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Drigard & Castro
Abogados

SUPERINDUSTRIA Y COMERCIO
Radicacion : 02099271 00000004 Folios: 30
Fecha (AMD): 2003-10-15 16:29:19
Tramite : 011 PCT-PATENT 379 FASE NACI 444 RESPUESTA
Dependencia: 2020 DIVISION DE NUEVAS CREACIONES
A.

AS: 89.075

Tel. Conm. 3802200
Tel./Fax: (57.1) 2827976
(57.1) 3802700
E.Mail:bricas@brigardycastro.com.co

Señores
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIVISION DE NUEVAS CREACIONES
E. S. D.

RESPUESTA A OFICIO 06839 DE AGOSTO 22, 2003

REF: Expediente No. 02 099.271 - Solicitud de Patente FASE NACIONAL
Corresp. a la Solicitud Internacional PCT/US01/10331
a favor de COLGATE – PALMOLIVE COMPANY
Titulada: EFECTIVO PRODUCTO SÓLIDO SUAVE PARA EL CUIDADO PERSONAL

RAMIRO CASTRO DUQUE, vecino de Bogotá, portador de la tarjeta profesional No. 1003, obrando como apoderado de la Sociedad COLGATE – PALMOLIVE COMPANY, según lo acredita el documento de Poder presentado en esa División bajo el No. 131, para dar cumplimiento al requerimiento notificado por fijación en lista el 22 de Agosto de 2003 y de acuerdo con los Artículos 38 y 39 de la Decisión 486 de la Comisión de la Comunidad Andina, Artículo 27 del Tratado de Cooperación en Materia de Patentes (PCT), regla 51 bis del Reglamento y Circular Única de la SIC, me permito anexar al presente escrito los siguientes documentos:

1. Copia del examen preliminar efectuado por la IPEA, junto con su correspondiente traducción al castellano.
2. Documento donde consta la cesión del derecho a la Patente otorgado por los inventores al solicitante, debidamente apostillado.
3. Me permito ACLARAR que debido a un error de transcripción mecanográfica se citó en el memorial Petitorio de la presente solicitud a uno de los inventores como John Flitto, siendo el nombre correcto **JOHN AFFLITTO.**
4. En el memorial Petitorio de la solicitud radicado el 31 de Octubre de 2002, se omitió el nombre de un inventor, por lo tanto estamos presentando el Formulario Único de Correcciones y Modificaciones, formato 2000-F03, anexo al cual estamos allegando la lista completa de los inventores de la presente solicitud, para este efecto anexamos así mismo el recibo oficial de caja No.03-70.459 por $82.000.
5. Extracto para publicación y Tarjeta de Archivo Temático.

De la señora Jefe atentamente,

RAMIRO CASTRO DUQUE
C.C. No. 170.322 de Bogotá
Código 340
Cra 7a. No. 16-56 Piso 9

Bogotá, Octubre 14, 2003
CHP/MEV/hsr

60 AS: 89.075

2117

APOSTILLE

(CONVENTION DE LA HAYE DU 5 OCTOBRE 1961)

1. COUNTRY: UNITED STATES OF AMERICA

2. THIS PUBLIC DOCUMENT HAS BEEN SIGNED BY:
ELAINE M FLYNN

3. ACTING IN THE CAPACITY OF:
COUNTY CLERK

4. BEARS THE SEAL/STAMP OF:
COUNTY OF MIDDLESEX

CERTIFIED

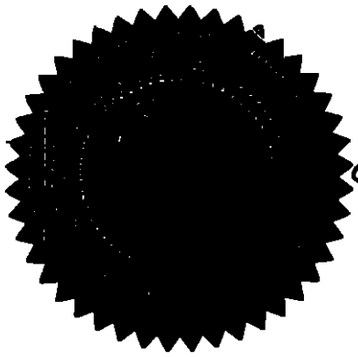
5. AT TRENTON, NEW JERSEY

6. THE 1ST DAY OF OCTOBER 2003

7. BY: John E McCormac, CPA, NEW JERSEY TREASURER

8. NO. A183157

9. SEAL/STAMP:



10. SIGNATURE

GJ-A
118

STATE OF NEW JERSEY
County of Middlesex } SS.

I, ELAINE M. FLYNN, Clerk of the County of Middlesex, do hereby certify that

CARLA M STANLEY

whose name is subscribed to the annexed certificate or proof of acknowledgment of the annexed instrument was at the time of taking the same a

NOTARY PUBLIC OF NEW JERSEY

acting in and for said county, duly commissioned and sworn, and qualified to act as such; that as such

NOTARY PUBLIC OF NEW JERSEY

he was duly authorized by the laws of the State of New Jersey to take and certify depositions; to administer oaths and affirmations; to take affidavits and certify the acknowledgment and proof of deeds and other written instruments for lands, tenements and hereditaments to be read in evidence or recorded in this state; and further, that I am well acquainted with the handwriting of such

NOTARY PUBLIC OF NEW JERSEY

and verily that the signature to such proof or acknowledgment is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the County of Middlesex, this day of Sept 29 20 03

Elaine M. Flynn

CLERK.

CK-4

COUNTY OF MIDDLESEX

STATE OF NEW JERSEY

UNITED STATES OF AMERICA

I, Elizabeth M. Dunne, of COLGATE-PALMOLIVE COMPANY, do hereby declare that the copy attached hereto is a true photocopy of the assignment executed by the inventor(s) in support of U.S. Serial Nos. 60/194,462 filed April 4, 2000 and 09/671,775 filed September 28, 2000.

Elizabeth M. Dunne
International Patent Manager

Subscribed and sworn to
before me this 11th day
of September, 2003.

Carol M. Stanley
Notary Public of New Jersey
My Commission Expires November 18, 2005

Colombia

IR6449

60/194,462 · 120

ASSIGNMENT

WHEREAS, we, Eric Guenin, Jairajh Mattai, John Afflitto, John Hogan, John Jonas, Wilson Lee, Elizabeth Linn, Rosemary Munsavac, Xiaozhong Tang,
(below referred to as ASSIGNORS), residing, respectively, and, as set forth hereinafter, have made an invention for which application for Letters Patent of the United States is being filed herewith in the United States Patent and Trademark Office on 4/4/2000, via Express Mail Label No. EL424690076US, naming the ASSIGNORS as inventors, and entitled

"Effective Soft Solid Personal Care Product"; and

WHEREAS, Colgate-Palmolive Company, a corporation duly organized and existing under the laws of the State of Delaware, United States of America and having its principal office and place of business at 300 Park Avenue, New York, New York 10022, and offices and place of business at 909 River Road, Piscataway, New Jersey 08855 (below referred to as "ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the aforesaid invention and patent application and corresponding patent rights worldwide;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS, by these presents do sell, assign and transfer to ASSIGNEE, the full and exclusive right, title and interest in and to the aforesaid invention, the aforesaid U.S. and all corresponding foreign patent applications, all divisional, continuation, continuation-in-part, reissue and reexamination applications of the aforesaid U.S. application, and all Letters Patent or comparable rights issuing thereon in the United States and in all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and the ASSIGNORS hereby authorize and request the U.S. Commissioner of Patents and Trademarks and all foreign Patent Offices to issue all Letters Patent or comparable rights issuing on any application as aforesaid to ASSIGNEE, or to its successors, assigns or legal representatives;

ASSIGNORS hereby covenant that ASSIGNORS have full right to convey the entire interest herein assigned, and that ASSIGNORS have not executed, and will not execute, any agreement in conflict herewith;

ASSIGNORS agree to communicate to ASSIGNEE or to its successors, assigns or legal representatives any and all facts known to them or any of them respecting said invention, and without further remuneration to testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and reexamination applications, make all rightful oaths and generally do all lawful acts to aid ASSIGNEE or its successors, assigns or legal representatives to obtain and enforce proper patent protection for said invention in all countries and to enhance or prefect ASSIGNEE's title in and to the invention and patent rights therein.

ASSIGNORS hereby authorize attorneys for ASSIGNEE to enter on this document any applicable serial numbers and filing dates after ASSIGNORS' execution of this document.

This Assignment is effective as of: 4/4/2000.
(date of filing)

(Assignment con't)

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Eric Guenin

Address: 14 Arvida Drive
Pennington, NJ 08534

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Jairajh Mattai

Address: 280 River Rd., Apt. 21B
Piscataway, NJ 08854

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of Dec 2000.

John Aiello

Address: 2 Jay Drive,
Brookside, NJ 07926

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

64
122

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of January 2000.

John P Hogan
John Hogan

Address: 242B Pleasantview Drive
Piscataway, NJ 08854

State of New Jersey
County of Middlesex

On this 22 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

Carol M Stanley
NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10th day of January 2000.

John Jonas
John Jonas

Address: 96 West End Avenue
Summit, NJ 07901-1222

State of New Jersey
County of Middlesex

On this 10 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

Carol M Stanley
NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 12 day of January 2000.

Wilson Lee
Wilson Lee

Address: 51 Hearthstone Road
Bloomfield, NJ 07003

State of New Jersey
County of Middlesex

On this 12 day of January 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Carol M Stanley
NOTARY PUBLIC

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

85
123

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11th day of January ~~2000~~. 2001

Elizabeth Linn

Elizabeth Linn

Address: 621 Fifth Avenue
Lyndhurst, NJ 07071

State of NJ
County of Mercer

On this 11th day of January ~~2000~~, 2001 before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Mary F. Ingoglia

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of _____ 2000.

Rosemary Munsavage

Address: 5 Tenney Road
West Orange, NJ 07052

State of
County of

On this ____ day of _____ 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of _____ 2000.

Xiaozhong Tang

Address: 190 Crestview Road
Bridgewater, NJ 088807

State of
County of

On this ____ day of _____ 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

66
124

(Assignment con't)

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Eric Guenin

Address: 14 Arvida Drive
Pennington, NJ 08534

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Jairajh Mattai

Address: 280 River Rd., Apt. 21B
Piscataway, NJ 08854

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of Dec 2000.

John Affitto

Address: 2 Jay Drive,
Brookside, NJ 07926

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

~~NOTARY PUBLIC~~

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____day of _____2000.

John Hogan

Address: 242B Pleasantview Drive
Piscataway, NJ 08854

State of
County of

On this ____ day of _____2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this _____day of _____2000.

John Jonas

Address: 96 West End Avenue
Summit, NJ 07901-1222

State of
County of

On this ____ day of _____2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of December 2000.

Wilson Lee

Address: 51 Hearthstone Road
Bloomfield, NJ 07003

State of New Jersey
County of Middlesex

On this 19 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ___ day of _____ 2000.

Elizabeth Linn

Address: 621 Fifth Avenue
Lyndhurst, NJ 07071

State of New Jersey
County of Middlesex

On this 3 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3 day of January 2000.

Rosemary Munsayac

Address: 5 Tenney Road
West Orange, NJ 07052

State of New Jersey
County of Middlesex

On this 3 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18th day of Dec 2000.

Xiaozhong Tang

Address: 190 Crestview Road
Bridgewater, NJ 088807

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

09/671,775

89

127

ASSIGNMENT

WHEREAS, we, Eric Guenin, Jairajh Mattai, John Afflitto, John Hogan, John Jonas, Wilson Lee, Elizabeth Linn, Rosemary Munsayac, Xiaozhong Tang, and Kathy Potechin, (below referred to as ASSIGNORS), residing, respectively, and, as set forth hereinafter, have made an invention for which application for Letters Patent of the United States is being filed herewith in the United States Patent and Trademark Office on 9/28/2000, via Express Mail Label No. EL424693695US, naming the ASSIGNORS as inventors, and entitled

"Effective Soft Solid Personal Care Product"; and

WHEREAS, Colgate-Palmolive Company, a corporation duly organized and existing under the laws of the State of Delaware, United States of America and having its principal office and place of business at 300 Park Avenue, New York, New York 10022, and offices and place of business at 909 River Road, Piscataway, New Jersey 08855 (below referred to as "ASSIGNEE"), is desirous of obtaining the entire right, title and interest in and to the aforesaid invention and patent application and corresponding patent rights worldwide;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS, by these presents do sell, assign and transfer to ASSIGNEE, the full and exclusive right, title and interest in and to the aforesaid invention, the aforesaid U.S. and all corresponding foreign patent applications, all divisional, continuation, continuation-in-part, reissue and reexamination applications of the aforesaid U.S. application, and all Letters Patent or comparable rights issuing thereon in the United States and in all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and the ASSIGNORS hereby authorize and request the U.S. Commissioner of Patents and Trademarks and all foreign Patent Offices to issue all Letters Patent or comparable rights issuing on any application as aforesaid to ASSIGNEE, or to its successors, assigns or legal representatives;

ASSIGNORS hereby covenant that ASSIGNORS have full right to convey the entire interest herein assigned, and that ASSIGNORS have not executed, and will not execute, any agreement in conflict herewith;

ASSIGNORS agree to communicate to ASSIGNEE or to its successors, assigns or legal representatives any and all facts known to them or any of them respecting said invention, and without further remuneration to testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and reexamination applications, make all rightful oaths and generally do all lawful acts to aid ASSIGNEE or its successors, assigns or legal representatives to obtain and enforce proper patent protection for said invention in all countries and to enhance or prefect ASSIGNEE's title in and to the invention and patent rights therein.

ASSIGNORS hereby authorize attorneys for ASSIGNEE to enter on this document any applicable serial numbers and filing dates after ASSIGNORS' execution of this document.

This Assignment is effective as of: 9/28/2000 .
(date of filing)

(Assignment con't)

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Eric Guenin

Address: 14 Arvida Drive
Pennington, NJ 08534

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Jairaj Mattai

Address: 280 River Rd., Apt. 21B
Piscataway, NJ 08854

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of Dec 2000.

John Attilio

Address: 2 Jay Drive,
Brookside, NJ 07926

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of January 2000.

John Hogan

Address: 242B Pleasantview Drive
Piscataway, NJ 08854

State of New Jersey
County of Middlesex

On this 22 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10th day of January 2000.
2001 pj

John Jonas

Address: 96 West End Avenue
Summit, NJ 07901-1222

State of New Jersey
County of Middlesex

On this 10 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 12 day of January 2000.

Wilson Lee

Address: 51 Hearthstone Road
Bloomfield, NJ 07003

State of New Jersey
County of Middlesex

On this 12 day of January 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11th day of January ~~2000~~. 2001

Elizabeth Linn

Elizabeth Linn

Address: 621 Fifth Avenue
Lyndhurst, NJ 07071

State of NJ
County of Mercer

On this 11th day of January ~~2000~~ 2001, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Mary F. Ingoglia

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of _____2000.

Rosemary Munsavar

Address: 5 Tenney Road
West Orange, NJ 07052

State of
County of

On this ____ day of _____2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of _____2000.

Xiaozhong Tang

Address: 190 Crestview Road
Bridgewater, NJ 088807

State of
County of

On this ____ day of _____2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

25
131

(Assignment con't)

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Eric Guenin

Address: 14 Arvida Drive
Pennington, NJ 08534

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of December 2000.

Jairajh Mattai

Address: 280 River Rd., Apt. 21B
Piscataway, NJ 08854

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of Dec 2000.

John Affitto

Address: 2 Jay Drive,
Brookside, NJ 07926

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

~~NOTARY PUBLIC~~

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____day of _____2000.

John Hogan

Address: 242B Pleasantview Drive
Piscataway, NJ 08854

State of
County of

On this ____ day of _____2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____day of _____2000.

John Jonas

Address: 96 West End Avenue
Summit, NJ 07901-1222

State of
County of

On this ____ day of _____2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of December 2000.

Wilson Lee

Address: 51 Hearthstone Road
Bloomfield, NJ 07003

State of New Jersey
County of Middlesex

On this 19 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ___ day of _____ 2000.

Elizabeth Linn

Address: 621 Fifth Avenue
Lyndhurst, NJ 07071

State of New Jersey
County of Middlesex

On this 3 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3 day of January 2000.

Rosemary Munsayac

Address: 5 Tenney Road
West Orange, NJ 07052

State of New Jersey
County of Middlesex

On this 3 day of JANUARY 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18th day of Dec 2000.

Xiaozhong Tang

Address: 190 Crestview Road
Bridgewater, NJ 088807

State of New Jersey
County of Middlesex

On this 18 day of December 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

NOTARY PUBLIC

CAROL M. STANLEY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES NOV. 18, 2005

~~15~~

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 11th day of January ~~2000~~ 2001.

Kathy Potechin
Kathy Potechin

Address: 15 Spenser Drive
Short Hills, NJ 07078

State of
County of

On this 11th day of January ~~2000~~ 2001, before me, a Notary Public in and for the State and County aforesaid, personally appeared the above signatory, known to me to be the person of that name, who executed the foregoing instrument in my presence.

Mary J. Tregoning
NOTARY PUBLIC

MARY J. TREGONING
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES FEBRUARY 24, 2003

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
6449-00		
International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US01/10331	29/03/2001	04/04/2000
International Patent Classification (IPC) or national classification and IPC		
A61K7/32		
Applicant		
COLGATE-PALMOLIVE COMPANY		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

   These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

   - I ☒ Basis of the report
   - II ☐ Priority
   - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - IV ☐ Lack of unity of invention
   - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations suporting such statement
   - VI ☐ Certain documents cited
   - VII ☐ Certain defects in the international application
   - VIII ☐ Certain observations on the international application

Date of submission of the demand	Date of completion of this report
31/10/2001	02.08.2002
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Grillenberger, S Telephone No. +49 89 2399 8938

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US01/10331

I. Basis of the report

1. With regard to the **elements** of the international application *(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 since they do not contain amendments (Rules 70.16 and 70.17))*:
Description, pages:

1-21 as originally filed

Claims, No.:

1-9 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

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	1
	No:	Claims	
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1
Industrial applicability (IA)	Yes:	Claims	1
	No:	Claims	

2. Citations and explanations
see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: US-A-5 654 362 (SCHULZ ET AL.) (1997-08-05) cited in the application
D2: US-A-5 069 897 (ORR) (1991-12-03)

1. Novelty: Art.33(2)

Compositions comprising all required technical features a)-e) as defined in Claim 1 are not known from the prior art at hand.
The subject-matter of Claim 1 is therefore considered to be novel.

2. Inventive step: Art.33(3)

The Applicants arguments filed with letter of 16.07.2002 have been taken duely into consideration.

2.1 Antiperspirant cream according to D2 (claims 1, 5, and 9-11) is considered as the most relevant state of the art.

a) Due to lack of clarity in Claim 1d) ("based on anhydrous, *buffer-free* basis") concerning the true amounts of antiperspirant active, e.g. when understood as glycine complexes to be added, the "26,7%w_{act}" of antiperspirant active disclosed in the Examples of D2 are considered to fall within the scope of present Claim 1d).
Moreover, ingredient lists of the Application (p.18-21, Tables A-E) do not specify the amount of antiperspirant active as "based on anhydrous, *buffer-free* basis", but rather the tangible amount of glycine trichlorohydrex complex (PCT-Guidelines III.4.7a)

b) D2 differs from the compositions of the present Application in that instead of a "crosspolymer gel" as defined in Claim 1c), D2 (claim 1c) requires "2-10% of a particulate thickening material *which is colloidal silica*".
The technical problem to be solved may therefore be considered as to provide for antiperspirant compositions with an alternative thickening material, which leaves "low residue".

For the skilled person, it is obvious to replace the colloidal silica thickener of D2 with the silicone elastomer gel disclosed in D1 in order to solve above problem (D1, c.6, l.53). Moreover, D1 states (Ex.III, c.6, l.42, and further technical teaching in c.7) that said silicone elastomers are especially suited for application in antiperspirants and deodorants (D1, c.7, l.64).
Presence of an inventive step is therefore ruled out; PCT-Guidelines IV-8.8.A1.ii) or iv).

2.2 It is further contested that the Invention as defined in Claim 1 solves the technical problem over the whole range as claimed:
a) With a silicone elastomer blend in cyclomethicone having a "nonvolatiles (i.e. polymer) content of 8-18%" as defined in Claim 1c), it is not possible to achieve a cross-polymer content of 0,5-20% on a solids basis .
b) Volatile silicone amounts used in the Examples of the present Application (p.18-21, Tables A-E) are not consistent with the range defined in Claim 1a), i.e. 40-75%.
c) Moreover, the Description (p.13, l.22- p.14, l.4) plainly contradicts Claim 1 concerning the amounts of essential ingredients (a) "volatile silicone" and (c) "elastomer composition".

It is therefore concluded that the present set of claims does not meet the requirement following from Article 6 PCT taken in combination with Rule 6.3(b) PCT that any independent claim must contain all the technical features essential to achieve the stated technical effects, i.e. essential to the definition of the invention.

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TRATADO DE COOPERACIÓN EN MATERIA DE PATENTES

PCT

INFORME DE EXAMEN PRELIMINAR INTERNACIONAL

(Artículo 36 y Regla 70 PCT)

No. de Expediente del Solicitante o Apoderado 6449-00	PROCEDIMIENTO POSTERIOR	Véase comunicación sobre el envío del informe de examen preliminar internacional (Formulario PCT/IPEA/416)
No. Solicitud Internacional PCT/US01/10331	Fecha Internacional de Presentación *(día/mes/año)* 29/03/2001	Fecha de Prioridad *(día/mes/año)* 04/04/2000
Clasificación Internacional de Patente (IPC) o Clasificación Nacional e IPC A61K7/32		
Solicitante COLGATE-PALMOLIVE COMPANY		

1. Este informe de examen preliminar internacional fue elaborado por esta Oficina Encargada del Examen Preliminar Internacional y se envía al solicitante según Artículo 36.

2. Este INFORME comprende un total de 5 hojas, inclusive esta portada

   ☐ Además se adjuntan ANEXOS al informe; en este caso se trata de hojas con descripciones, reivindicaciones y/o dibujos, *que se modificaron y que sirven de base para este informe, y/o hojas con correcciones efectuadas ante esta Oficina (véase* Regla 70.16 y Sección 607 de las instrucciones administrativas bajo el PCT).

   Estos anexos comprenden un total de hojas.

3. Este informe contiene datos con respecto a los siguientes puntos:

   I ☒ Base del informe

   II ☐ Prioridad

   III ☐ Sin elaboración de un dictamen sobre novedad, actividad inventiva y posibilidad de aplicación industrial

   IV ☐ Falta de unidad de la invención

   V ☒ Comprobación justificada según Artículo 35(2) con respecto a la novedad, la actividad inventiva y la posibilidad de aplicación industrial; documentos y explicaciones sustentando esta comprobación

   VI ☐ Ciertos documentos enumerados

   VII ☐ Ciertas deficiencias del registro internacional

   VIII ☐ Ciertas observaciones relacionadas con la solicitud internacional

Fecha de presentación de la petición 31/10/2001	Fecha de la conclusión de este informe 02.08.2002
Nombre y dirección postal de la Oficina Encargada del Examen Preliminar Internacional (IPEA) Oficina Europea de Patentes D-80298 Munich Tel.: +49 89 2399 – 0 Tx.: 523656 epmu d Fax: +49 89 2399 - 4465	Empleado Autorizado *Grillenberger, S* Teléfono No. +49 89 2399 8938

INFORME DE EXAMEN PRELIMINAR INTERNACIONAL

Solicitud Internacional No. PCT/US01/10331

I. **Bases del Informe**

1. Con respecto a los **elementos** de la solicitud internacional *(hojas intercambiables que se han suministrado a la Oficina receptora en respuesta a una invitación bajo Artículo 14 se mencionan en este informe como "presentadas originalmente" y no se anexan a este informe puesto que no contienen modificaciones (Reglas 70.16 y 70.17))*:
Descripción, páginas:

1-21 como presentadas originalmente

Reivindicaciones, No.:

1-9 como presentadas originalmente

2. En lo concerniente al **idioma**, todos los elementos indicados más arriba estuvieron a disposición de esta Oficina o le fueron enviados en el idioma en el cual se radicó la solicitud internacional, salvo indicación en contrario consignada bajo este punto.

Estos elementos estuvieron a disposición de esta Oficina o le fueron enviados en el idioma siguiente: . que es:

- ☐ el idioma de una traducción enviada para efectos de la búsqueda internacional (según la regla 23.1 (b)).
- ☐ el idioma de publicación de la solicitud internacional (según la regla 48.3 (b)).
- ☐ el idioma de la traducción enviada para efectos del examen preliminar internacional (según la regla 55.2 y/o 55.3).

3. En lo que concierne a cualquier **secuencia de nucleótidos y/o aminoácidos** divulgada en la solicitud internacional, el examen preliminar internacional se llevó a cabo sobre la base del listado de secuencias:

- ☐ contenido en la solicitud internacional, por escrito.
- ☐ presentado con la solicitud internacional, en formato de lectura por computador.
- ☐ remitido posteriormente a esta Oficina, por escrito.
- ☐ remitido posteriormente a esta Oficina, en formato de lectura por computador.
- ☐ se ha rendido la declaración, según la cual el listado de secuencias por escrito y suministrado posteriormente no va más allá de la divulgación hecha en la solicitud tal como se radicó.
- ☐ se ha rendido la declaración, según la cual las informaciones registradas en formato de lectura por computador son idénticas a las de los listados de secuencias, presentados por escrito.

4. Las modificaciones han acarreado la anulación:

- ☐ de la descripción, páginas:
- ☐ de las reivindicaciones, Nos.:
- ☐ de los dibujos, hojas:

5. ☐ El presente informe se preparó sin tener en cuenta (algunas de) las modificaciones, que se consideraron que van más allá de la exposición de la invención (regla 70.2 (c))

INFORME DE EXAMEN PRELIMINAR INTERNACIONAL

Solicitud Internacional No. PCT/US01/10331

(Toda hoja intercambiable que incluya modificaciones de esta índole debe indicarse en el punto 1 y anexarse al presente informe.)

8 Observaciones adicionales, si son necesarias:

V. Comprobación justificada bajo el Artículo 35(2) en cuanto a la novedad, la actividad inventiva y la posibilidad de aplicación industrial; citas y explicaciones sustentando esta declaración

1. DECLARACIÓN

Novedad (N)	Si:	Reivindicaciones	1
	No:	Reivindicaciones	
Actividad Inventiva (IS)	Si:	Reivindicaciones	
	No:	Reivindicaciones	1
Posibilidad de Aplicación Industrial (IA)	Si:	Reivindicaciones	1
	No:	Reivindicaciones	

2. Citas y explicaciones
Véase hoja separada

En relación con el Punto V

Comprobación justificada bajo el Artículo 35(2) con respecto a la novedad, la actividad inventiva o la posibilidad de aplicación industrial; citaciones y explicaciones sustentando la referida comprobación.

Se hace referencia a los siguientes documentos:

D1: US-A-5 654 362 (SCHULZ JR WILLIAM JAMES Y COLABORADORES) (1997-08-05) enumerado en la aplicación
D2: US-A-5 069 897 (ORR) (1991-12-03)

1. Novedad: Art.33(2)
Las composiciones que comprenden todas las características técnicas a)-e) como se definen en la Reivindicación 1 no se conocen a partir de la anterioridad disponible.
Por lo tanto el tema-asunto de la Reivindicación 1 se considera una novedad.

2. Actividad Inventiva: Art.33(3)
Los argumentos presentados por los Solicitantes con la carta del 16.07.2002 fueron debidamente tenidos en cuenta.

2.1 La crema antitranspirante de acuerdo con el D2 (reivindicaciones 1, 5 y 9-11) se considera el estado de arte más relevante.

a) Debido a una falta de claridad de la Reivindicación 1d) ("basado en una base anhidro *sin solución amortiguadora*") en relación con las cantidades reales de activo antitranspirante, por ejemplo cuando se entiende como complejos de glicina que se deberán añadir, el "26,7%w_{tot}" de activo antitranspirante divulgado en los ejemplos del D2 se consideran dentro del ámbito de la presente Reivindicación 1d). Adicionalmente, las listas de ingredientes de la Solicitud (p.18-21, Tablas A-E) no especifican la cantidad de activo antitranspirante como "basado en una base anhidro *sin solución amortiguadora*", sino más bien la cantidad tangible del complejo glicina '*triclorohydrex*' (pautas PCT III.4.7a).

b) El D2 difiere de las composiciones de la presente Solicitud en cuanto que en vez de un "gel de polímero cruzado" como se define en la Reivindicación 1c), el D2 (reivindicación 1c) requiere "2-10% de un material particulado de espesado *que es sílice coloidal*".

Por lo tanto el problema técnico que se debe resolver se puede considerar como la disposición de composiciones antitranspirantes con un material alterno de espesado que deja "bajos residuos".

Para una persona con conocimientos, es obvio reemplazar el espesante coloidal de sílice del D2 con el gel elastómero de silicona divulgado en el D1 para resolver el problema anterior (D1, c.6, l.53). Adicionalmente, el D1 declara (Ex.III, c.6. l.42 y demás conocimientos técnicos en c.7) que los citados elastómeros de silicona son especialmente aptos para la aplicación en antitranspirantes y desodorantes (D1, c.7. l.64)
Por lo tanto se descarta una actividad inventiva; Pautas PCT IV-8.8.A1.ii) o iv).

2.2 Adicionalmente se objeta que la Invención como se define en la Reivindicación 1 resuelve el problema técnico sobre la totalidad del rango como se reivindica:

a) Con una mezcla de un elastómero de silicona en ciclometicona teniendo un contenido de "no-volátiles (es decir, polímero) de 8-18% como se define en la Reivindicación 1c) no es posible alcanzar un contenido de polímero cruzado de 0,5-20% en una base de sólidos.

b) Las cantidades de silicona volátil empleadas en los Ejemplos de la presente Solicitud (p.18-21, Tablas A-E) no son consistentes con el rango definido en la Reivindicación 1a), es decir 40-75%.

c) Adicionalmente, la Descripción (p.13, l.22-p.14, l.4) claramente contradice la Reivindicación 1 en lo concerniente a las cantidades de los ingredientes esenciales (a) "silicona volátil" y c) "composición del elastómero".

Por lo tanto se concluye que el presente conjunto de reivindicaciones no satisface los requisitos que se desprenden del Artículo 6 del PCT tomado conjuntamente con la Regla 6.3(b) del PCT que cualquier reivindicación independiente debe contener todas las características técnicas esenciales para alcanzar los efectos técnicos establecidos, es decir esenciales para la definición de la invención.