



Señores

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIRECCIÓN DE NUEVAS CREACIONES

E. _____ S. _____ D. _____

Ref: Expediente N°. 11-009.937

Solicitud de Patente de Invención titulada: "MÉTODO PARA REDUCIR LA VARIABILIDAD DE LA ABSORCIÓN DE PARACETAMOL EN PACIENTES CON DISMOTILIDAD GÁSTRICA"

Solicitante: GLAXOSMITHKLINE LLC

Nuestra Ref: P2011/000025

RESPUESTA AL OFICIO N° 5721 NOTIFICADO

POR FIJACION EN LISTA No. 123 DE FECHA 31 DE MARZO DE 2011,

(EXAMEN DE FORMA)

CARLOS R. OLARTE, mayor de edad y vecino de Bogotá, identificado tal como aparece al pie de mi firma, en mi carácter de apoderado de la sociedad en referencia, me permito dar respuesta al auto proferido por ese Despacho, dentro del término legal previsto en el artículo 39 de la Decisión 486 en los siguientes términos:

1. En respuesta a la primera observación del Examinador me permito presentar un nuevo título: "MÉTODO PARA REDUCIR LA VARIABILIDAD DE LA ABSORCIÓN DE

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OLARTEMOURE

OLARTE MOURE & ASOCIADOS LTDA.

PARACETAMOL EN PACIENTES CON DISMOTILIDAD GÁSTRICA”, el cual permite identificar claramente el objeto de la solicitud de patente según lo previsto en la Regla 4.3 PCT, Artículos 26 y 27 de la Decisión 486 y Circular Única de la SIC numeral 5.2.9.

2. En respuesta a la segunda observación del Examinador, me permito aportar junto al presente memorial un (1) documento de cesión debidamente legalizado, según los artículos 259 y 260 del CPC, en los que consta la cesión de tres (3) inventores al solicitante, junto con su correspondiente traducción, según lo previsto en el Art. 26-k de la Decisión 486.

Atentamente,


CARLOS R. OLARTE
C.C. 79.782.747 de Bogotá
T.P. 74.295

Adjunto: Cesión

Este documento público es una traducción al español de un documento en idioma inglés presentado ante mí.

ROBERTO M. OLARTE GARCÍA

Traductor e Intérprete Oficial

Ministerio de Justicia

Licencia 0041/1996

ROBERTO M. OLARTE GARCÍA

Traductor e Intérprete Oficial

Resolución No. 0041

Minijusticia 1996

APOSTILLA

(Convención de la Haya del 5 de octubre de 1961)

1. País: Estados Unidos de América
2. Este documento público ha sido firmado por **ARLENE ELIZABETH CANNON**
3. actuando en calidad de **NOTARIO PÚBLICO**
4. lleva el sello del **ARLENE ELIZABETH CANNON, NOTARIO PÚBLICO, CONDADO DE MONTGOMERY, ESTADO DE PENNSYLVANIA**

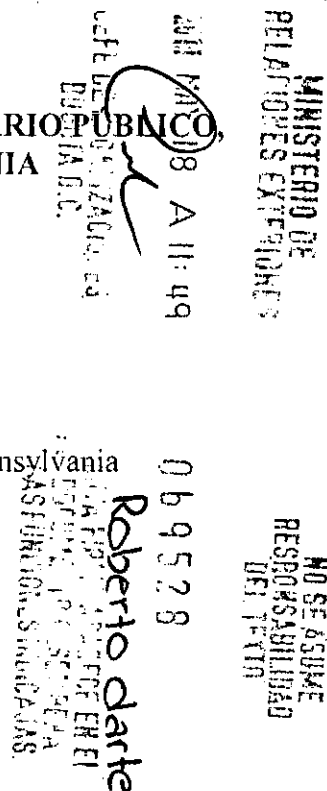
CERTIFICA

5. en Harrisburg, Pennsylvania
6. el **22 de marzo de 2011**
7. por Carol Aichele, Secretario encargado para el Estado de Pennsylvania
8. **No. 201109058**
9. Sello: (ilegible)
10. Firma: (ilegible)
Carol Aichele

Esta Apostilla solamente certifica la autenticidad de la rúbrica y el cargo de la persona quien firmó este documento público, y, cuando fuera el caso, la identidad del sello que lleve el documento público.

Esta Apostilla no certifica el contenido del documento.

Esta Apostilla no tiene validez dentro de los Estados Unidos de América, sus territorios o posesiones.



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Certificación Notarial

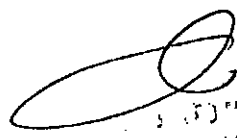
Yo, Arlene Elizabeth Cannon, Notario Público debidamente comisionado para el Estado de Pennsylvania, Condado de Montgomery, certifico que el documento adjunto es una copia fiel y verdadera de la cesión de acuerdo a la prioridad reivindicada sobre GB 0813929.7 presentado el 30 de julio de 2008 y Solicitud Internacional No. PCT/US2009/052039 presentada el 29 de julio de 2009 titulado "MÉTODO NOVEDOSO".

Fecha: 7 de marzo de 2011

(firma ilegible)

Upper Merion Twp., Condado de Montgomery

Mi comisión vence el 21 de mayo de 2013


J. A. OLARTE
Intérprete e Intérprete Oficial
Resolución No. 0041
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88

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Cesión

CONSIDERANDO, nosotros Geoffrey Douglas CLARKE residente de Parsippany, NJ USA, ciudadano del Reino Unido, Timothy James GRATTAN residente de Surrey, Reino Unido, ciudadano del Reino Unido, e Ian BURNETT residente de Nyon, Suiza, ciudadano del Reino Unido, hemos descubierto o inventado ciertas mejoras en "MÉTODO NOVEDOSO", de aquí en adelante llamada invento o descubrimiento para lo cual se presentó una solicitud de prioridad 0813929.7 el 30 de julio de 2008 en el Reino Unido y para lo cual se presenta ahora una solicitud internacional PCT designando a los Estados Unidos de América y nombrando el cedente como inventor, y en los Estados Unidos solamente solicitante/inventor. Por medio de la presente nosotros autorizamos y solicitamos que cuando se conozca la fecha de presentación y el número de solicitud internacional PCT, éstos sean ingresados abajo en paréntesis:

(PCT/US2009/052039 presentada el 29 de julio de 2009)

CONSIDERANDO que GLAXOSMITHKLINE LLC, GlaxoSmithKline LLC (anteriormente SmithKline Beecham Corporation) es una compañía de responsabilidad limitada debidamente organizada y constituida bajo las leyes del Estado de Delaware, Estados Unidos de América y domiciliada en One Franklin Plaza, 200 North 16th Street, Filadelfia, Pensilvania, 19102, USA y dirección registrada en Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle, Delaware 19808, tiene el deseo de adquirir la totalidad de los derechos, títulos e intereses del invento, y de cualquier solicitud de patente y cualquier patente obtenida de la misma, en todos los países, incluyendo los Estados Unidos de América, sus territorios y posesiones;

POR CONSIGUIENTE, a quien pueda interesar, sépase que nosotros, Geoffrey Douglas CLARKE, Timothy James GRATTAN, e Ian BURNETT, a título oneroso hemos vendido, cedido y transferido, y por medio de la presente si vendemos, cedemos y transferimos todo nuestro derecho, título e interés sobre dicho invento y mejoras a GLAXOSMITHKLINE LLC, en todo los Estados Unidos de América, sus territorios y posesiones, para dicha solicitud y cualquier extensión, re-expedición, continuación, continuación en parte, y cualquier divisional de la misma, y para cualquier y toda patente de los Estados Unidos de América;

Y nuestro derecho, título e interés sobre dicho invento y mejoras a GLAXOSMITHKLINE LLC, en todo otro país alrededor del mundo, y para cualquier otra solicitud en dichos países, y continuaciones en parte, patentes de adición, patentes de revalidación, patentes de importación, registros y cualquier renovación, extensión o divisional de las mismas, y toda patente en dichos países que puedan otorgarse sobre dicho invento y mejoras incluyendo cualquier derecho de prioridad bajo la Convención Internacional.

Y, nosotros por medio de la presente autorizamos y solicitamos el otorgamiento de cualquier Patente en las áreas respectivas en referencia a GLAXOSMITHKLINE LLC, como cesionarios de todos nuestros derechos, título e interés de lo mismo para el uso único

ROBERTO M. OLIVERA
Traductor e Interpret Oficial
Resolución No. 0041
Minijusticia 1396

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y en nombre de dichos cesionarios, sus sucesores y cesionarios tal cual sus intereses aparecen en la presente;

Y nosotros manifestamos que no hemos otorgado de manera conciente a otros ningún derecho en dicho invento, mejoras, solicitudes o patentes o cualquier licencia para usar los mismos o para fabricar, usar o vender cualquier cosa que incorpore o use dicho invento y mejoras y que nosotros tenemos todo el derecho de ceder lo mismo a GLAXOSMITHKLINE LLC;

Y nosotros, los suscritos Geoffrey Douglas CLARKE, Timothy James GRATTAN, e Ian BURNETT, por consideración de lo anterior, por medio de la presente acordamos que nosotros o nuestros representantes legales suministraremos información y realizaremos, firmaremos y entregaremos cualquier otro instrumento por escrito, y cualquier otro acto, solicitud, juramento, cesión, y cualquier otro documento que fuera posible y necesario o deseable para así asegurar de manera más efectiva en nombre de GLAXOSMITHKLINE LLC, sus sucesores y cedentes, la totalidad del derecho, título e interés del invento y mejoras, solicitudes, patentes, derechos, título e interés vendido, cedido y transferido por medio de la presente, o con esa intención de que sea así.

Esta cesión entrará en vigencia el 30 de julio de 2008.

EN TESTIMONIO DE LO CUAL, nos suscribimos,

(firma ilegible)

Inventor: Geoffrey Douglas CLARKE

17 de febrero de 2011

Fecha

(firma ilegible)

Inventor: Timothy James GRATTAN

16 de febrero de 2011

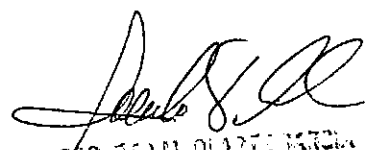
Fecha

(firma ilegible)

Inventor: Ian BURNETT

23 de febrero de 2011

Fecha


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Traductor e intérprete oficial
Registro No. 0111
Minijusticia 1035

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APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country : United States of America
2. This public document has been signed by **ARLENE ELIZABETH CANNON**
3. acting in the capacity of **NOTARY PUBLIC**
4. bears the seal/stamp **ARLENE ELIZABETH CANNON , NOTARY PUBLIC, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA**

Certified

5. at Harrisburg, Pennsylvania
6. The 22nd day of March, 2011
7. by Carol Aichele, Acting Secretary of the Commonwealth of Pennsylvania
8. No: 201109058
9. Seal/Stamp
10. Signature



Carol Aichele

Carol Aichele

This Apostille only certifies the authenticity of the signature and the capacity of the person who has signed the public document, and, where appropriate, the identity of the seal or stamp which the public document bears.

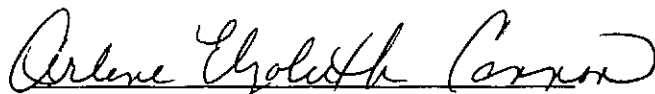
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This Apostille is not valid for use anywhere within the United States of America, its territories or possessions.

NOTARIAL CERTIFICATION

I, Arlene Elizabeth Cannon, a Notary Public commissioned in the Commonwealth of Pennsylvania, County of Montgomery, do hereby certify that annexed hereto is a true and correct copy of the executed assignment pursuant to priority claimed from GB 0813929.7 was filed on 30 July 2008 and International Application No. PCT/US2009/052039 filed 29 July 2009 entitled "NOVEL METHOD".

Date: 7 March 2011


Upper Merion Twp., Montgomery County
My Commission Expires May 21, 2013

Assignment

WHEREAS, I/we Geoffrey Douglas CLARKE of Parsippany, NJ USA a citizen of the United Kingdom, Timothy James GRATTAN of Surrey, United Kingdom, a citizen of the United Kingdom and Ian BURNETT of Nyon, Switzerland, a citizen of the United Kingdom, has/have invented or discovered certain improvements in 'NOVEL METHOD' hereinafter referred to as said invention and improvements for which a priority application 0813929.7 was filed on 30 July 2008 in the Great Britain and for which a PCT international application is now being filed designating the United States of America and naming assignor as inventor, and in the United States only applicant/inventor. I/We hereby authorize and request that the filing date and application number of said PCT application, when known, be inserted in parentheses below.

(PCT/US2009/052039 filed 29 July 2009)

WHEREAS, **GLAXOSMITHKLINE LLC**, GlaxoSmithKline LLC (formerly SmithKline Beecham Corporation), is a limited liability company duly organized and existing under the laws of the State of Delaware, United States of America and having an address at One Franklin Plaza, 200 North 16th Street, Philadelphia, Pennsylvania, 19102, U.S.A and registered office address at Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle, Delaware 19808 is desirous of acquiring the whole right, title and interest in and to said invention and improvements, and in and to any applications for said invention and improvements and any Letters Patent to be obtained therefor, in all countries, including the United States, its territories and possessions;

NOW, THEREFORE, to all whom it may concern, be it known that I/we, Geoffrey Douglas CLARKE, Timothy James GRATTAN and Ian BURNETT. for good and valuable consideration unto me/us moving, the receipt whereof is hereby acknowledged, have sold, assigned and transferred, and by these presents do sell, assign and transfer my/our whole right, title and interest in and to said invention and improvements to said **GLAXOSMITHKLINE LLC**, throughout the United States of America, its territories and possessions, and in and to said application and any extensions, reissues, continuations, continuations-in-part, and any divisions thereof, and in and to any and all Letters Patent of the United States of America;

AND, my/our whole right, title and interest in and to said invention and improvements to **GLAXOSMITHKLINE LLC**, in all other countries throughout the world, and in and to any applications in said other countries, and continuations-in-part, patents of addition, revalidation patents, patents of importation,

registrations, and any renewals, extensions and divisions thereof, and in and to any and all Letters Patent of said all other countries which may be granted on said invention and improvements including any priority rights under the International Convention.

AND, I/we do hereby authorize and request the issue of any Letters Patent in the respective areas referred to, to said **GLAXOSMITHKLINE LLC**, as assignees of my/our whole right, title and interest in and to the same for the sole use and behalf of the said assignees, their successors and assigns as their interests appear herein;

AND, I/we warrant that I/we have not knowingly conveyed to others any right in said invention, improvements, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing said invention and improvements and that I/we have good right to assign the same to **GLAXOSMITHKLINE LLC**;

AND, I/we the undersigned Geoffrey Douglas CLARKE, Timothy James GRATTAN and Ian BURNETT. for the consideration aforesaid, do hereby agree that I/we or my/our executors or legal representatives, will provide information and make, execute and deliver any and all other instruments in writing, and any and all further acts, application papers, affidavits, assignments and other documents which may be necessary or desirable to more effectually secure to and vest in said **GLAXOSMITHKLINE LLC**, their successors and assigns, the whole right, title and interest in and to the said invention and improvements, applications, Letters Patent, rights, title and interest hereby sold, assigned and conveyed, or intended so to be. *This assignment should be deemed effective as of 30 July 2008.*

IN WITNESS WHEREOF, I/we have hereunto set my/our hand(s) and affixed my/our seal(s) on the date(s) indicated below.

Geoffrey Douglas Clarke 17th Feb 2011
Inventor: Geoffrey Douglas CLARKE Date

Inventor: Timothy James GRATTAN Date

Inventor: Ian BURNETT Date

11/6a

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Docket Number

Assignment

WHEREAS, I/we Geoffrey Duke Edward CLARKE of Parsippany, NJ USA a citizen of the United Kingdom, Timothy James GRATTAN of Surrey, United Kingdom, a citizen of the United Kingdom and Ian BURNETT of Nyon, Switzerland, a citizen of the United Kingdom, has/have invented or discovered certain improvements in 'NOVEL METHOD' hereinafter referred to as said invention and improvements for which a priority application 0813929.7 was filed on 30 July 2008 in the Great Britain and for which a PCT international application is now being filed designating the United States of America and naming assignor as inventor, and in the United States only applicant/inventor. I/We hereby authorize and request that the filing date and application number of said PCT application, when known, be inserted in parentheses below.

(PCT/US2009/052039 filed 29 July 2009)

WHEREAS, GLAXOSMITHKLINE LLC, GlaxoSmithKline LLC (formerly SmithKline Beecham Corporation), is a limited liability company duly organized and existing under the laws of the State of Delaware, United States of America and having an address at One Franklin Plaza, 200 North 16th Street, Philadelphia, Pennsylvania, 19102, U.S.A and registered office address at Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle, Delaware 19808 is desirous of acquiring the whole right, title and interest in and to said invention and improvements, and in and to any applications for said invention and improvements and any Letters Patent to be obtained therefor, in all countries, including the United States, its territories and possessions:

NOW, THEREFORE, to all whom it may concern, be it known that I/we, Geoffrey Duke Edward CLARKE, Timothy James GRATTAN and Ian BURNETT, for good and valuable consideration unto me/us moving, the receipt whereof is hereby acknowledged, have sold, assigned and transferred, and by these presents do sell, assign and transfer my/our whole right, title and interest in and to said invention and improvements to said GLAXOSMITHKLINE LLC, throughout the United States of America, its territories and possessions, and in and to said application and any extensions, reissues, continuations, continuations-in-part, and any divisions thereof, and in and to any and all Letters Patent of the United States of America:

AND, my/our whole right, title and interest in and to said invention and improvements to GLAXOSMITHKLINE LLC, in all other countries throughout the world, and in and to any applications in said other countries, and continuations-in-part, patents of addition, revalidation patents, patents of importation,

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Docket Number

registrations, and any renewals, extensions and divisions thereof, and in and to any and all Letters Patent of said all other countries which may be granted on said invention and improvements including any priority rights under the International Convention.

AND, I/we do hereby authorize and request the issue of any Letters Patent in the respective areas referred to, to said **GLAXOSMITHKLINE LLC**, as assignees of my/our whole right, title and interest in and to the same for the sole use and behalf of the said assignees, their successors and assigns as their interests appear herein:

AND, I/we warrant that I/we have not knowingly conveyed to others any right in said invention, improvements, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing said invention and improvements and that I/we have good right to assign the same to **GLAXOSMITHKLINE LLC**:

AND, I/we the undersigned Geoffrey Duke Edward CLARKE, Timothy James GRATAN and Ian BURNETT, for the consideration aforesaid, do hereby agree that I/we or my/our executors or legal representatives, will provide information and make, execute and deliver any and all other instruments in writing, and any and all further acts, application papers, affidavits, assignments and other documents which may be necessary or desirable to more effectually secure to and vest in said **GLAXOSMITHKLINE LLC**, their successors and assigns, the whole right, title and interest in and to the said invention and improvements, applications, Letters Patent, rights, title and interest hereby sold, assigned and conveyed, or intended so to be. *This assignment should be deemed effective as of 30 July 2008.*

IN WITNESS WHEREOF, I/we have hereunto set my/our hand(s) and affixed my/our seal(s) on the date(s) indicated below.

Inventor: Geoffrey Duke Edward CLARKE

Date

Inventor: Timothy James GRATAN

Date

Inventor: Ian BURNETT

Date

16th Feb 2011

Assignment

WHEREAS, I/we Geoffrey Duke Edward CLARKE of Parsippany, NJ USA a citizen of the United Kingdom, Timothy James GRATTAN of Surrey, United Kingdom, a citizen of the United Kingdom and Ian BURNETT of Nyon, Switzerland, a citizen of the United Kingdom, has/have invented or discovered certain improvements in 'NOVEL METHOD' hereinafter referred to as said invention and improvements for which a priority application 0813929.7 was filed on 30 July 2008 in the Great Britain and for which a PCT international application is now being filed designating the United States of America and naming assignor as inventor, and in the United States only applicant/inventor. I/We hereby authorize and request that the filing date and application number of said PCT application, when known, be inserted in parentheses below.

(PCT/US2009/052039 filed 29 July 2009)

WHEREAS, GLAXOSMITHKLINE LLC, GlaxoSmithKline LLC (formerly SmithKline Beecham Corporation), is a limited liability company duly organized and existing under the laws of the State of Delaware, United States of America and having an address at One Franklin Plaza, 200 North 16th Street, Philadelphia, Pennsylvania, 19102, U.S.A and registered office address at Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle, Delaware 19808 is desirous of acquiring the whole right, title and interest in and to said invention and improvements, and in and to any applications for said invention and improvements and any Letters Patent to be obtained therefor, in all countries, including the United States, its territories and possessions;

NOW, THEREFORE, to all whom it may concern, be it known that I/we, Geoffrey Duke Edward CLARKE, Timothy James GRATTAN and Ian BURNETT, for good and valuable consideration unto me/us moving, the receipt whereof is hereby acknowledged, have sold, assigned and transferred, and by these presents do sell, assign and transfer my/our whole right, title and interest in and to said invention and improvements to said GLAXOSMITHKLINE LLC, throughout the United States of America, its territories and possessions, and in and to said application and any extensions, reissues, continuations, continuations-in-part, and any divisions thereof, and in and to any and all Letters Patent of the United States of America;

AND, my/our whole right, title and interest in and to said invention and improvements to GLAXOSMITHKLINE LLC, in all other countries throughout the world, and in and to any applications in said other countries, and continuations-in-part, patents of addition, revalidation patents, patents of importation,

registrations, and any renewals, extensions and divisions thereof, and in and to any and all Letters Patent of said all other countries which may be granted on said invention and improvements including any priority rights under the International Convention.

AND, I/we do hereby authorize and request the issue of any Letters Patent in the respective areas referred to, to said **GLAXOSMITHKLINE LLC**, as assignees of my/our whole right, title and interest in and to the same for the sole use and behalf of the said assignees, their successors and assigns as their interests appear herein;

AND, I/we warrant that I/we have not knowingly conveyed to others any right in said invention, improvements, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing said invention and improvements and that I/we have good right to assign the same to **GLAXOSMITHKLINE LLC**;

AND, I/we the undersigned Geoffrey Duke Edward CLARKE, Timothy James GRATTAN and Ian BURNETT. for the consideration aforesaid, do hereby agree that I/we or my/our executors or legal representatives, will provide information and make, execute and deliver any and all other instruments in writing, and any and all further acts, application papers, affidavits, assignments and other documents which may be necessary or desirable to more effectually secure to and vest in said **GLAXOSMITHKLINE LLC**, their successors and assigns, the whole right, title and interest in and to the said invention and improvements, applications, Letters Patent, rights, title and interest hereby sold, assigned and conveyed, or intended so to be. *This assignment should be deemed effective as of 30 July 2008.*

IN WITNESS WHEREOF, I/we have hereunto set my/our hand(s) and affixed my/our seal(s) on the date(s) indicated below.

Inventor: Geoffrey Duke Edward CLARKE

Date

Inventor: Timothy James GRATTAN

Date

Inventor: Ian BURNETT

Date

23 Feb 2011

2020
Bogotá D.C.,

Doctor(a)
OLARTE GARCIA CARLOS REYNALDO
Apoderado(a) y/o Representante de
GLAXOSMITHKLINE LLC

REFERENCIA	Radicación No.	11 9937
	Solicitud internacional	PCT/US2009/052039
	Fecha inicio fase nacional	28/02/2011
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	13953
	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,

19 SET. 2011



JOSE LUIS SALAZAR LOPEZ
Director de Nuevas Creaciones (c)

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