

Clarke, Mo
COLOM

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 10-133383- -00002-0000

Fecha: 2010-12-22 15:11:24 Dep. 2020 DIR.NUEVASCR
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Act. 444 RESPUESTAREQUE Folios: 20

P-2726

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISION DE NUEVAS CREACIONES

E. S. D.

Ref.: Expediente No. 10.133.383
Solicitud de Patente a nombre de
ENHOLD B.V.

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 ENHOLD B.V., solicitante de la patente de la referencia, en respuesta al oficio No. 15780 notificado por fijación en lista el día 3 de diciembre de 2010, atentamente me permito presentar:

1. Documento 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.

2. Copia auténtica del poder junto con el Certificado de Existencia y Representación Legal de dicha sociedad y con su respectiva traducción del inglés al español.
3. Nos permitimos aclarar que la solicitud corresponde al Capítulo II, y en consecuencia me permito presentar copia del IPER con su respectiva traducción de los anexos a español.

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

Traducción oficial del holandés al español del texto en idioma holandés que aparece en el documento de cesión firmado por el señor Johannes Antonius Marie JANSSEN, en el cual cede los derechos sobre el siguiente invento "Anti-microbial additive for use in flower vase water" (Aditivo antimicrobiano para uso en agua de florero) a ENHOLD B.V., sociedad con domicilio en los Países Bajos.

(Al reverso de la página 1 del documento):

2 veces autoadhesivo: Dr. A.J.W.M. van Hengstum, notario en Hilversum

(Anexo al documento):

Anexo al documento aparece también, en idioma inglés, una apostilla del Juzgado de La Haya en la cual está debidamente autenticada la firma del Dr. A.J.W.M. van Hengstum, notario en Hilversum, el día 29 de octubre de 2010 bajo el número 2010-7251.

En holandés: Rechtbank - Juzgado

autoadhesivo: Juzgado de La Haya

Al reverso del anexo aparece un sello: Juzgado de La Haya

ES TRADUCCIÓN FIEL Y COMPLETA.

Bogotá, D.C., 2 de diciembre de 2010.

MAIJA HEMPENIUS
Traductora e Intérprete Oficial
Res. 2667/89 Min. Justicia



35
2

Clarke, Modet & C^o

COLOMBIA

E-MAIL: info@clarkemodet.com.co
SANTAFÉ DE BOGOTÁ, A.A. 92397 COLOMBIA

CESION

El (la) abajo firmante (En adelante EL CEDENTE)

JANSSEN, Johannes Antonius Marie

en su carácter de inventor /diseñador

*Aditivo antimicrobiano para uso en
agua de florero*

con domicilio en:

*Simone Signoretstraat 47
NL-1325 LC Almere
Holanda*

por el presente documento declara que cede todos y cada uno de los derechos que le corresponden o puedan corresponderle sobre la siguiente invención, modelo de utilidad, diseño industrial

a: **Enhold B.V.**

con domicilio en

*Gooimeer 7
1411 DD Naarden
Holanda*

En prueba de la mutua aceptación de esta cesión ambas partes CEDENTE y CESIONARIO firman el presente documento.

Dado y firmado en

A los Días de De 2010



El Cedente /The Assignor

JANSSEN, Johannes Antonius Marie

El Cesionario/The Assignee **Enhold B.V.**

Este documento debe ser otorgado ante Notario público y legalizado por el Cónsul de Colombia) o por Apostilla

ASSIGNMENT

The undersigned (Hereinafter THE ASSIGNOR)

JANSSEN, Johannes Antonius Marie

Inventor /designor of

Anti-microbial additive for use in flower vase water

domiciled at

**Simone Signoretstraat 47
NL-1325 LC Almere
The Netherlands**

do hereby declares that it assigns all and each of his rights and privileges on the following invention, industrial design, utility model

to

Enhold B.V.

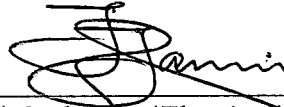
with domicile in

**Gooimeer 7
1411 DD Naarden
The Netherlands**

As a proof of the mutual acceptance of this assignment, both parties ASSIGNOR and ASSIGNEE sign the present document.

Granted and signed at
the Netherlands

on this day of of 2010



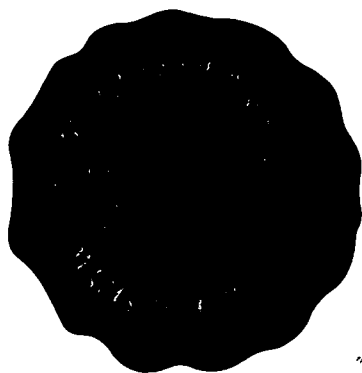
El Cedente /The Assignor:

JANSSEN, Johannes Antonius Marie

El Cesionario/The Assignee **Enhold B.V.**

(This document must be signed before Notary Public and legalized before the colombian Consul) or by Apostille

Seen for the authentication of the signature of Johannes Antonius Marie Janssen, born in Roermond, The Netherlands, on the 10th of February 1964, who has furnished proof of identity by means of Dutch passport number NL0469902, issued at Almere on the 31th May of 2006, by me, Alexander Jan Willem Marie van Hengstum, civil-law notary at Hilversum, The Netherlands, on the 21 of October 2010.

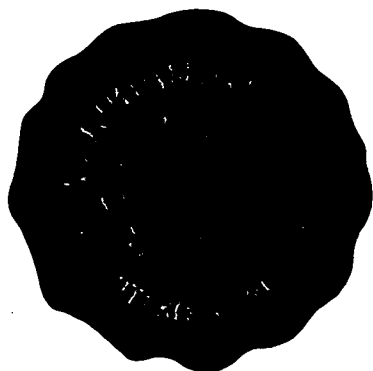


Seen for the authentication of the signature of Johannes Pieter Wiegel, born in Middelburg, The Netherlands, on the 20th of December 1954, who has furnished proof of identity by means of Dutch passport number NWH4BFPL8, issued at Zeist on the 11th of May 2009, by me, Alexander Jan Willem Marie van Hengstum, civil-law notary at Hilversum, The Netherlands, on the 21th October 2010.

I further certify

- a. That Chrysal International B.V., is a Corporation/Company legally constituted and in existence in accordance with the laws of the Netherlands.
 - b. That the domicile of said Corporation/Company is 1411 DD Naarden, Gooimeer 7, The Netherlands.
 - c. That the purpose or purposes for which the present document is granted are comprised within the purposes set forth in the charter of the mentioned Corporation/Company.
 - d. That Mr. Johannes Pieter Wiegel is authorized to grant the present Power of Attorney.
- The aforementioned was duly proved by the relevant documents I certify I have seen.

The significance of this authentication is strictly limited to the identification of and statement pertaining to the signature and the certifications above. No opinion has been expressed as regards the content and other aspects of the signed document.



APOSTILLE

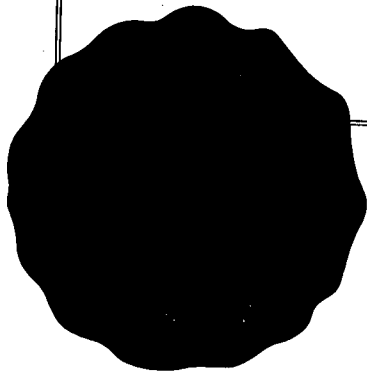
(Convention de La Haye du 5 octobre 1961)

1. Country: THE NETHERLANDS
This public document
2. has been signed by **mr. A.J.W.M. van Hengstum**
3. acting in the capacity of notary at **Hilversum**
4. bears the seal/stamp of aforesaid notary
Certified
5. at 's-GRAVENHAGE
6. on **29-10-2010**
7. by the clerk of the court (Rechtbank)
8. no. **2010-7251**

Seal/stamp:

10. Signature:

C.D. van de Ree



Visto para autenticación de la firma de Johannes Pieter Wiegel, nacido en Middelburg, Países Bajos, el día 20 de diciembre de 1954, quien ha suministrado prueba de su identidad por medio del pasaporte holandés No. NWH4BFPL8, expedido en Zeist, el 11 de mayo de 2009 por mí, Alexander Jan Willen Marie van Hengstum, notario de derecho común de Hilversum, Países Bajos, el 21 de octubre de 2010.

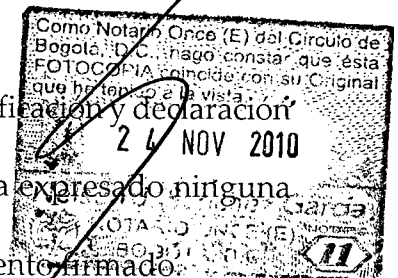
Además certifico

- a. Que Chrysal International B.V., es una Corporación/Compañía legalmente constituida y en existencia de acuerdo con las leyes de los Países Bajos.
- b. Que el domicilio de dicha Corporación/Compañía es 1411 DD Naarden, Gooimeer 7, Países Bajos.
- c. Qué el propósito o propósitos para los cuales se otorga el presente documento están contenidos dentro de los propósitos contenidos en los estatutos de la mencionada Corporación/Compañía.
- d. Que el señor Johannes Pieter Wiegel está autorizado para otorgar el presente Poder.

Lo anteriormente mencionado se comprobó debidamente por medio de los documentos pertinentes que certifico haber visto.

El alcance de esta autenticación se limita estrictamente a la identificación y declaración pertenecientes a la firma y la certificación antedichas. No se ha expresado ninguna opinión con respecto al contenido ni otros aspectos del documento firmado.

(Firmado) Sello: "Señor A.J. W. M. van Hengstum, Notario de Hilversum"



Apostilla adjunta:

APOSTILLA:

(Convention de La Haye du 5 octobre 1961)

1. País: Países Bajos
El presente documento público
2. Ha sido firmado por: A.J. W. M. van Hengstum
3. Actuando en calidad de: Notario de Hilversum
4. Lleva el sello/estampilla de: Antedicho notario
Certificado
5. En: 's-Gravenhage
6. El: 29 de octubre de 2010
7. Por: El Secretario de la Corte
8. Bajo el No.: 2010-7251/1
9. Sello / estampilla: Corte de (Rechtbank)
10. Firma: Firmado. C.D. van de Ree

FIN DE LA TRADUCCIÓN

Certificación:

Certifico que la presente es una traducción auténtica y completa del inglés al español del documento adjunto, la cual he elaborado según mi leal saber y entender.

Documento: "Certificación notarial"

Fecha: 20 de noviembre de 2010.

Traductor: Jorge Enrique Sierra Reyes (Sello y firma digital debidamente registrados ante el Ministerio de Relaciones Exteriores de Colombia)

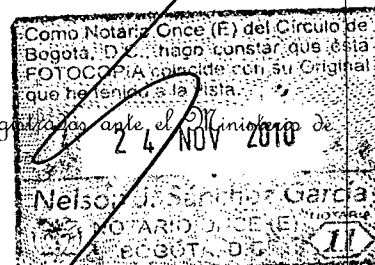
Licencia # 376 de 1993, expedida por el Ministerio de Justicia.

Dirección: Carrera 15 # 99-13 Of. 411, Bogotá, D.C.

Teléfonos: (571) 218 2308, (571) 623 2925.

E-mail: twreser1@yahoo.com

Traducción # 15-697



Traductor
JORGE E. SIERRA REYES
Licencia 376 - 1993 Minjusticia

634

MINISTERIO DE
RELACIONES EXTERIORES

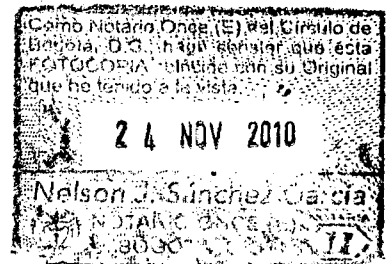
b29827

Jorge Sierra
CUTA FIRMA Y APELLADO EN EL
DOCUMENTO DESEMPLEA
LAS FUNCIONES INDICADAS

NO SE ASUME
RESPONSABILIDAD DEL TEXTO

2010 NOV 22 A 10:32

Jefe de Organizaciones
Bogotá D.C.



COLOMBIA

Carrera 11 n° 93-43, Of. 404 Bogotá Colombia Tel: (57 1) 6350813 Fax: (57 1) 6350824 Email: clarkemode@clarkemodet.com.co

PODER

Yo (nosotros), abajo firmante(s)

en mi (nuestro) carácter de representante(s) legales de

Enhold B.V.

una sociedad organizada y existente de acuerdo con las leyes de

Holanda

y en actual cumplimiento de su objeto social, con domicilio en

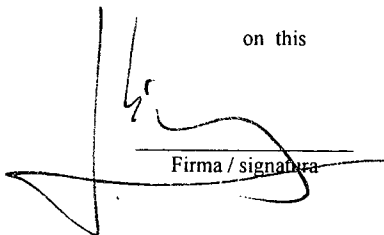
Gooimeer 7
NL-1411 DD Naarden
Holanda

por el presente instrumento confiero (conferimos) poder especial a favor de DILIA MARIA RODRIGUEZ D'ALEMAN, con Cédula de Ciudadanía No. 41.654.882 de Bogotá, y tp. 20824 y CLAUDIA LUCIA CARO RAMIREZ, con Cédula de Ciudadanía No. 40.017.374 de Tunja, y tp. 36448, con domicilio en Bogotá, Colombia, para que actuando en su orden en nombre del (de la) otorgante le (la) representen ante cualquier entidad, autoridad y/o persona, especialmente ante las del orden Administrativo, Contencioso Administrativo, Judicial, Tribunales de Arbitramento y/o cualquier otro en lo referente a los siguientes asuntos:

- 1) Solicitar, tramitar, obtener y/o registrar cualquiera de las modalidades de Propiedad Industrial, tales como: patentes de invención, modelos de utilidad; diseños industriales, variedades vegetales; marcas, lemas, nombres y enseñanzas comerciales y denominaciones de origen; así como sus renovaciones, prórrogas, transferencias, cambios de nombre y/o domicilio, contratos y licencias.
- 2) Solicitar, tramitar, obtener y/o registrar derechos de autor, en cualquiera de sus presentaciones así como la protección de secretos industriales y know-how.
- 3) Solicitar, tramitar, obtener y/o registrar registros sanitarios, permisos y/o licencias de funcionamiento; así como sus renovaciones o prórrogas, transferencias, cambios de nombre y/o domicilio, contratos y licencias.
- 4) Ejercer acciones de oposición, observación, reclamos, reconsideración, reposición, apelación, cancelación administrativa o judicial, nulidad, protección al consumidor, concesión de licencias, protección de secretos industriales y demás acciones y recursos relacionados con derechos derivados de los asuntos arriba indicados y en contra de la competencia desleal, acciones derivadas de la obtención o explotación de licencias, acciones de indemnización de perjuicios. También podrá(n) intervenir en juicios civiles, comerciales, penales, contencioso-administrativos, tutelas y de policía; en acciones o juicios promovidos por el (la) mandante o en contra el (ella).
- 5) Registrar nombres de dominio ante la entidad competente.
- 6) En el ejercicio de este mandato los mandatarios arriba mencionados quedan facultados para: conciliar, cancelar, transigir, comprometer en árbitros, desistir, recibir y tomar posesión de la cosa objeto de litigio y renunciar o desistir a derechos concedidos o en curso de concesión, admitir los hechos del proceso.
- 7) Ratificar o no la agencia oficiosa.
- 8) Así mismo faculto (facultamos) a los mencionados apoderados para recibir notificaciones y designar apoderados judiciales o extrajudiciales, sustituir el presente poder y revocar las sustituciones que hicieren.

Dado y firmado en

a los días de


Firma / signature

POWER OF ATTORNEY

I (we), the undersigned

legal representative(s) of

Enhold B.V.

an organization existing under the laws of

The Netherlands

and in present execution of its business activity, domiciled at

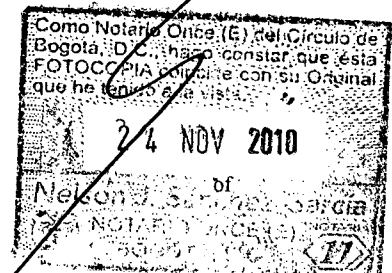
Gooimeer 7
NL-1411 DD Naarden
The Netherlands

do hereby grant POWER OF ATTORNEY to DILIA MARIA RODRIGUEZ D'ALEMAN, identification card No. 41.654.882 of Bogotá, and tp. 20824 and CLAUDIA LUCIA CARO RAMIREZ, tp. 36448, identification card No. 40.017.374 of Tunja, residing in Bogotá, Colombia, to act in the order of their appointment in behalf of grantor before any entity, authority and/or natural or juridical person, specially before those Administrative, Administrative-Contentious, Judicial, arbitration courts, and/or any other, in all matters concerning the following:

- 1) To apply, process, obtain and/or register any of the modalities of Industrial Property, such as: Patents of Invention, Utility Models; Designs, plant varieties; Marks, Slogans, Trade Names and emblems and appellations of Origin; as well as their renewals, assignments, changes of name and/or domicile, agreements and licenses.
- 2) To apply, process, obtain and/or register copyrights of any kind as well as protection of industrial secrets or know-how.
- 3) To apply, process, obtain and/or register sanitary registrations, operating authorizations and/or licenses; as well as their renewals or assignments, changes of name and/or domicile, agreements and licenses.
- 4) To bring actions of opposition, observations, claims, reconsideration, appeal or legal remedies, cancellations, nullity, protection to the consumer, granting of licenses, protection of trade secrets and other actions related with rights derived from the above-mentioned matters and against the unfair competition, actions resulting from the obtaining or exploitation of licenses, recovering damages actions. They can also intervene or participate in Civil, Commercial, Criminal or Contentious-Administrative Trials; the actions for writ mandamus, police actions; in actions, lawsuits or litigations instituted by the grantor or against him.
- 5) To register domain names before the competent entity.
- 6) To the effect of this mandate the above-named proxy are empowered to: conciliate, cancel, settle, submit to arbitration, withdraw and to receive and take possession of the litigation related objet and waive or renounce the rights granted or in process of granting, admit the facts of the case.
- 7) To ratify or not the officious agency.
- 8) I (we) hereby appoint the afore mentioned attorneys with powers to receive notifications and to designate judicial and extrajudicial attorneys, substitute this Power of Attorney and to revoke such substitutions.

Granted and signed at

on this day of



CERTIFICADO NOTARIAL

(Cuando el solicitante es SOCIEDAD)

(Poderes otorgados en: El Salvador, Estados Unidos, México y Venezuela)

A los _____ días del mes de _____ de _____,
el Notario que suscribe DA FE de que:

1. _____
(nombre de la persona que firma el poder)
- mayor de edad y domiciliado _____
_____ firmó de su puño
y letra el documento que antecede.
2. Conoce al (a la) otorgante y que este (a) está legalmente capacitado para el otorgamiento.
3. El otorgante ha firmado el referido documento en su carácter de _____ de la persona jurídica _____
4. La citada persona jurídica con sede en _____ está legalmente constituida, que tiene actualmente existencia legal y que el acto para el cual se ha otorgado este poder está comprendido entre los que constituyen su objeto social.
5. El otorgante tiene efectivamente la representación que ostenta, que esta es legítima y que está facultado para otorgar este poder.
6. las anteriores certificaciones de los puntos 3, 4 y 5, me constan porque he tenido a la vista los documentos auténticos.

Notario Público

NOTA: A continuación de lo anterior, el Cónsul de Colombia debe autenticar la firma del Notario Público.

CERTIFICADO NOTARIAL (Cuando el solicitante es INDIVIDUO)

A los _____ días del mes de _____ de _____,
el Notario que suscribe DA FE de que:

1. _____
(nombre de la persona que firma el poder)
- mayor de edad y domiciliado en _____
_____ firmó en su presencia
el documento que antecede, conoce al otorgante y que este está legalmente capacitado para el otorgamiento.

Notario Público

NOTA: A continuación de lo anterior, el Cónsul de Colombia debe autenticar la firma del Notario Público.

Para todos los demás países el Señor Cónsul de Colombia o ante quien se otorgue, debe expedir una certificación dejando constancia 1) de la existencia legal de la sociedad, 2) de que esta ejerce actualmente su objeto social, y 3) de que la persona o personas que otorgan el poder están facultadas para hacerlo, dejando constancia así mismo de que tuvo a la vista las pruebas que acrediten tales circunstancias.

LEGALIZACIÓN POR EL CONSUL DE COLOMBIA
O POR APOSTILLA

NOTARIAL CERTIFICATE

(When the applicant is a CORPORATION)

(Powers of attorney granted in: El Salvador, Mexico, U.S.A. and Venezuela)

This _____ day of _____
the undersigned Notary CERTIFIES that:

1. _____
(name of the person who signs the power of attorney)
- of legal age and domiciled in _____ set his hand on the foregoing document.
2. The grantor is to him personally known and that he/she has legal capacity to execute the document.
3. The grantor has executed the foregoing document in his capacity of _____ of the juridical person _____
4. The mentioned juridical person with place of business in _____ is duly organized, has actual legal existence and that the purposes for which the power of attorney is granted are within the scope of its corporate purposes.
5. The grantor has in fact the referred quality and that his/her representation is legal and that he/she is empowered to grant this power of attorney.
6. I have based the above certifications 3, 4 and 5, on the authentic documents which for such purpose were exhibited to me.

Notary Public

NOTA: Then the Colombian Consul must legalize the signature of the Notary Public.

NOTARIAL CERTIFICATE (When the applicant is an INDIVIDUALS)

On this _____ day of _____
the undersigned Notary CERTIFIES that:

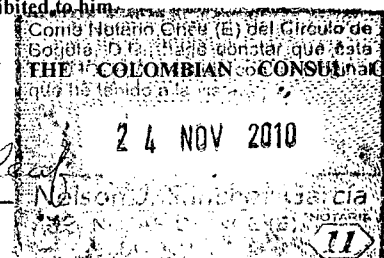
1. _____
(name of the person who signs the Power of Attorney)
- of legal age and domiciled at _____ signed in his presence the foregoing document, the grantor is to him personally known and that he/she has legal capacity to execute the document.

Notary Public

NOTA: Then the Colombian Consul must legalize the signature of the Notary Public.

For all other countries the Colombian Consul or before who it is granted must issue a certification stating 1) the legal existence of the corporation, 2) that the corporate purposes are actually being accomplished, 3) that the person or persons who grant this Power of Attorney are empowered to do it. The Consul will certify also that the documents evidencing those circumstances were exhibited to him.

LEGALIZATION BY THE COLOMBIAN CONSUL OR BY APOSTILLE.

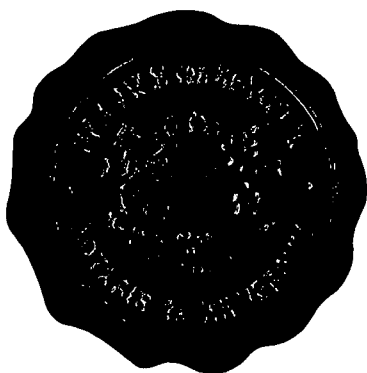


Seen for the authentication of the signature of Johannes Pieter Wiegel, born in Middelburg, The Netherlands, on the 20th of December 1954, who has furnished proof of identity by means of Dutch passport number NWH4BFPL8, issued at Zeist on the 11th of May 2009, by me, Alexander Jan Willem Marie van Hengstum, civil-law notary at Hilversum, The Netherlands, on the 21th October 2010.

I further certify

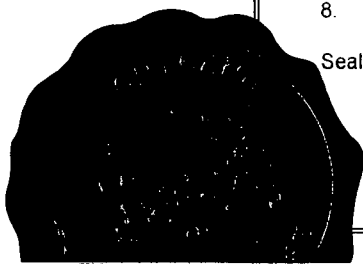
- a. That Chrysal International B.V., is a Corporation/Company legally constituted and in existence in accordance with the laws of the Netherlands.
- b. That the domicile of said Corporation/Company is 1411 DD Naarden, Gooimeer 7, The Netherlands.
- c. That the purpose or purposes for which the present document is granted are comprised within the purposes set forth in the charter of the mentioned Corporation/Company.
- d. That Mr. Johannes Pieter Wiegel is authorized to grant the present Power of Attorney. The aforementioned was duly proved by the relevant documents I certify I have seen.

The significance of this authentication is strictly limited to the identification of and statement pertaining to the signature and the certifications above. No opinion has been expressed as regards the content and other aspects of the signed document.



[Handwritten signature]

Como Notario Onc. / E del Circuito de Bogotá, D.C., hego constar que esta FOTOCOPIA coincide con su Original que he tenido a la vista. 21 NOV 2010 Notario: José García	
A P O S T I L L E (Convention de La Haye du 5 octobre 1954)	
1. Country: THE NETHERLANDS	
This public document	
2. has been signed by mr. A.J.W.M. van Hengstum	
3. acting in the capacity of notary at Hilversum	
4. bears the seal/stamp of aforesaid notary	
Certified	
5. at 's-GRAVENHAGE	6. on 29-10-2010
7. by the clerk of the court (Rechtbank)	
8. no. 2010-7251/1	
Seal/stamp:	10. Signature:
	C.D. van de Ree



[Handwritten signature]

Official translation of a document originally in Spanish

Kamer Van Koophandel

Número de archivo: 32044933

Traducción al inglés de un extracto de un registro comercial de la Cámara de Comercio. Este registro está administrado por la Cámara de Comercio de Hooi-, Eem – em Flevoland.

Persona jurídica:

Forma legal: Besloten Vennootschap (compañía privada de Responsabilidad Limitada)

Nombre: Enhold B.V.

Sede por estatus: Naarden

Escritura de constitución: Fechada el 02-12-1932

Escritura de la última enmienda 30-07-2007

de estatutos:

Capital autorizado: EUR 180.000.00

Capital emitido: EUR 125.244.00

Capital pagado: EUR 125.244.00

Empresa:

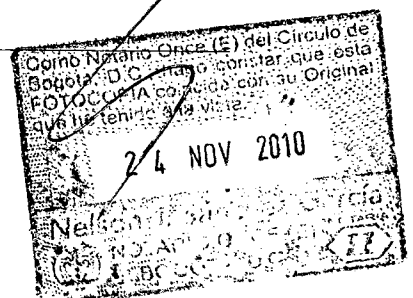
Razón Social: Enhold B.V.

Dirección: Gooimeer 7, 1411DD Naarden

Dirección de correo: Postbus 5300, 1410AH Naarden

Número telefónico: 0356955888

Número de fax: 0356955822




Traductor Oficial
JORGE E. SIERRA REYES
Licencia 376 - 1993 Minjustk

W2

Fecha de fundación: 02-12-1932

Persona jurídica dirige la 31-08-1932

empresa desde el:

Descripción del negocio: Ver extracto holandés

Empleados: 0

Accionista único:

Nombre: GFTG (Global Floral Technology Group) B.V.

Dirección: Gooimeer 7, 1411DD Naarden

Registro comercial radicado bajo 32121370

el número:

Accionista único desde el: 26-03-2007

Directivo(s):

Nombre: Wiegel, Johannes Pieter

Fecha y lugar de nacimiento: 20-12-1954, Middelburg

Fecha de posesión del cargo: 29-06-2004

Cargo: Director estatutario.

Poderes: Único/autorizado independientemente

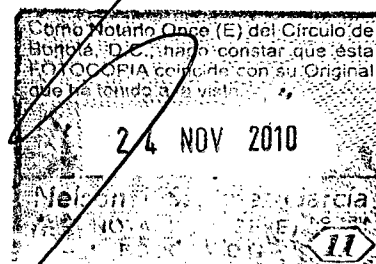
Expedido por la Cámara de Comercio

Almere, 27-10-2010

Este extracto ha sido elaborado a las 14:45

(Firmado) mw. M.C. Kroon-Maliepaard

Apostilla adjunta:



Traductor Oficial
JORGE E. SIERRA REYES
Licencia 376 - 1993 Minjusticia
8043

APOSTILLA:

(Convention de La Haye du 5 octobre 1961)

1. País: Países Bajos
- El presente documento público
2. Ha sido firmado por: M.C. Kroon-Maliepaard
3. Actuando en calidad de: Funcionario de la Cámara de Comercio e Industria de Almere
4. Lleva el sello/estampilla de: La antedicha Cámara de Comercio e Industria
- Certificado
5. En: 's-Gravenhage
6. El: 29 de octubre de 2010
7. Por: El Secretario de la Corte
8. Bajo el No.: 2010/7251
9. Sello / estampilla: Corte de 's-Gravenhage
10. Firma: Firmado. C.D. van de Ree

FIN DE LA TRADUCCIÓN

Certificación:

Certifico que la presente es una traducción auténtica y completa del inglés al español del documento original que se encuentra en el archivo de la Notaría D.C. y constar que esta es una copia fiel del original que he tenido a la vista.

Documento: "Extracto Cámara de Comercio"

Fecha: 20 de noviembre de 2010.

Traductor: Jorge Enrique Sierra Reyes (Sello y firma digital debidamente registrados ante el Ministerio de Relaciones Exteriores de Colombia)

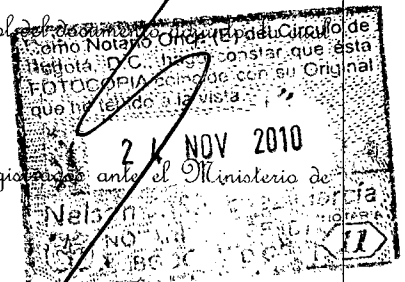
Licencia # 376 de 1993, expedida por el Ministerio de Justicia.

Dirección: Carrera 15 # 99-13 Of. 411, Bogotá, D.C.

Teléfonos: (571) 218 2308, (571) 623 2925.

E-mail: treasurer1@yahoo.com

Traducción # 15-695



Traductor Oficial
JORGE E. SIERRA REYES
Licencia 376 - 1993 Minjusticia

NO SE ASUME
RESPONSABILIDAD DEL TEXTO

2010 NOV 22 A 10:32

JEFE DE ASISTENCIA
BOGOTÁ D.C.

MINISTERIO DE INTERIORES
RELACIONES EXTERIORES

629829

COPIA
COTA FIRMADA ASESORADO
DOCUMENTO DESEMPLEADO
LAS FUNCIONES INDICADAS

Como Notario Once (E) del Circuito de
Bogotá, D.C. hago constar que esta
FOTOCOPIA coincide con su Original
que he tenido a la Vista.

24 NOV 2010

Nelson Sánchez García
NOTARIO ONCE
BOGOTÁ D.C.



File number: 32044933

Page 00001

English translation of an extract from the trade register of the Chambers of Commerce. This registration is administrated by the Chamber of Commerce for Gooi-, Eem- en Flevoland

Legal person:

Legal form	: Besloten Vennootschap (Private Limited Liability Company)
Name	: Enhold B.V.
Statutory seat	: Naarden
Incorporation deed	: 02-12-1932
Deed of latest amendment of articles	: 30-07-2007
Authorized capital	: EUR 180.000,00
Issued capital	: EUR 125.244,00
Paid up capital	: EUR 125.244,00

Undertaking:

Tradenname(s)	: Enhold B.V.
Address	: Gooimeer 7, 1411DD Naarden
Mailing address	: Postbus 5300, 1410AH Naarden
Telephone number(s)	: 0356955888
Fax number	: 0356955822
Date of establishment	: 02-12-1932
The legal person conducts the undertaking since	: 31-08-1972
Description of business	: See Dutch extract
Employees	: 0

Single shareholder:

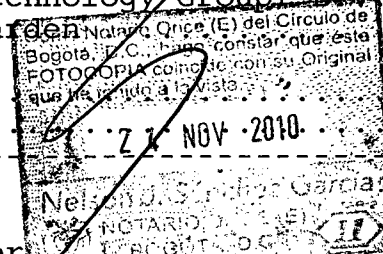
Name	: GFTG (Global Floral Technology Group) B.V.
Address	: Gooimeer 7, 1411DD Naarden
Registration trade register under file number	: 32121370
Single shareholder since	: 26-03-2007

Director(s):

Name	: Wiegel, Johannes Pieter
Date and place of birth	: 20-12-1954, Middelburg
Date of entry into office	: 29-06-2004
Title	: Statutair directeur

27-10-2010

Page 00002 follows.



File number: 32044933

Page 00002

Powers

:Solely/independently authorised

Issued by the chamber of commerce

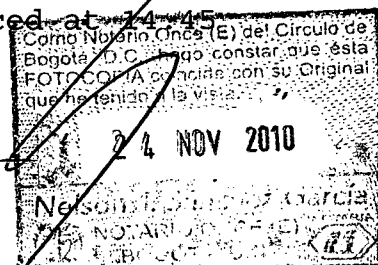
Almere, 27-10-2010

Extract has been produced at 14-11-10

For extract

mckroonmaliepaard

mw. M.C. Kroon-Maliepaard
Adm. medewerkster bedrijfsvoering



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

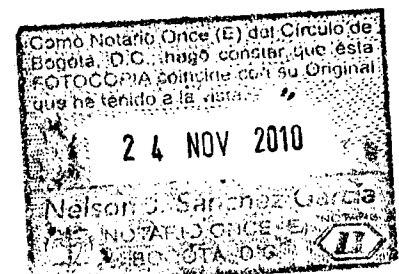
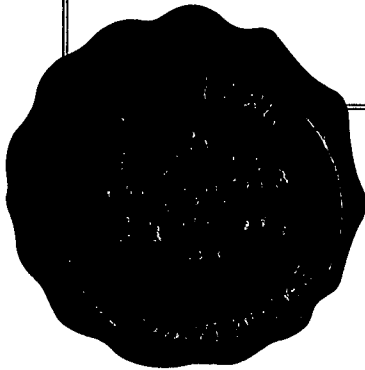
1. Country: THE NETHERLANDS
This public document
2. has been signed by **M.C. Kroon-Maliepaard**
3. acting in the capacity of official of the
Chamber of Commerce and Industry at **Almere**
4. bears the seal/stamp of aforesaid Chamber of
Commerce and Industry

Certified

5. at 's-GRAVENHAGE
6. on **29-10-2010**
7. by the clerk of the court (Rechtbank)
8. no. **2010-7251**
9. Seal/stamp:

10. Signature:

C.D. van de Ree



P. 2726

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P6020161PCT		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/NL2008/050258		International filing date (day/month/year) 28.04.2008		Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC INV. C02F1/50				
Applicant Enhold B.V.				
1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: a. ☒ sent to the applicant and to the International Bureau) a total of <u>2</u> sheets, as follows: ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3bis of Annex C of the Administrative Instructions).				
4. This report contains indications relating to the following items: ☒ Box No. I Basis of the report ☐ Box No. II Priority ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability ☐ Box No. IV Lack of unity of invention ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement ☐ Box No. VI Certain documents cited ☐ Box No. VII Certain defects in the international application ☐ Box No. VIII Certain observations on the international application				
Date of submission of the demand 2009-12-14		Date of completion of this report 29.11.2010		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465		Authorized officer Oenhausen, Claudia Telephone No. +49 89 2399-2067 		

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**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

international application no.
PCT/NL2008/050258

Box No. I Basis of the report

1. With regard to the **language**, this report is based on
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))
2. With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-11 as originally filed

Claims, Numbers

1-10 filed with the letter of 23-11-2009

- ☐ a sequence listing - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
 4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (c-bis)):
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 5. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2 (e)).
 6. ☐ Supplementary international search report(s) from Authority(ies) have been received and taken into account in drawing up this report (Rule 45bis.8(b) and (c)).

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**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application no.
PCT/NL2008/050258

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>1-9</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-9</u>
Industrial applicability (IA)	Yes: Claims	<u>1-9</u>
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/NL2008/050258

Re Item III.

Claim 10 is so unclear that a meaningful search cannot be carried out.

The claim text comprises an undefined vessel having a content of flowers, water and glucose oxidase whereby the flower stems are partly immersed in the water. The claim is, *per se*, directed to a vessel; however, a vessel cannot be defined by its contents since these do not make up permanent features of the vessel itself. The fact that the stems are to be immersed in water represents a process step also not capable of defining the vessel itself. The solution of water and enzyme can also not define the vessel as this is a composition of matter.

It is unclear in which category this claim is intended to belong and it is unclear what it is intended to define.

If the claim could be construed to a claim towards a vessel, any existing vessel/container/tin etc would deprive the claim of novelty, given the above explanations. If the claim could be construed to a claim towards a vessel the claim reads "A vessel" and nothing else. There are no concrete features defining the vessel itself such that it would make sense to meaningfully search for relevant documents.

For these reasons a meaningful search cannot be carried out.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1 Reference is made to the following documents (**see in particularly the passages referred to in the International search report**):

D1 : WO 02/08377 A (NOVOZYMES AS [DK]) 31 January 2002

D2 : WO 2006/138271 A (BUCKMAN LABOR INC [US]; ZHOU XIANGDONG [US]; BRYANT STEPHEN D [US]; MC) 28 December 2006

D3 : WO 2006/035320 A (DE RIJK JAN [NL]) 6 April 2006

D4 : US 6 261 829 B1 (LEHTONEN PAAVO [FI]) 17 July 2001

D5: DOI M ET AL: "SUCROSE IMPROVES THE POSTHARVEST LIFE OF CUT FLOWERS OF A HYBRID LIMONIUM" HORTSCIENCE, AMERICAN SOCIETY OF HORTICULTURAL SCIENCE, ALEXANDRIA, VA, US, vol. 30, no. 5, 1 August 1995 (1995-08-01), pages 1058-1060, XP000995412 ISSN: 0018-5345 (cited by the applicant)

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**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/NL2008/050258

- 1.1 Also, attention is drawn to the following documents:

D6: Jaime A. Teixeira da Silva: "The Cut Flower: Postharvest Considerations", J. Biological Sci., vol. 3, no. 4 2003, pages 406-442, ISSN: 1608-4217, DOI: 10.3923/jbs.2003.406.442 Retrieved from the Internet: URL: <http://scialert.net/> [retrieved on 2010-11-16]

D7: Dion E.A. Florack et al: "Toxicity of peptides to bacteria present in the vase water of cut roses", Online J. of Biology and Technology, vol. 8, no. 4 1996, pages 285-291, DOI: 10.1016/0925-5214(96)00009-9 Retrieved from the Internet: URL: <http://www.sciencedirect.com/science> [retrieved on 2010-11-16]

- 2 The cited documents

- 2.1 Focusing first on an example of the knowledge of the skilled person at the filing date of the application at hand, D6 is cited as an example of background documentation. This document points out that the water quality is important for the maintenance of cut flowers and that "pure, clean water is a requisite" (p. 422), that xylem occlusion is due to microbial growth (p 423) and that is it known to add biocides, disinfectants such as *peptides* to water (p 429) to control bacterial growth.

In the description the applicant admits that is known to add biocides to water, but D6 is deemed to better display the skilled persons background knowledge as it also refers to biocidal peptides which are currently not mentioned in the description.

- 2.2 D7 clearly teaches that the uptake of water by the cut flowers is hampered by the presence of bacteria and the use of *microbial antibacterial peptides* for environmentally friendly and biodegradability reasons.

- 2.3 In essence, the basic technical problem underlying the invention on file is treating the water with an antimicrobial additive. The remaining cited documents should also be seen in this light.

The technical solution according to the invention is selecting an E.C. 1.1.3 oxidoreductase for this purpose which is deemed to be a straight forward possibility to the skilled person given the problem to be solved and the known antimicrobial effect of the oxidoreductase.

- 2.4 D1 describes an antimicrobial composition comprising an enzymatic component and non - enzymatic biocide which is taught to be useful as a preservative or disinfectant. Preferably the enzymatic component comprises at least an oxidoreductase according to EC 1., obtainable from *Aspergillums* (to be compared with the description on file, p. 3 I. 14-15). The composition of

the invention may be a concentrated product or a ready -to -use product. In use, the concentrated product is typically diluted with water to provide a medium having an effective antimicrobial activity. D1 proposes a wide field of use of the composition describes therein. Typically, however, treatment loci are in aqueous systems where microorganisms need to be killed or where their growth needs to be controlled. D2 confirms the widespread use of oxidoreductase for disinfection in aqueous systems. It furthermore proposes glucose oxidase in agrochemical formulations for the purpose of protecting seeds or crops against microbial spoilage.

D3 teaches antimicrobial agents including any member from the class of oxido - reductases, EC 1., that generate active oxygen. D3 points out that these water treatment additives that are environmentally friendly, healthy, gentle on the skin, and do not irritate the airways or the eyes.

It is known from D4 that combating microorganisms in industrial processes can be achieved by adding glucose oxidase and, optionally. glucose in for example wood and pulp industry water treatment.

D5 mentions cut flowers and preservation thereof (also see description, p. 1 l. 15-21). In D5 the addition of biocides and glucose are compared and it is taught that it the glucose is responsible of bud opening prolonging post-harvest life of the cut flower, "perhaps by increasing the pool of respiratory substrate". Adding Physan® - a biocide - improved the water uptake by the flower (see "Results and discussion", 1st column). It is assumed that disinfectants in vase water improves the conductance by preventing bacterial growth (p. 1058, 2nd column).

3 Novelty

None of the cited documents defines all features of claims 1 and 3 on file. The present application therefore meets the novelty criteria of Article 33(1) PCT, because the subject-matter of the independent claims is new in the sense of Article 33(2) PCT.

In summary, the prior art shows that it is known to supplement vase water with antimicrobial agents for longevity (D5, D7).

It is also well established to treat water with oxidoreductases of the type EC 1.1.3, the most common being glucose oxidase, which is a known antimicrobial agent (D1-D4).

The water to treat may reside from processing plants, e.g. trees (D1, D2, D4) or crops and seeds (D2) or fruits and vegetables (D1).

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/NL2008/050258

Oxidoreductase as an antimicrobial agent is known to be harmless to human skin (D1, D2, D3) and environmentally friendly (D3).

It can be concluded that no prejudice exists in the relevant technical domain against making use of oxidoreductases as an antimicrobial agent in water. It can also be concluded that it is well established to make use of this agent where other more aggressive agents would not be advisable: food, plants, human skin....

It is to be remarked that the applicant argues synergistic effects (p. 4 l. 3-6, the example presented) but the claims do not define the necessary components therefor.

Nevertheless, the prior art encourages the skilled person to make use of oxidoreductase as an antimicrobial agent in delicate domains. Prolonging the vase life of flowers is an example of such a delicate domain. The skilled person seeking to further improve or to find an alternative to the teachings of D5 or D7 with the object to improve the treatment of water, would look towards either one of D1-D4.

The present application does therefore not meet the criteria of Article 33(1) PCT, because the subject matter of claims 1 and 3 does not involve an inventive step in the sense of Article 33(3)PCT.

4 Dependent claims 2, 4-9

Dependent claims 2, 4-9 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step (Article 33(2) and (3) PCT).

Re Item VII.

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1-D4 and D6-D7 is not mentioned in the description, nor are these documents identified therein. D5 is referred to on page 1 of the description.

2020
Bogotá D.C.,

Doctor(a)
RODRIGUEZ D' ALEMAN DILIA MARIA
Apoderado(a) y/o Representante de
ENHOLD B.V.

REFERENCIA	Radicación No.	10 133383
	Solicitud internacional	PCT/NL2008/050258
	Fecha inicio fase nacional	28/11/2010
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	12975
	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,

28 ABR. 2011



JOSE LUIS SALAZAR LOPEZ
Director de Nuevas Creaciones (C)

jfernand