

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

2020
Bogotá, D.C.,

Señor
RAMIRO PINTO CASTELLANOS

ASUNTO	Radicación	10-118395
	Trámite	003
	Evento	001
	Actuación	519
	Oficio	
	Folios	6

Nº 05690

Patente de Invención

☐

Patente de Modelo de Utilidad

☒

Vía Nacional

☒

Vía PCT (Fase Nacional)

☐

Capítulo I

☐

Capítulo II

☐

Como resultado del examen de fondo, realizado con fundamento en el artículo 45 y en concordancia con el artículo 85 de la Decisión 486 de la Comisión de la Comunidad Andina, se le comunica:

1. Documentos estudiados

Descripción:	Folios	3 a 4	24/Septiembre/2010
Reivindicaciones	Folio	5	24/Septiembre/2010
Dibujos:	Folios	7 a 9	24/Septiembre/2010

2. Objeto de la invención

Título de la solicitud: "Esponja con tejido metaloplástico para fregar y brillar metales".
(Fl. 1).

El problema planteado en esta solicitud consiste en lograr una esponja cuyo tejido permita una limpieza eficaz de utensilios de cocina.

Para resolver este problema técnico, la solicitud en estudio propone una esponja de cuerpo prismático que comprende un abullonado con tejido de fibras.

Expediente 10-118395 1er Art 45

El objeto de la presente Solicitud se relaciona con la Clasificación Internacional de Patentes (CIP): A47L13/07, A47L13/16, A47L17/08.

3. De la Solicitud de Patente

Reivindicaciones (Art 30 D 486, Art 22 PCT)

En la reivindicación independiente 1 se incluyen los materiales *"metaloplástico"*, *"poliéster"* y *"acero inoxidable"*, lo cual no es permitido para un modelo de utilidad, ya que son características que no dan una nueva configuración o disposición de elementos y por lo tanto, no pueden dar novedad a la invención. Se le sugiere al solicitante eliminar dichos materiales de esta reivindicación.

Las expresiones *"de uso manual, tanto para limpieza como para abrillantado de superficies metálicas"* (reivindicación 1), *"para solo limpieza y fregado de superficies"* (reivindicación 2), *"para limpieza y abrillantado de superficies metálicas"* (reivindicación 2), *"para su utilización"* (reivindicación 4) definen efectos, ventajas o resultados a alcanzar por la invención, las cuales no son características patentables, solo se protegen características esenciales estructurales tangibles. Se sugiere al solicitante eliminar estas expresiones de las reivindicaciones.

Las expresiones *"un entrelazado rústico con espaciamiento de dichas fibras"* y *"un entrelazado fino más apretado entre dichas fibras"* (reivindicación 2) no definen claramente la invención, ya que no se expone cual es la configuración de un entrelazado *"rústico"* o *"fino"* y tampoco se determina cual es el *"espaciamiento"* o cuan *"más apretado"* deben estar sus fibras; debido a esto no se puede hacer una comparación con el estado de la técnica. Se sugiere al solicitante utilizar expresiones que definan de forma clara la configuración estructural de la invención.

La reivindicación 3 presenta la expresión indefinida *"cuerpo prismático tiene cualquier contorno poligonal"*, la cual no es limitativa porque hace opcional a la característica y no define el alcance de la reivindicación; por esto, no puede hacerse una comparación con el estado de la técnica. Se sugiere definir claramente cuál es la forma del contorno de la invención, por ejemplo: *"cuerpo prismático rectangular"*.

En el capítulo reivindicatorio, no se muestran los números de referencia de las características estructurales del producto. Se sugiere al solicitante que incluya los números de referencia de las características tanto esenciales como particulares, de tal manera que guarde correspondencia con lo presentado en el capítulo descriptivo y en los dibujos.

En el anexo 1 se muestra un ejemplo guía para la redacción del capítulo reivindicatorio.

Descripción (Art 28 D 486)

La descripción de las figuras 2 y 3 no expresa de forma correcta la vista que presentan. Se sugiere al solicitante utilizar la siguiente descripción: *“Figura 2. Vista superior de la esponja”* y *“Figura 3. Vista lateral de la esponja con abertura para introducir la mano a manera de guante”*

4. Determinación del Estado de la Técnica

El Estado de la Técnica se determinó con base en la fecha de Presentación de la Solicitud de Patente Nacional: 24 de septiembre de 2010 y se encontraron los siguientes documentos que anticipan la solicitud y son los más cercanos a su objeto:

Item	Documento	Título	Fecha de Publicación
D1	US D580117S	MESH SPONGE WITH A POCKET	4/Noviembre/2008
D2	US 4287633	CLEANING PAD	8/Septiembre/1981
D3	US 3175331	CLEANING AND SCOURING PAD	30/Marzo/1965

D1:
<http://www.google.com/patents?id=9huwAAAAEBAJ&printsec=abstract#v=onepage&q&f=false> divulga una esponja con un cuerpo prismático rectangular, conformado por varias capas de tejido de fibras y con un bolsillo en uno de sus extremos. (Figs. 1, 2, 7 y 8).

D2:
<http://www.google.com/patents?id=Qpl5AAAAEBAJ&printsec=abstract#v=onepage&q&f=false> divulga una esponja con cuerpo prismático rectangular abullonado, con un tejido exterior para la limpieza y brillo de utensilios de cocina y un núcleo flexible y absorbente. (Col. 2, líneas 28 a 54).

D3:
<http://www.google.com/patents?id=PshZAAAAEBAJ&printsec=abstract#v=onepage&q&f=false> divulga una esponja de cuerpo prismático rectangular cuyas capas exteriores se componen de fibras aleatorias metálicas y sintéticas, contiene un núcleo de material absorbente que en su interior aloja una barra de jabón. (Col. 1, líneas 38 a 70).

5. Examen de Patentabilidad (Art 14 D486)

El examen de patentabilidad mostrado a continuación, se realizó teniendo en cuenta las objeciones presentadas en el numeral 3 de este documento.

Novedad (Art 16 D486)

La reivindicación 1 consiste en *“una esponja con tejido metaloplástico de uso manual, tanto para la limpieza como para abrillantado de superficies metálicas,*
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caracterizada por un cuerpo prismático con un abullonado que comprende fibras de poliéster entrelazadas con fibras de acero inoxidable”

Comparación de las características técnicas esenciales, con las del Estado de la Técnica:

Características esenciales	D1
Cuerpo prismático con abullonado que comprende fibras entrelazadas	cuerpo prismático rectangular, conformado por varias capas de tejido de fibras (Figs. 1, 2, 7 y 8)

Como se puede observar en la tabla anterior, la reivindicación 1 carece de novedad de acuerdo a lo divulgado en el documento D1.

Las reivindicaciones 2, 3 y 4 no son nuevas, ya que divulgan un conjunto de fibras entrelazadas, un cuerpo prismático y una abertura en dicho cuerpo, respectivamente. Estas características están presentadas en D1, como se puede ver en las Figuras 1, 2 y 3 de este documento.

Figura 1 del documento D1 US D580117S

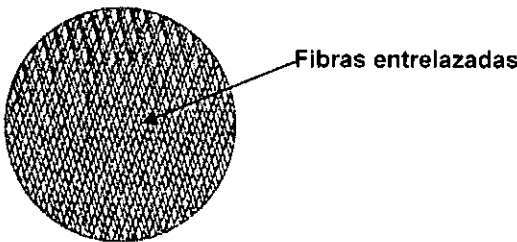


Figura 2 del documento D1 US D580117S

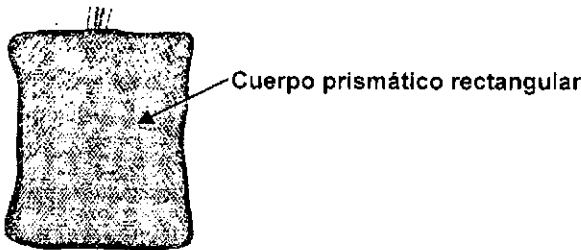
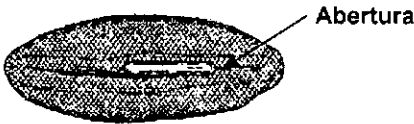


Figura 3 del documento D1 US D580117S



De acuerdo a lo divulgado en la descripción, también se encontraron los documentos D2 y D3, relacionados con la modalidad de esponja sin la abertura para introducir la mano. Se sugiere al solicitante tener en cuenta estos documentos en el momento de realizar su respuesta a este artículo 45.

6. Conclusión

Los requisitos de patentabilidad de la presente solicitud están afectados así:

Item	Documento	Reivindicaciones afectadas	Requisito que afecta
D1	US D580117S	1 a 4	Novedad

En cumplimiento del artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le indica que debe dar respuesta dentro del término de treinta (30) días contados a partir de la fecha de notificación de la presente comunicación. En caso de no dar respuesta al presente requerimiento, o si a pesar de la respuesta subsistieran los impedimentos para la concesión, se denegará la patente.

Se invita al solicitante se sirva indicar, si así lo considera, su renuncia al término faltante para treinta (30) días y presentarla por escrito.

Notifíquese el presente oficio conforme a lo dispuesto en el numeral 5.2, literal e), del capítulo quinto del título primero de la Circular Única No. 10 de 2001.



JOSE LUIS SALAZAR LOPEZ

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El anterior requerimiento fue notificado por fijación en lista, de fecha

13 ABR. 2012

Elaborado por: Mónica Andrea Gutiérrez Almonacid 

Revisado por: Rosa Patricia Téllez 

ANEXO 1

Ejemplos de redacción de las reivindicaciones para una solicitud de patente:

REIVINDICACIONES

1. Sacacorchos, que estando especialmente concebido para tapones de madera, provistos de un cuello de inserción ajustada en el cuello de la botella o elemento de que se trate, y de una cabeza que en situación de cierre resulta exterior a dicha botella, **Caracterizado** porque incorpora un cuerpo determinante de un casquillo cilíndrico, de diámetro interno igual o ligeramente superior al de la cabeza del tapón, casquillo del que emerge lateral y radialmente un brazo de apreciable longitud, y que en oposición al mismo incorpora un orificio roscado para acoplamiento con carácter amovible de un segundo brazo, dotado a su vez de un extremo roscado en correspondencia, que actúa como tornillo prisionero sobre la superficie lateral de la cabeza del tapón, bloqueando a la misma el sacacorchos en su conjunto, que resulta finalmente accionable a través de los dos brazos coaxiales y contrapuestos.

2. Sacacorchos, según reivindicación 1ª, **caracterizado** porque el cuerpo o casquillo central incorpora en una de sus embocaduras una pequeña estrangulación actuante como tope limitación de penetración del tapón en el sacacorchos.

4. Sacacorchos, según reivindicaciones anteriores, caracterizado porque el segundo brazo, físicamente independiente del cuerpo o casquillo central y dotado del extremo roscado, incorpora en su otro extremo una expansión transversal de cualquier configuración, que facilita el movimiento giratorio de tal brazo, necesario para el desplazamiento axial del mismo a través de las roscas complementarias.

5. Sacacorchos, según reivindicación 1ª, caracterizado porque el brazo de apreciable longitud emerge axialmente del cuerpo determinante del casquillo cilíndrico, y se remata por su extremidad libre en una expansión transversal a modo de "T", en funciones de asidero, mientras que el tornillo prisionero está asociado a una palomilla para accionamiento manual del mismo.

Preámbulo:
Características
generales del invento

Parte caracterizadora:
elementos técnicos
específicos

Reivindicaciones
dependientes: concreta
elementos técnicos de
las reivindicaciones de
las que depende.



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(54) **ARTICLE OF CLOTHING**

(30) **Foreign Application Priority Data**

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(21) Appl. No.: **11/780,308**

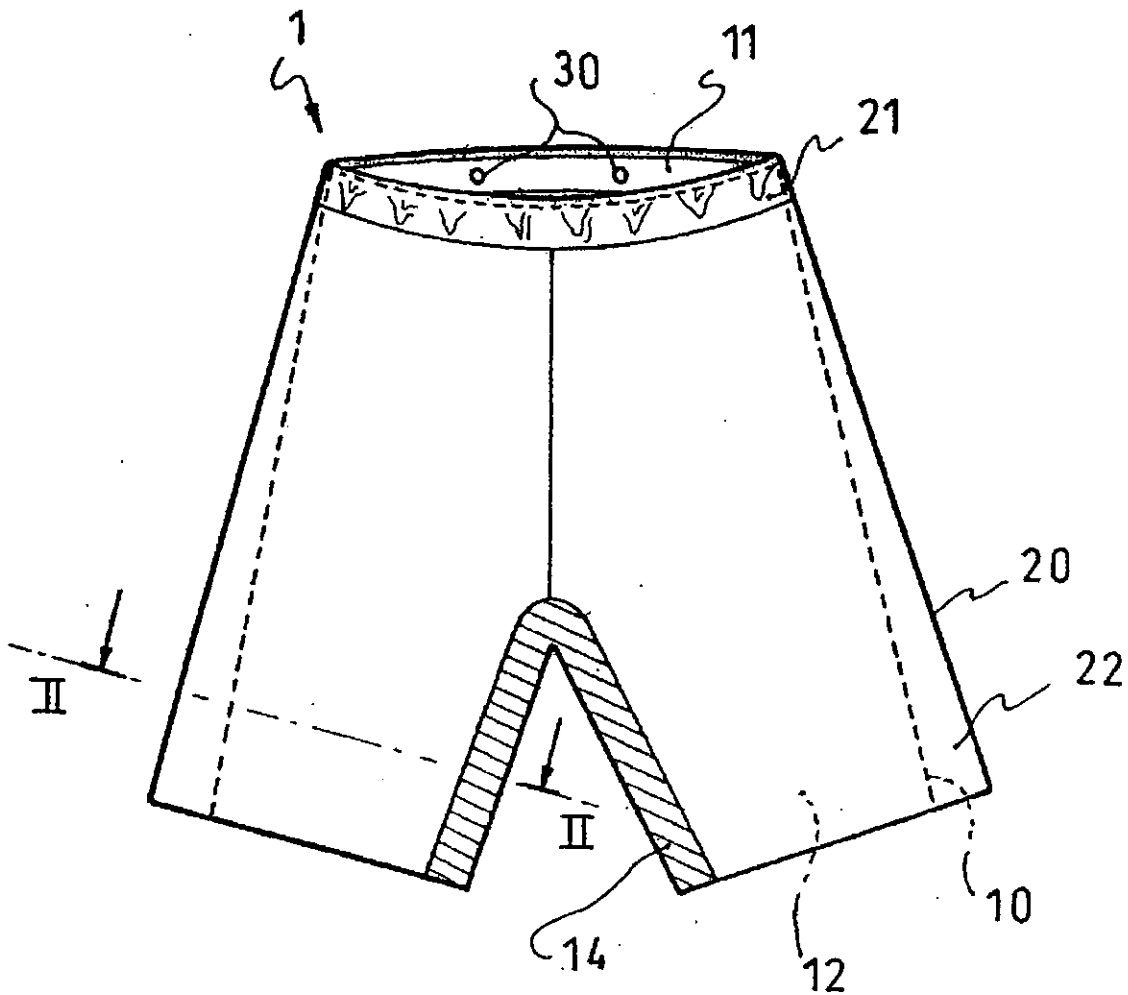
(22) Filed: **Jul. 19, 2007**

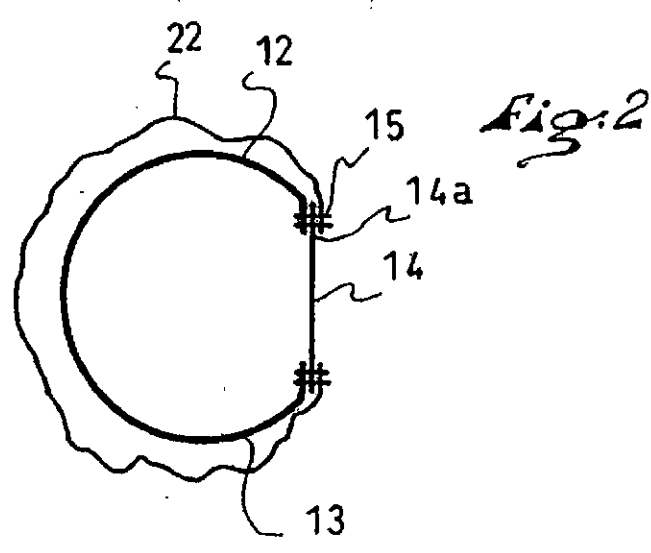
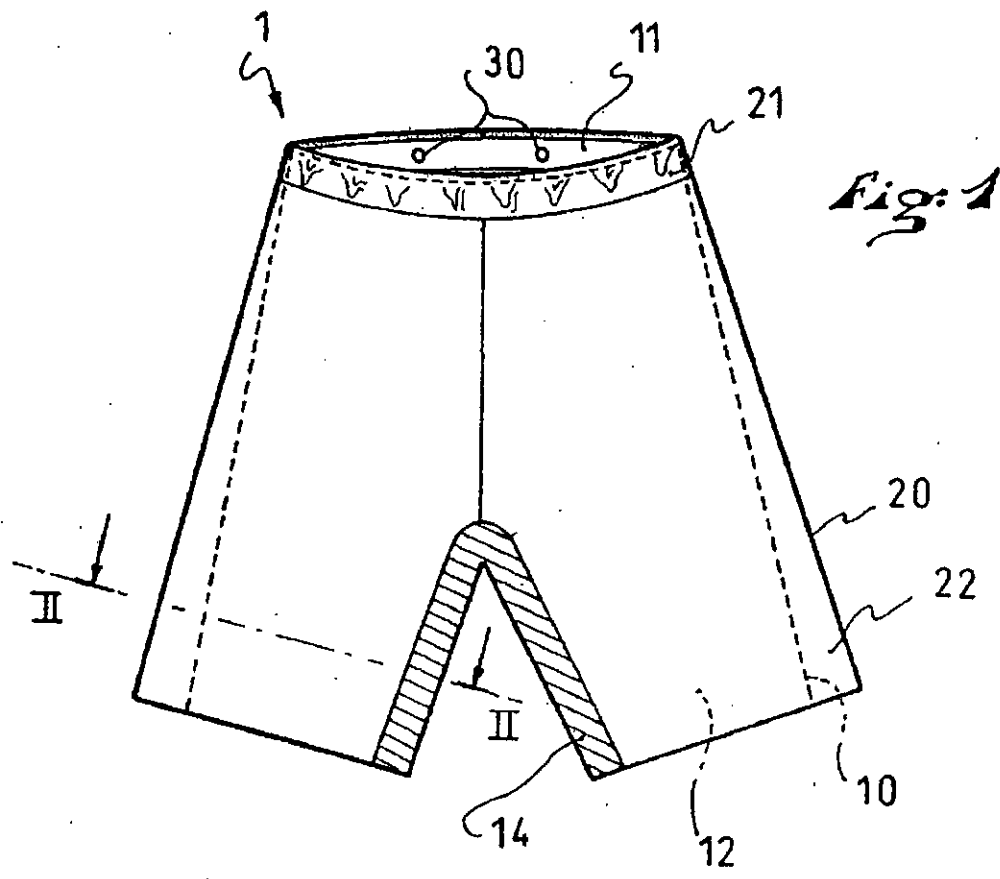
(57) **ABSTRACT**

An article of clothing that includes a snugly fitting inner portion having at least one connecting band extending along at least one limb (such as an arm, leg) of the body of the wearer, a more loosely fitting outer portion covering the inner portion, the inner and outer portions being assembled to one another by the connecting band extending along at least one limb.

Related U.S. Application Data

(63) Continuation of application No. 10/820,702, filed on Apr. 9, 2004.





ARTICLE OF CLOTHING

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application is a continuation of U.S. patent application Ser. No. 10/820,702, which had been filed on Apr. 9, 2004, the disclosure of which is hereby incorporated by reference thereto in its entirety, and the priority of which is hereby claimed under 35 U.S.C. §120.

[0002] This application is based upon French Patent Application No. 03.04440, filed Apr. 10, 2003, the disclosure of which is hereby incorporated by reference thereto in its entirety and the priority of which is hereby claimed under 35 U.S.C. §119.

BACKGROUND OF THE INVENTION

[0003] 1. Field of the Invention

[0004] The present invention relates to an article of clothing having at least one extensible portion.

[0005] 2. Description of Background and Other Information

[0006] Garments of the above-mentioned type are known to be used for sporting activities, particularly garments such as shorts or thigh-pieces, or pants, or tops covering the torso.

[0007] Indeed, the elastic materials used in such garments allow for a good support for the wearer's muscles during sports activity. Depending on the type of material used, they also facilitate proprioceptive sensing that can be useful for the particular sports activity, and they can also guarantee a certain degree of warmth for the muscles.

[0008] However, because they are made of elastic materials, these garments fit snugly and can provide an undesirable visual appearance, particularly if the wearer has an unflattering physical appearance such as being overweight, for example, or if the wearer simply does not desire a snugly fitted appearance.

[0009] Moreover, it is difficult to wear garments of this type for purposes other than sporting activities.

[0010] To overcome these drawbacks, it is known to superimpose several garments, the one made of an elastic material fitting snugly, such as a thigh-piece, and another, fitting more loosely, such as shorts.

[0011] This practice is common with certain athletes, such as soccer players, rugby players, or runners. It has the drawback of requiring two garments, and of increasing the risks of wear of the loose garment in the friction zones, especially in the crotch area in the case of shorts or pants. Furthermore, the outer loose garment can generate unpleasant or undesirable sounds in the friction zones, depending upon the material(s) of which it is made, and the superimposition of two layers of materials in certain zones, and especially in the crotch area, can generate excessive heating.

SUMMARY OF THE INVENTION

[0012] An object of the present invention is to overcome the aforementioned drawbacks and to provide an article of clothing that allows combining a pleasant aesthetic outer

appearance and good support and/or heating of the muscles, and/or a proprioceptive effect.

[0013] These objects are achieved in the article of clothing having at least one extensible portion according to the invention, whereby the article of clothing comprises a snugly fitting inner portion having at least one connecting band extending along at least one limb (arm, leg, neck) of the body, and of a loosely fitting outer portion covering the inner portion, and whereby the inner portion and the outer portion are assembled together by the connecting band extending along at least one limb.

BRIEF DESCRIPTION OF DRAWINGS

[0014] The invention will be better understood, and other characteristics thereof will become apparent from the following description, as well as with reference to the annexed schematic drawings showing several embodiments, by way of non-limiting examples, and in which:

[0015] FIG. 1 is a front view of an article of clothing, such as shorts, incorporating the invention;

[0016] FIG. 2 is a cross-sectional view taken along the line II-II of FIG. 1;

[0017] FIG. 3 is a view, similar to FIG. 1, showing a second embodiment of the invention;

[0018] FIG. 4 is a view, similar to FIG. 1, showing a fourth embodiment of the invention;

[0019] FIG. 5 is a view, similar to FIG. 1, showing a fifth embodiment of the invention;

[0020] FIG. 6 is a detailed view of FIG. 5;

[0021] FIG. 7 is a detailed view, similar to FIG. 6, according to a sixth embodiment of the invention.

DETAILED DESCRIPTION OF THE INVENTION

[0022] FIGS. 1 and 2 show an article of clothing of the shorts type incorporating the invention.

[0023] These shorts 1 comprise two portions, namely:

[0024] inner snugly fitting shorts 10 made at least partially of an elastic material such as that known by the registered marks "LYCRA®" or "LYCRA POWER®," polyamide, or made of a breathable or elastic mesh-type material; and

[0025] outer loosely fitting shorts 20 made of a non-elastic material, such as Nylon, or made of a breathable material of the mesh-type.

[0026] The inner shorts 10 have a waist 11 and two legs 12.

[0027] Each leg 12 includes a tubular, or partially cylindrical, portion 13, having semi-cylindrical or partially cylindrical shape, the portion 13 comprising an elastic material. Each leg 12 also includes a connecting band 14 covering the crotch area. The connecting band 14 can be made of an elastic material, or rather of a non-extensible material.

[0028] The outer shorts 20 also have a waist 21 and two substantially tubular portions each comprising a leg 22.

[0029] As shown clearly in FIG. 2, each leg 22 of the outer shorts is assembled to the associated leg 12 of the inner shorts 10 along the edges 14a of the connecting band 14 by means of seams 15, such as stitching. As also shown in FIG. 2, the connecting band 14 connects a pair of transversely spaced-apart longitudinal edges of the leg 12 and a pair of such edges of the leg 22, such that, in the embodiment illustrated in FIGS. 1 and 2, the outer portion/leg 22 overlies the inner portion/leg 12 along less than the entirety of the transverse periphery of the body part of the wearer, with the connecting band 14 connecting the pair of peripherally spaced-apart longitudinally extending edges of each leg/portion 12, 22.

[0030] As a result, the inner 10 and outer 20 shorts in fact have a common portion in the form of the connecting band 14 in the crotch area.

[0031] Thus, friction that could otherwise generate noise and wear between the two legs of the loosely fitting outer shorts 20 during use is avoided.

[0032] Furthermore, a good aesthetic appearance of the loosely fitting shorts 20 is guaranteed, because the snugly fitting inner shorts 10 remain hidden, or mostly hidden, by the outer shorts.

[0033] In a particular embodiment, the legs 12 of the inner shorts are not longer than those of the outer shorts, in order to prevent any visual impression of a snug fit.

[0034] However, it is contemplated according to the invention that they can be slightly shorter so as not to extend beyond the outer shorts.

[0035] It is noted that the connection of the two shorts to one another is particularly important in this context, in order to prevent a relative slip of the legs during the sporting activity and to maintain the visual appearance of the loosely fitting shorts.

[0036] The inner shorts can also be provided to have longer legs 12 than those of the outer shorts if a mixed visual appearance is desired.

[0037] In a particular embodiment, the waists 11, 21 of the shorts 10, 20 are separate, and the shorts are therefore only connected to one another by the crotch, so as to guarantee a better adaptation to the wearer's movements. As a result, the outer shorts do not hinder the movements of the inner shorts. As can be seen in FIG. 2, a space can be seen between the inner leg 12 and the outer leg 22. In other words, below the intersection of the left and right legs at the crotch, the inner and outer legs 12, 22 of the shorts are connected to one another, in a direction around a transverse periphery of the longitudinally extending legs, only by means of the connecting band 14. As a result, there is an air gap between the more tightly fitting inner shorts 10 and the more loosely fitting outer shorts 20 and, further, the more loosely fitting outer shorts 20 are movable relative to the inner shorts 10. Stated another way, based upon the foregoing description and the drawing figures, the overlying outer shorts 20 is movable relative to the underlying surface of the inner shorts 10, particularly as the outer shorts 20 are not fit snugly to the body of the wearer.

[0038] However, as shown in FIG. 1, detachable connectors 30, or connecting mechanisms, such as buttons or snap

fasteners, can be provided to tie the waists 11 and 21 together and in particular to enable the double shorts 1 to be put on easily.

[0039] As the case may be, the connectors 30 can also be provided to be permanent. In that case, it will be a seam, etc., such as stitching.

[0040] According to a particular embodiment, the connectors 30 are constituted by connecting straps, such that the inner shorts 10 somewhat hang, or are suspended, within the outer shorts 20. In this case, the straps are preferably made of an elastic material in order to better follow the movements of the wearer.

[0041] The connecting band 14 of the crotch can have a substantially rectangular shape, or a triangular shape, for example, depending on the cut of one or both shorts 10, 20.

[0042] The connecting band 14 can be provided in the form of a yoke that is distinct from the inner shorts 10 as shown in FIGS. 1 or 2, or, on the contrary, it can be an integral part of each leg 12, these legs then being made, for example, by knitting. This is especially the case when the connecting band 14 is made of an elastic material.

[0043] In the case where each band 14 is constituted by a distinct yoke, it can be made either of the same material as the associated leg 12, or of a different material, and, in particular, a non-elastic material. As the case may be, the material can also be a breathable material of the mesh-type or the perforated fabric-type, for a better ventilation.

[0044] FIG. 3 shows pants 101, for which similar or identical portions/elements are designated by the same reference numerals used in FIGS. 1 and 2 increased by 100.

[0045] In the case of FIG. 3, the pants also have inner pants 110 provided with a waist 111 and legs 112, and outer pants 120 provided with a waist 121 and legs 122.

[0046] As mentioned above, detachable connectors 130 are provided in the crotch area by a common connecting band 114, which can be made of an elastic material.

[0047] FIG. 4 shows another application of the present invention to an article of clothing 201 such as a jacket, a sweater, etc., i.e., covering the upper portion of the body.

[0048] In this case, the top 201, as previously mentioned, has a snugly fitting inner top 210 and a loosely fitting outer top 220.

[0049] As mentioned above, each top 210, 220 has a collar 211, 221 respectively, and sleeves 212, 222, respectively, as well as a bust or torso portion 213, 223, respectively.

[0050] As mentioned above, these two tops 210, 220 are independent of one another, except in the area of the sleeves 212, 222 adapted to cover the wearer's arms.

[0051] In this case, the sleeves 212, 222 are connected to one another by a connecting band 214 in the area of their lower portion, i.e., located on the side of the bust 213, 223.

[0052] This connecting band 214 is preferably extended by a connecting portion 216 in the zone of the corresponding bust, i.e., in the armpit area.

[0053] As in the case of the shorts or pants previously described, these connecting bands 214, 216 are located in a