

Clarke, Modet & C^o

COLOMBIA

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 10-048729- -00002-0000

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Act. 444 RESPUESTAREQUE Folios: 14

P-2554

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISION DE NUEVAS CREACIONES

E. S. D.

Ref.: Expediente No. 10.048.729
Solicitud de Patente a nombre de
MEDICAL INSTILL TECHNOLOGIES, INC.

Yo, DILIA MARÍA RODRÍGUEZ D´ALEMAN, identificada como aparece al pie de mi firma, domiciliada en la Carrera 11 No. 86-53, piso 6, obrando como apoderada de la sociedad MEDICAL INSTILL TECHNOLOGIES, INC, solicitante de la patente de la referencia, en respuesta al oficio No. 07698 notificado por fijación en lista el día 11 de junio de 2010, atentamente me permito presentar:

1. Documentos donde consta la cesión del derecho a la patente otorgada por los inventores a favor de mi mandante. Sobre el particular, es importante resaltar que de conformidad con las normas legales vigentes, artículo 1 de la Resolución 210 de 2001, expedida por el Superintendente de Industria y Comercio y artículo 2 de la Convención de la Haya, el documento en inglés que se pretenda aportar como parte de los trámites de propiedad industrial ante la Superintendencia de Industria y Comercio no requieren traducción. Por otro lado, la legalización consular y/o diplomática de los documentos expedidos en el extranjero no es necesaria. Por lo tanto, el documento de cesión anexo a este memorial es válidamente presentado en idioma inglés y con la correspondiente apostilla.

Cabe resaltar que presento cesión a nombre de los inventores Daniel Py, Julian Chan y Jeffrey Wille, toda vez que los dos últimos Julian Chan y Jeffrey Wille fueron adicionados en fase internacional tal como consta en el formato de notificación de inscripción de un cambio, el cual se adjunta a este memorial.

Así entonces, debe tenerse en cuenta que todas las actuaciones llevadas a cabo en fase internacional pueden ser presentadas en fase nacional sin causar tasa. Es por esto, que queremos informarles que en este caso no presentaremos tasa, pues nuestra intención es ratificar lo que se hizo en fase internacional. Es decir, por medio de este escrito queremos ratificar que los inventores de la patente de la referencia son los mencionados anteriormente y a los que hace referencia los documentos de cesión presentados junto con este memorial

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Espero con esto haber dado cabal cumplimiento a lo solicitado por ese despacho y de conformidad con lo indicado en los artículos 3º, inciso 3, 35 inciso 2 y 59 inciso 2 del CCA, al analizar este memorial, atentamente ruego se traten todas las cuestiones planteadas con motivo del mismo.

Señor Superintendente,



DILIA MARÍA RODRÍGUEZ D' ALEMAN
C.C. 41.654.882 de Bogotá.
T.P. 20824 CSJ

P2554

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: United States of America

This public document

2. has been signed by T. Lawrence

3. acting in the capacity of Certifying Officer

4. bears the seal/stamp of Patent and Trademark Office

Certified

5. at Washington, D.C.

6. the eighth of July, 2010

7. by Assistant Authentication Officer, United States Department of State

8. No. 10033296-3

9. Seal/Stamp:

10. Signature:

Sonya N. Johnson

A 7242769

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

June 09, 2010

THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE
RECORDS OF THIS OFFICE OF A DOCUMENT RECORDED ON
MAY 3, 2010.

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office



T. Lawrence

T. LAWRENCE
Certifying Officer

4

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PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT								
NATURE OF CONVEYANCE:	ASSIGNMENT								
CONVEYING PARTY DATA									
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Daniel Py</td><td>04/26/2010</td></tr><tr><td>Julian Chan</td><td>04/19/2010</td></tr><tr><td>Jeffrey Willey</td><td>04/19/2010</td></tr></tbody></table>		Name	Execution Date	Daniel Py	04/26/2010	Julian Chan	04/19/2010	Jeffrey Willey	04/19/2010
Name	Execution Date								
Daniel Py	04/26/2010								
Julian Chan	04/19/2010								
Jeffrey Willey	04/19/2010								
RECEIVING PARTY DATA									
Name:	Medical Instill Technologies, Inc.								
Street Address:	201 Housatonic Avenue								
City:	New Milford								
State/Country:	CONNECTICUT								
Postal Code:	06776								
PROPERTY NUMBERS Total: 3									
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>60983153</td></tr><tr><td>Application Number:</td><td>12259290</td></tr><tr><td>PCT Number:</td><td>US0881396</td></tr></tbody></table>		Property Type	Number	Application Number:	60983153	Application Number:	12259290	PCT Number:	US0881396
Property Type	Number								
Application Number:	60983153								
Application Number:	12259290								
PCT Number:	US0881396								
CORRESPONDENCE DATA									
Fax Number:	(860)560-5998								
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.									
Phone:	860-275-6700								
Email:	jwhitney@mccarter.com								
Correspondent Name:	Mark D. Giarratana, Esq.								
Address Line 1:	McCarter & English, LLP								
Address Line 2:	185 Asylum St, CityPlace I								
Address Line 4:	Hartford, CONNECTICUT 06103-3495								
ATTORNEY DOCKET NUMBER:	97818.00330								
NAME OF SUBMITTER:	Joy A. Whitney								

CH \$120.00 60983153

501165368

PATENT
REEL: 024326 FRAME: 0841

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Total Attachments: 3

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source=97818_00330_Assignment#page3.tif

PATENT
REEL: 024326 FRAME: 0842

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, I/we the undersigned,

Daniel Py
1 Helena Avenue
Larchmont, NY 10538
United States

Julian Chan
52 Belair Drive
New Milford, CT 06776
United States

Jeffrey Willey
35 Hidden Brook Drive
Brookfield, CT 06804
United States

(hereinafter, "Assignors"), who have created a certain invention for which an application for United States Letters Patent has been filed entitled:

Dispenser With Plural Product Chambers for Separate Storage and Intermixing of Products Prior to Use, and Related Method

- ☐ for which the application for U.S. Letters Patent has been executed on even date herewith; or
- ☒ for which the application for U.S. Letters Patent was filed on **October 27, 2008**, as Application Serial No. **12/259,290**; and for which the International Application was filed on **October 27, 2008**, as Application No. **PCT/US2008/081396**; and for which the provisional application was filed on **October 26, 2007**, as Application Serial No. **60/983,153**.

Do hereby sell, assign and transfer to:

Medical Instill Technologies, Inc.
201 Housatonic Avenue
New Milford, Connecticut 06776
United States

(hereinafter, "Assignee"), its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possessions and/or any foreign countries, and all rights,

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PATENT
REEL: 024326 FRAME: 0843

together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions, agreements, acts, and treaties.

I/we authorize Assignee to apply for and receive Letters Patent for such protection in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, but without charge to Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, and extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns, and legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN TESTIMONY WHEREOF, I/we have hereunto set my/our signature(s) on the date indicated below:

Signature of Inventor:

Daniel Py

(Date)

Signature of Inventor:

Julian Chan

(Date)

Signature of Inventor:

Jeffrey Willey

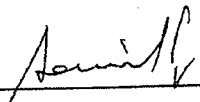
(Date)

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IN TESTIMONY WHEREOF, I/we have hereunto set my/our signature(s) on the date indicated below:

Signature of Inventor:  26.11.010
Daniel Py (Date)

Signature of Inventor: _____
Julian Chan (Date)

Signature of Inventor: _____
Jeffrey Willey (Date)

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File Copy
PATENT COOPERATION TREATY

PCT/US2008/081396

ADVANCE E-MAIL

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE

(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

GIARRATANA, Mark, D.
McCarter & English, LLP
CityPlace I
185 Asylum Street
Hartford, CT 06103
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 23 April 2010 (23.04.2010)		IMPORTANT NOTIFICATION	
Applicant's or agent's file reference 97818.00330 PCT			
International application No. PCT/US2008/081396			
		International filing date (day/month/year) 27 October 2008 (27.10.2008)	
1. The following indications appeared on record concerning:			
☒ the applicant ☒ the inventor ☐ the agent ☐ the common representative			
Name and Address		State of Nationality	State of Residence
		Telephone No.	
		Facsimile No.	
		E-mail address	
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:			
☒ the person ☐ the name ☐ the address ☐ the nationality ☐ the residence			
Name and Address CHAN, Julian 52 Belair Drive New Milford, CT 06776 United States of America		State of Nationality US	State of Residence US
		Telephone No.	
		Facsimile No.	
		E-mail address ☐ Notifications by e-mail authorized	
3. Further observations, if necessary: The person identified in Box 2 should be added to the record as applicant for the United States of America only and inventor for all designated States.			
4. A copy of this notification has been sent to:			
☒ the receiving Office ☐ the International Searching Authority ☐ the Authority(ies) specified for supplementary search		☐ the International Preliminary Examining Authority ☒ the designated Offices concerned ☐ the elected Offices concerned ☐ other:	
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland		Authorized officer Cruz Juan	
Facsimile No. +41 22 338 70 90		e-mail pt12.pct@wipo.int Telephone No. +41 22 338 74 12	

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PATENT COOPERATION TREATY
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☐ the common representative		
Name and Address	State of Nationality	State of Residence
	Telephone No.	
	Facsimile No.	
	E-mail address	
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:		
☒ the person	☐ the name	☐ the address
☐ the nationality	☐ the residence	
Name and Address	State of Nationality	State of Residence
WILLEY, Jeffrey 35 Hidden Brook Drive Brookfield, CT 06804 United States of America	US	
	Telephone No.	
	Facsimile No.	
	E-mail address ☐ Notifications by e-mail authorized	
3. Further observations, if necessary: The person identified in Box 2 should be added to the record as applicant for the United States of America only and inventor for all designated States.		
4. A copy of this notification has been sent to:		
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☐ the International Searching Authority	☒ the designated Offices concerned	
☐ the Authority(ies) specified for supplementary search	☐ the elected Offices concerned	
☐ other:		

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 70 90	Authorized officer Cruz Juan e-mail pt12.pct@wipo.int Telephone No. +41 22 338 74 12
---	--

11

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Daniel Py
1 Helena Avenue
Larchmont, NY 10538
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Julian Chan
52 Belair Drive
New Milford, CT 06776
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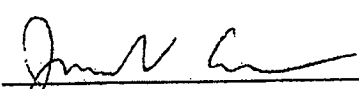
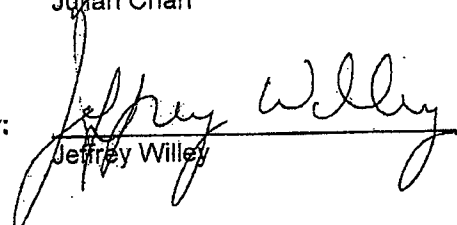
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together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions, agreements, acts, and treaties.

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IN TESTIMONY WHEREOF, I/we have hereunto set my/our signature(s) on the date indicated below:

Signature of Inventor:	<u>Daniel Py</u>	<u>(Date)</u>
Signature of Inventor:	<u></u> Julian Chan	<u>4/19/10</u> (Date)
Signature of Inventor:	<u></u> Jeffrey Willey	<u>4/19/10</u> (Date)

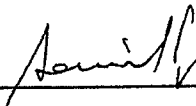
122

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Daniel Py (Date)

Signature of Inventor: _____
Julian Chan (Date)

Signature of Inventor: _____
Jeffrey Willey (Date)

64

2020
Bogotá D.C.,

Doctor(a)
RODRIGUEZ D' ALEMAN DILIA MARIA
Apoderado(a) y/o Representante de
MEDICAL INSTILL TECHNOLOGIES INC

REFERENCIA	Radicación No.	10 48729
	Solicitud internacional	PCT/US2008/081396
	Fecha inicio fase nacional	26/5/2010
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	12506
	Folios	1

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 la Decisión 486 de la Comisión de la Comunidad Andina, el Tratado de Cooperación en Materia de Patentes (PCT), el Reglamento y la Circular Única de la Superintendencia de Industria y Comercio, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial.

Cúmplase
Dado en Bogotá DC,



JOSE LUIS SALAZAR LOPEZ
Director de Nuevas Creaciones (C)

14 MAR. 2011

mcarri