

SUPERINDUSTRIA Y COMERCIO
Radicación : 02066121 00000003 Folios: 15
Fecha (MM/AA): 2002-10-31 17:17:34
Trámite : 002 PATENTES 3 1 REGISTRO/ 444 RESPUESTA
Dependencia: 2020 DIVISION DE NUEVAS CREACIONES

AS: 88.626

Señores

**SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISION DE NUEVAS CREACIONES**

E. S. D.

REF: Expediente No. 02 066.121 – Solicitud de Patente
a favor de OWENS - BROCKWAY GLASS CONTAINER INC.
Titulada: APARATO Y MÉTODO PARA INSPECCIONAR
RECIPIENTES NO REDONDOS

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 05 de Setiembre de 2002, y de acuerdo con los artículos 38 y 39 de la Decisión 486 de la comisión de la Comunidad Andina, me permito informar y anexar al presente escrito lo siguiente:

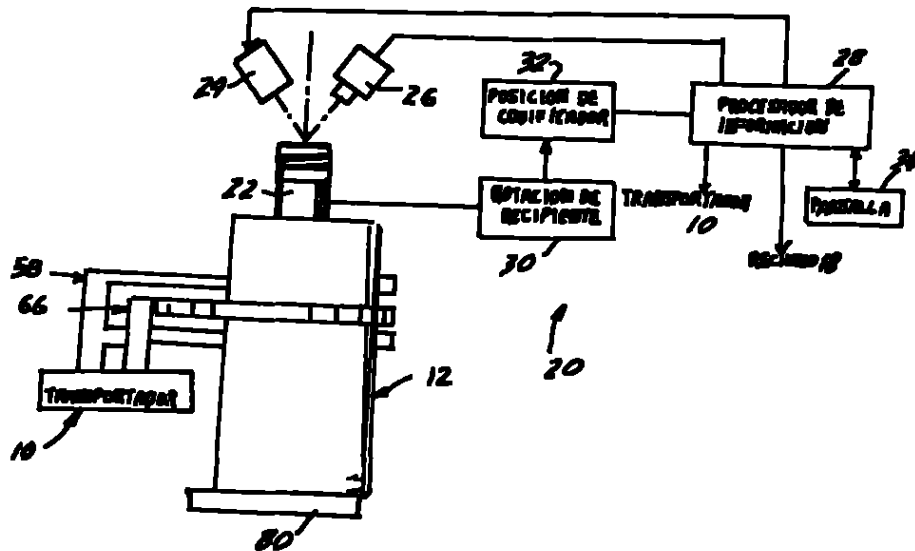
1. Documento donde consta la cesión del derecho a la Patente otorgado por los inventores al solicitante.
2. Extracto para publicación y Tarjeta de Archivo Temático.
3. Dibujos formales con el texto en español.
4. Artes finales (2 de 12 cm X 12 cm y 1 de 6 cm X 6 cm).}

De la señora jefe atentamente,



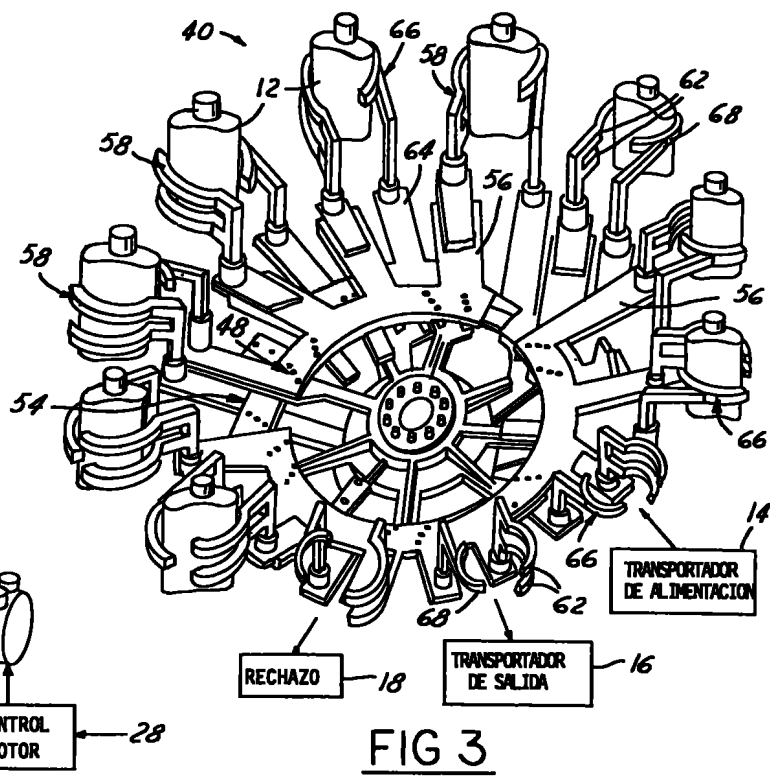
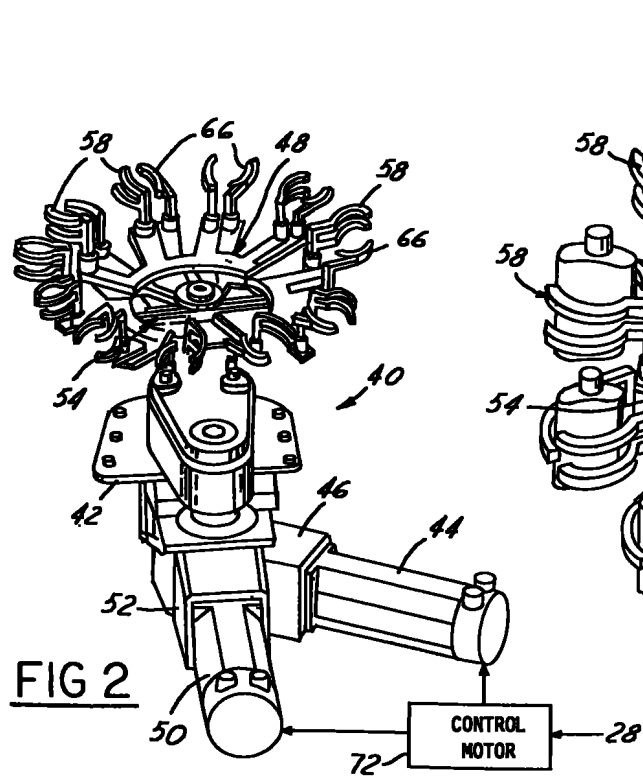
RAMIRO CASTRO DUQUE
C.C. No. 170.322 de Bogotá
Código 340
Cra 7 No. 16-56 Piso 9

Octubre 29, 2002
CPB/hsr.



FOL 71: DIBUJO REMATICO

FOL 72: EXTERIOR PRODUCCION



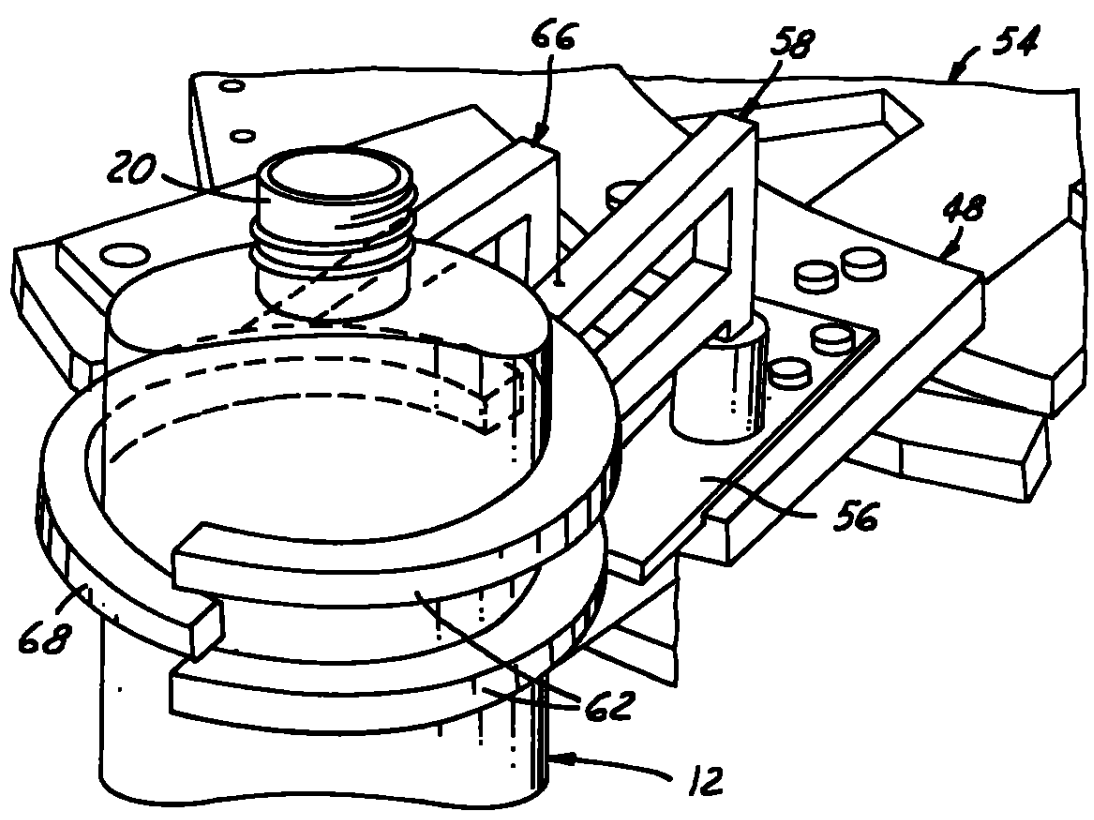


FIG. 4

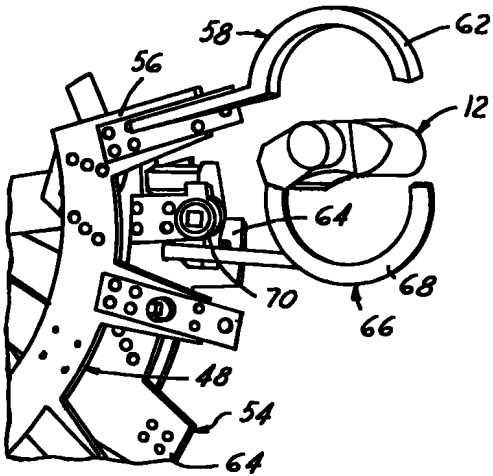


FIG 5A

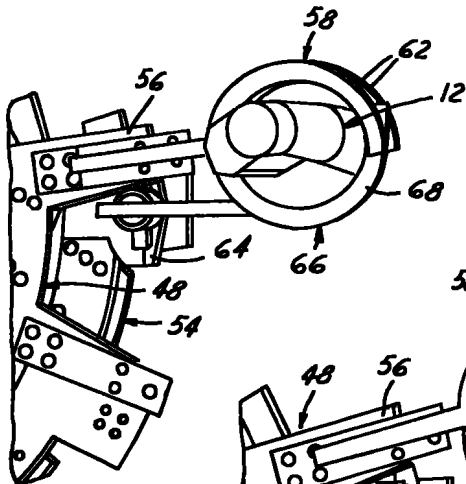


FIG 5B

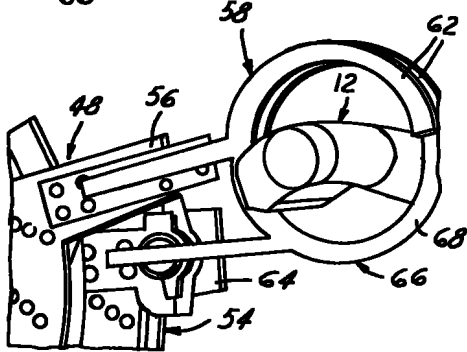


FIG.5C

72

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. September 24, 2002

7. by the Secretary of State of Ohio.

8. No. 105383

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.



74
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, September 4, 2002 (Date)

J. Bernie Quilter, Clerk of Courts
• J. Bernie Quilter, Clerk

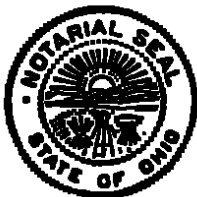
**CERTIFIED COPY
OF
ASSIGNMENT**

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 APPARATUS AND METHOD FOR INSPECTING NON-ROUND CONTAINERS by its Inventors:

- 1) Stephen M. Gerber**
- 2) George A. Nickey**
- 3) Noel D. Wendt**

to Owens-Brockway Glass Container Inc., as executed on July 20, 2001 and July 30, 2001, as the case may be, and recorded in the United States Patent and Trademark Office on August 1, 2001 (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. 09/919,705 filed August 1, 2001.

Dated: July 24, 2002



JUDITH M. SCHREINER
Notary Public, State of Ohio
Commission Expires 2/2/08

Judith M. Schreiner
Notary Public



76-88
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 12, 2001

PTAS



101810886A

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

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: 08/01/2001

REEL/FRAME: 012054/0646
NUMBER OF PAGES: 4

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

ASSIGNOR:
GERBER, STEPHEN M.

DOC DATE: 07/20/2001

ASSIGNOR:
NICKEY, GEORGE A.

DOC DATE: 07/30/2001

ASSIGNOR:
WENDT, NOEL D.

DOC DATE: 07/20/2001

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

SERIAL NUMBER: 09919705
PATENT NUMBER:

FILING DATE: 08/01/2001
ISSUE DATE:

28
77

ASSIGNMENT

PHEN 37 7-20-01

WHEREAS, I, STEVE M. GERBER

of

3292 Wells Road, Petersburg, Michigan 49270

U. S. A.,

together with George A. Nickey and Noel D. Wendt

have jointly invented an improvement in "Apparatus and Method for

Inspecting Non-Round Containers"

; and

WHEREAS, I, as a joint applicant with said Messrs. Nickey and Wendt

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

20 day of July, 2001; 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

20 day of July, 2001.

Steve M. Gerber

STATE OF OHIO

, COUNTY OF Franklin WOOD ss:

On this 20 day of JULY, 2001, before me, a Notary Public, personally appeared the above named Steve M. Gerber, 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:

November 29, 2004

U. S. Serial No. _____ Filing Date _____

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

ASSIGNMENT

WHEREAS, I, **GEORGE A. NICKEY** of
 7449 Coder Road, Maumee, Ohio 43537 U. S. A.,
 together with **Steve M. Gerber and Noel D. Wendt**
 have jointly invented an improvement in "Apparatus and Method for
 Inspecting Non-Round Containers" ; and

WHEREAS, I, as a joint applicant with said Messrs. Gerber and Wendt
 have executed an Application for United States Patent based thereon, on the
30 day of July, 2001; and

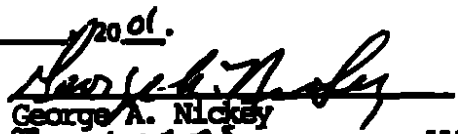
WHEREAS, **OWENS-BROCKWAY GLASS CONTAINER INC.**, a Delaware
 corporation, is desirous of acquiring certain rights thereunder;

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 terri-
 tories 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 repre-
 sentatives 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 identi-
 fying 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
30th day of July, 2001.

 George A. Nickey
 STATE OF OHIO, COUNTY OF LUCA 55:

On this 30 day of July, 2001, before me, a Notary Public,
 personally appeared the above named George A. Nickey, 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.



Commission Expires:
JOHN J. KRIETZ
 Notary Public

In and for the State of Ohio S. Serial No. _____
 My Commission Expires
 October 10, 2001

Filing Date _____

ASSIGNMENT

WHEREAS, I, NOEL D. WENDT
4954 Valencia Drive, Toledo, Ohio 43623
together with Steve M. Gerber and George A. Nickey
have jointly invented an improvement in "Apparatus and Method for
Inspecting Non-Round Containers"

WHEREAS, I, as a joint applicant with said Messrs. Gerber and Nickey
have executed an Application for United States Patent based thereon, on the
20th day of JULY, 2001; 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 terri-
tories 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 repre-
sentatives 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 identi-
fying 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
20th day of JULY, 2001

STATE OF OHIO, COUNTY OF WOOD ss:
Noel D. Wendt

On this 20 day of JULY, 2001, before me, a Notary Public,
personally appeared the above named Noel D. Wendt, 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:

November 29, 2004

U. S. Serial No. _____ Filing Date _____

Form 744

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

2° EXAMEN DE FORMA, PATENTE DE INVENCION

Radicación N° **02-66121**

Folio 84

Concepto Técnico N° **165**

Clasificación Internacional de Patentes: **B65G 47/86**

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

- SI ☒ NO ☐ Contiene un resumen de la invención (Art. 26-e)
- SI ☒ NO ☐ Contiene el título o nombre de la invención (Art. 27-d)
- SI ☒ NO ☐ Contiene la descripción de la invención (Art. 26-b)
- SI ☒ NO ☐ NO ES APLICABLE ☐ Contiene los dibujos necesarios para comprender la invención (Art. 26-d)
- SI ☒ NO ☐ Contiene una o más reivindicaciones (Art. 26-c)
- SI ☐ NO ☐ NO ES APLICABLE ☒ Han sido desarrollados los productos 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 a partir de los conocimientos tradicionales de las comunidades indígenas, afro americanas, o locales de los Países Miembros, de acuerdo a lo establecido en la Decisión 391 y sus modificaciones y reglamentaciones vigentes (Art. 26-i)
- SI ☐ NO ☒ La invención se refiere a un producto relativo a un material biológico (Art. 26-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: 73 – 76
- .

EXAMINADOR TÉCNICO: 202051

Bogotá D C, febrero 06 de 2004.

2020
Bogotá D C

Doctor(a)
RAMIRO CASTRO DUQUE
Apoderado(a)

REFERENCIA:	Radicación N°	02-61121
	Trámite	002
	Evento	001
	Actuación	416
	Oficio N°	181
	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 Decisión 486.

Cúmplase

Dado en Bogotá D C, 05 FEB. 2004


ALIX CARMENZA CÉSPEDES DE VERGEL
Jefe División de Nuevas Creaciones.

202051

DIVISION DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No 02-088121

EL EXTRACTO DE LA PRESENTE SOLICITUD DE PATENTE DE INVENCION

FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No 539 DE

FECHA 30 DE ABRIL DEL 2004 EL TERMINO HABIL SEÑALADO POR LA LEY

EXPIRA EL 02 DE AGOSTO DEL 2004

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 calga 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 ☒ ☐ ☐ ☐ ☐

Bogotá D.C, AGOSTO DE 2006

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

83

RADICACIÓN: 2-88121

EDICTO No. 13717

**LA SECRETARÍA GENERAL AD-HOC
HACE SABER:**

Que esta Superintendencia profirió Resolución No. 23224 de 31-AGO-2006. Que el contenido de la parte resolutive es como sigue: El Superintendente de Industria y Comercio.

RESUELVE

ARTICULO PRIMERO: Declarar abandonada la solicitud de privilegio de patente de invención contenida en el expediente de la referencia.

ARTICULO SEGUNDO: Notificar personalmente el contenido de la presente resolución al doctor Ramiro Castro Duque, o a quien haga sus veces, en su calidad de apoderado de Owens-Brockway Glass Container Inc., entregándole copia de la misma, advirtiéndole que contra ella procede el recurso de reposición interpuesto ante el Superintendente de Industria y Comercio, al momento de la notificación o dentro de los 5 días hábiles siguientes a ella.

NOTIFIQUESE Y CUMPLASE

Dada en Bogotá, D.C., a los

31 AGO. 2006

EL SUPERINTENDENTE DE INDUSTRIA Y COMERCIO,

SANJOAQUIN ESCOBAR

Para notificar a los interesados, se fija el presente EDICTO en lugar visible al público en la SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO, por el término de (10) diez días hábiles contados a partir de las 8:30 a.m. de hoy.

Secretaría General Ad-Hoc 15-SEP-2006
Secretaría General Ad-Hoc
EDICTO No. 13717

Este edicto se desfiga hoy 28-SEP-2006 a las cinco (5:00 p.m.)