley Road, Toledo, Ohio 43606

U. S. A.,

together with D. Wayne Leidy

have jointly invented an improvement in

"METHOD AND APPARATUS FOR FORMING GLASS CONTAINERS" ; and

WHEREAS, I, as a joint applicant with said D. Wayne Leidy

have executed an Application for United States Patent based thereon, on the

8th day of Nov, 2000, and

WHEREAS, OWENS-BROCKWAY GLASS CONTAINER INC., a Delaware corporation, is desirous of acquiring certain rights thereunder;

NOW, THEREFORE, for One Dollar (\$1.00) and other valuable considerations, receipt of all of which is hereby acknowledged, I have agreed to and do hereby sell, assign, and transfer unto said corporation my entire right, title, and interest in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto, in and to said invention, said application and any and all patents (including extensions thereof) of any country, which have been or may be granted on said invention or any part thereof, or on said application or any divisional, continuing, renewal, reissue, or other patent application, based in whole or in part thereon, or based upon said invention.

TO BE HELD AND ENJOYED by said corporation, its successors and assigns, to the full ends of the respective terms for which said patents or any of them have been or may be granted, as fully and entirely as the same would have been held and enjoyed by me had no sale and assignment of said interest been made;

AND I hereby covenant and agree for myself, my heirs, and my legal representatives to assist my said assignee in the prosecution of said application and in any interference which may arise involving said invention, and, upon request, to execute without further consideration all necessary and desirable divisional, continuing, renewal, reissue, or other applications for patents in any country, that might be deemed necessary by said assignee fully to secure to said assignee its interest as aforesaid in and to said invention or any part thereof, and in and to said several patents or any of them. Further I hereby authorize the above-mentioned assignee to insert in this instrument the identifying serial number and filing date of my said application when received.

AND I do hereby authorize and request the Commissioner of Patents of the United States of America to issue any and all United States patents which may be granted upon said United States applications or any of them, or upon said invention or any part thereof, to said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this

8th day of Nov, 2000.STATE OF OHIO, COUNTY OF WOOD ss: Frank J. DiFrank

On this 8 day of November, 2000, before me, a Notary Public, personally appeared the above named Frank J. DiFrank, personally known to me and known by me to be the one who executed the foregoing instrument and subscribed the same in my presence, and acknowledged the same to be his free act and deed.

My Commission Expires:

Nov. 29, 2004

U. S. Serial No. _____

Filing Date

JOYCE M. MURPHY

Notary Public, State of Ohio

Commission Expires 11-29-04

ASSIGNMENT

WHEREAS, I, D. WAYNE LEIDY

9921 Parliament Place, Perrysburg, Ohio 43551

U. S. A.,

together with Frank J. DiFrank

have jointly invented an improvement in

"METHOD AND APPARATUS FOR FORMING GLASS CONTAINERS" ; and

WHEREAS, I, as a joint applicant with said D. Wayne Leidy

have executed an Application for United States Patent based thereon, on the

15th day of Nov, 2000; and

WHEREAS, OWENS-BROCKWAY GLASS CONTAINER INC., a Delaware corporation, is desirous of acquiring certain rights thereunder;

NOW, THEREFORE, for One Dollar (\$1.00) and other valuable considerations, receipt of all of which is hereby acknowledged, I have agreed to and do hereby sell, assign, and transfer unto said corporation my entire right, title, and interest in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto, in and to said invention, said application and any and all patents (including extensions thereof) of any country, which have been or may be granted on said invention or any part thereof, or on said application or any divisional, continuing, renewal, reissue, or other patent application, based in whole or in part thereon, or based upon said invention.

TO BE HELD AND ENJOYED by said corporation, its successors and assigns, to the full ends of the respective terms for which said patents or any of them have been or may be granted, as fully and entirely as the same would have been held and enjoyed by me had no sale and assignment of said interest been made;

AND I hereby covenant and agree for myself, my heirs, and my legal representatives to assist my said assignee in the prosecution of said application and in any interference which may arise involving said invention, and, upon request, to execute without further consideration all necessary and desirable divisional, continuing, renewal, reissue, or other applications for patents in any country, that might be deemed necessary by said assignee fully to secure to said assignee its interest as aforesaid in and to said invention or any part thereof, and in and to said several patents or any of them. Further I hereby authorize the above-mentioned assignee to insert in this instrument the identifying serial number and filing date of my said application when received.

AND I do hereby authorize and request the Commissioner of Patents of the United States of America to issue any and all United States patents which may be granted upon said United States applications or any of them, or upon said invention or any part thereof, to said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this

15th day of Nov, 2000STATE OF OHIO, COUNTY OF WOOD

D. Wayne Leidy

On this 15 day of November, 2000, before me, a Notary Public, personally appeared the above named D. Wayne Leidy, personally known to me and known by me to be the one who executed the foregoing instrument and subscribed the same in my presence, and acknowledged the same to be his free act and deed.

My Commission Expires:

Nov. 29, 2004

U. S. Serial No. _____

Filing Date _____

Form 744

Joyce M. Murphy
JOYCE M. MURPHY
Notary Public, State of Ohio
Commission Expires 11-29-04



2do. EXAMEN DE FORMA PATENTE DE INVENCION

Folio 92

Radicación no 01-97420

Concepto Técnico no 563

Clasificación Internacional de Patentes: C03B 9/40

Practicado el examen de acuerdo a lo establecido en el Art. 38 de la Decisión 486 se determinó que esta solicitud de Patente de Invención:

- SI ☒ NO ☐ Contiene un resumen de la invención (Art26-e).
- SI ☒ NO ☐ Contiene el título o nombre de la invención (Art27-d).
- SI ☒ NO ☐ Contiene la descripción de la invención (Art26-b).
- SI ☒ NO ☐ NO ES APLICABLE ☐ Contiene los dibujos necesarios para comprender la invención (Art26-d)
- SI ☒ NO ☐ Contiene una o más reivindicaciones. (Art26-c).
- SI ☐ NO ☐ NO ES APLICABLE ☒ Han sido desarrollados los productos y/o procedimientos a partir de recursos genéticos o de sus productos derivados de los que cualquiera de los Países Miembros es país de origen. (Art. 26- h).
- SI ☐ NO ☐ NO ES APLICABLE ☒ Los productos y/o procedimientos han sido obtenidos o desarrollados a partir de los conocimientos tradicionales de las comunidades indígenas, afroamericanas, o locales de los países miembros, de acuerdo a lo establecido en la Decisión 391 y sus modificaciones y reglamentaciones vigentes.(Art26-i).
- SI ☐ NO ☒ La invención se refiere a un producto relativo a un material biológico. (Art26-J).
- SI ☒ NO ☐ NO ES APLICABLE ☐ La prioridad coincide con la materia reivindicada.
- SI ☒ NO ☐ **CUMPLE LOS REQUISITOS TÉCNICOS**

OBSERVACIONES Y OTROS: SI ☐ NO ☐ ver hoja(s) anexa(s)

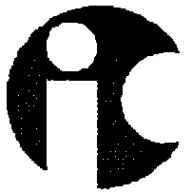
- NUEVOS DIBUJOS, FOLIOS: 75 - 81

- LUGAR CONSTITUCION SOLICITANTE, FOLIO: 82

EXAMINADOR TÉCNICO

202051

Bogotá D. C., marzo 14 de 2003



Folio 83

2020
Bogotá DC

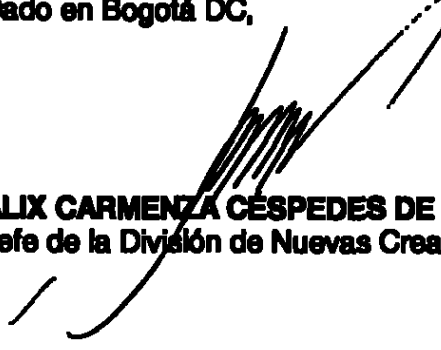
Doctor(a)
RAMIRO CASTRO DUQUE
Apoderado(a)

REFERENCIA:	Radicación No.	01-97420
	Trámite	002
	Evento	001
	Actuación	416
	Oficio No.	800
	Folios	001

Teniendo en cuenta que la solicitud de privilegio de patente que se tramita bajo el expediente indicado en la referencia, reúne los requisitos de forma establecidos en los artículos 26 y 27 de la Decisión 486 de la Comisión de la Comunidad Andina, y en las demás disposiciones vigentes sobre la materia, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial, conforme lo establece el artículo 40 de la misma Decisión.

Cúmplase
Dado en Bogotá DC,

25 MAR. 2003


ALIX CARMENZA CESPEDES DE VERGEL
Jefe de la División de Nuevas Creaciones

202051

DIVISION DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No. 01-097420

**EL EXTRACTO DE LA PRESENTE SOLICITUD DE PATENTE DE INVENCION
FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No 530, DE
FECHA 31 DE JULIO DE 2003, EL TERMINO HABIL SEÑALADO POR LA LEY
EXPIRA EL 28 DE OCTUBRE DE 2003.**

NOTA: Dentro del plazo de los seis (6) meses siguientes a partir de la fecha de publicación en la gaceta de Propiedad Industrial, deberá solicitar y cancelar el examen de patentabilidad so pena de que la solicitud caiga en abandono, de acuerdo con lo establecido en el Artículo 44 de la Decisión 486/2000.

SE PRESENTARON OPOSICIONES POR PARTE DE TERCEROS.

SI

NO **X**

Bogotá D.C., Febrero de 2004