

Bogotá D.C.,
2020

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

RAD: 01-037831-0020 0006 Fecha: 2020-09-03 14:39:34
DEP: 20 NUECREACIONES
TRA: 03 MODELO EVE: 323 ANUALIDADES
ACT: 440 RESPUESTA Folios: 2

Doctor(a) **MARGARITA CASTELLANOS ABONDANO**
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BOGOTA D.C.

Asunto: Radicación: 1 37931
Trámite: 3
Evento: 323
Actuación: 440
Folios: 2

Apreciado(a) doctor(a):

En atención al contenido de las comunicaciones relacionadas con el expediente citado en el asunto, adjunto le remito la certificación con la información de los pagos de la(s) tasa(s) de mantenimiento del certificado de Patente de Modelo de Utilidad número 395.

Es de anotar que la aplicación de los pagos se hace de acuerdo a la fecha de presentación y al periodo solicitado en tal escrito. En el caso de presentar en la casilla periodo/estado: PENDIENTE APLICACIÓN O DESGLOSE, se solicita informe a esta oficina si desea que sea aplicado para el siguiente periodo, de ser así, deberá manifestarlo por escrito como complemento de información a la anualidad. Lo anterior debe hacerse de acuerdo a lo dispuesto en el artículo 80 de la Decisión 486/00 y la resolución de tarifas vigente.

En el evento de no aceptar la aplicación indicada en el párrafo anterior, si lo estima conveniente podrá solicitar por escrito el desglose del(los) mencionado(s) pago(s).

Atentamente,

MARIA CONSUELO CASILH REY
Secretaría General Ad Hoc

Al contestar favor indique el número de radicación consignado en el rótulo

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composition in variable amount from 0.1% to 99.8% (80 to 5% and 50% to 10%). Similarly, this art also discloses the concentration of the surface stabilizer in variable concentrations from 0.01% to 90% in addition to other preferable values (1% to 75%, or 10% to 60% or from 10% to 55%) by weight (see the entire document especially, column 9, line 18 to 28).

Desieno et.al. also teaches variable concentrations of drug and suggest the concentration range from about 0.1% to 60% (preferably from 5% to 30%, w/w). Additionally, they also provide guidance about the concentration of surface stabilizer from about 0.1% to 90% (preferably 1% to 75%, more preferably from 20% to 60%) by weight (see entire document especially, column 6, line 37 to 47).

Although Ryde et al. do not teach exclusively about the term "sugar spheres" but disclose the use of suitable diluents such as microcrystalline cellulose, lactose, starch, sucrose and glucose (see the entire document especially, column 8, line 52 to 60).

Desieno et al. teach the use of sugar spheres, microcrystalline cellulose, dextrose and disaccharides (in addition to others) as suitable carriers (see the entire document especially, column 5, line 34 to 38) and suggest the dispersion of surface modified nanoparticles can be spray coated onto sugar sphere or onto pharmaceutical excipient in a fluidized bed.

Furthermore, Ryde et al. do not disclose the concentration of sugar spheres in their composition. However, this is taught by Desieno et al. in their examples and found to be 29.9 % to 30% (see the entire document specially,



RAD.: 1 37931

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CERTIFICA

Que de conformidad con lo dispuesto en el artículo 80 de la Decisión 486 de la Comisión de la Comunidad Andina y las resoluciones de las tasas aplicables; se allegaron los siguientes recibos oficiales de caja, correspondientes a las tasas de mantenimiento del certificado de Patente de Modelo de Utilidad número 395:

Recibo	Fecha Radicado	Presentado Por	Período o Estado (AAAA/MM/DD)
4-27304 5-1226	2005/04/19	BATEMAN JOHN	2005/05/14 al 2006/05/14
6-21631 5-43307	2006/04/28	BATEMAN JOHN	2006/05/14 al 2007/05/14
7-2717 7-19818 7-31090	2007/05/02	CORREA ORDONEZ ALVARO	2007/05/14 al 2008/05/14
8-18842 8-18983	2008/04/17	CORREA ORDONEZ ALVARO	2008/05/14 al 2009/05/14
9-34934	2009/05/19	MARGARITA CASTELLANOS ABONOMO	2009/05/14 al 2010/05/14

Se expide en Bogotá D.C., a los 03 días del mes de Septiembre de 2009

MARIA CONSUELO CASIJ REY

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Al contestar favor indique el número de radicación consignado en el rótulo

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under U.S.C. 103(a) as being unpatentable over Ryde et al. (US Patent 6,375,986) in view of Desieno et al. (US Patent 5,573,783).

Ryde et al. disclose the nanoparticulate active agent compositions, comprising a nanoparticulate active agent and at least one polymeric surfactant, have an effective average particle size prior to incorporation in solid dose form of less than 1 micron (1000 nm) in addition to less than 400 nm and 200 nm (see the entire document especially, column 6, line 27 to 33). They also disclose the use of surface stabilizers such as hydroxypropyl cellulose and sodium lauryl sulfate as lubricant (see the entire document especially, column 7, line 40 and column 10, line 67). This art also teaches spray-drying aqueous dispersion of nanoparticulate drug with a polymeric surface stabilizer and use of suitable carriers/extenders such as sucrose, starches and lactose in addition to surface stabilizers.

Ryde et al. further disclose the concentration of active agent (drug) in the

EP0499299A2

→ 1,2,4-6,14-15

→ Taguicima

Methods of making (1,3,5-7) (Grinding → medicaments)

US 5719147 → 1,16 (Compuesto 96), 83