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Señores

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

46
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Radicación: 03038123 00000002 Folio: 13
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Trámite: 011 PCI-PATENT 379 FASE NACI 444 REJURSTA
Dependencia: 2020 DIVISION DE NUEVAS CREACIONES

RESPUESTA A OFICIO 07497 DE SEPTIEMBRE 12, 2003

REF: Expediente No. 03 038.123 - Solicitud de Patente FASE NACIONAL
Corresp. a la Solicitud Internacional PCT/US01/30130
a favor de COLGATE – PALMOLIVE COMPANY
Titulada: COMPOSICIONES ORALES PARA REDUCIR LOS OLORES BUCALES

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 12 de Septiembre 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 anexas 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. 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 21, 2003
CHP/MEV/hsr

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**EXTRACTO PARA PUBLICACION
SOLICITUD DE PATENTE DE INVENCION
Entrada en Fase Nacional**

DELEGATURA PROPIEDAD INDUSTRIAL

(21) No. SOLICITUD: 03 038.123

(86) No. SOLICITUD INTERNACIONAL
PCT/US01/30130

(22) FECHA DE
PRESENTACION: 07-05-2003

(51) INT.CL.:
(71) SOLICITANTE:

COLGATE - PALMOLIVE COMPANY

(30) PRIORIDAD:

(31) No. DE SOLICITUD: 09/688,660

(72) INVENTOR/ES: Xiaoyan Liu, Malcolm Williams, Ravi
Subramanyam, John Hughes

(32) FECHA DE
PRESENTACION: 16-10-2000

(33) PAIS: US

(74) APODERADO: RAMIRO CASTRO DUQUE

(54) TITULO: COMPOSICIONES ORALES PARA REDUCIR LOS OLORES BUCALES

(57) RESUMEN:

1. Un método para suprimir el mal olor y proporcionar protección duradera del aliento en la cavidad oral que comprende aplicar a la cavidad oral una composición oral que comprende un vehículo oralmente aceptable que contiene un sistema de sabor que está compuesto de una mezcla de un aceite de esencia y un compuesto enfriador que es un éter de mentil de un ácido hidrocarboxílico que tiene 2 a 6 átomos de carbono esterificados con grupos alquil C₁-C₄.
5. El método de la reivindicación 1 donde el sistema de sabores está compuesto de alrededor de 1 hasta alrededor de 50% en peso del compuesto enfriador y alrededor de 50 hasta alrededor de 99% en peso de un aceite de esencia.

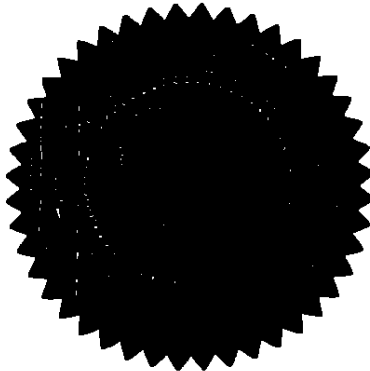
APOSTILLE

(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. A183151
9. SEAL/STAMP:
10. SIGNATURE



STATE OF NEW JERSEY } ss.
County of Middlesex

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

CAROL 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 verify 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 29th 03

Elaine M. Flynn

CLERK.



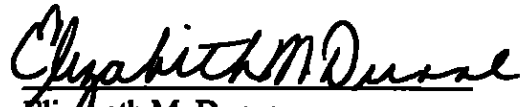
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COUNTY OF MIDDLESEX

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 No. 09/688,660 filed October 16, 2000.


Elizabeth M. Dunne

International Patent Manager

Subscribed and sworn to
before me this 18th day
of September, 2001.


Carol M. Stanley

Notary Public of New Jersey

My Commission Expires November 18, 2005

Coloubr

ASSIGNMENT

WHEREAS, we, Xiaoyan Liu, Malcolm Williams and Ravi Subramanyam and John Hughes (below referred to as ASSIGNORS, residing, respectively, as set forth hereinafter, have made an invention for which application for Letters Patent of the United States was filed in the United States Patent and Trademark Office as Application Serial No. 09/688,660, filed October 16, 2000, naming the ASSIGNORS as an inventor, and entitled Oral Compositions for Reducing Mouth Odors; 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 perfect 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 October 16, 2000.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13 day of October 2000.

Address:

Xiaoyan Liu
Xiaoyan Liu
320 Becker Street
Highland Park, New Jersey 08904, USA

State of New Jersey
County of Middlesex

On this 13th day of October 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.

MARIA V. LOGATTO
Notary Public of New Jersey
My Commission Expires 8/8/2008

Maria V. Logatto
NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13 day of October 2000.

Address:

Malcolm Williams
Malcolm Williams
224 Hillside Avenue
Piscataway, New Jersey 08854, USA

State of New Jersey
County of Middlesex

On this 13th day of October 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.

MARIA V. LOGATTO
Notary Public of New Jersey
My Commission Expires 8/8/2008

Maria V. Logatto
NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13 day of OCTOBER 2000.

Address:

Ravi Subramanyam
Ravi Subramanyam
18 Doyle Lane
Belle Mead, New Jersey 08502, USA

State of New Jersey
County of Middlesex

On this 13th day of October 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.

MARIA V. LOGATTO
Notary Public of New Jersey
My Commission Expires 8/8/2008

Maria V. Logatto
NOTARY PUBLIC

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 16 day of October 2000.

John Hughes
John Hughes

Address:

73 Scotts Corner Road
Cranbury, New Jersey 08854, USA

State of New Jersey
County of Middlesex

On this 16th day of October 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.

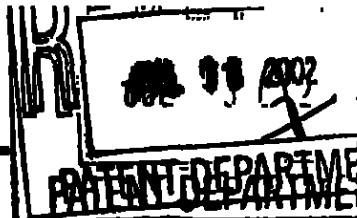
MARIA V. LOGATTO
Notary Public of New Jersey
My Commission Expires 6/8/2008

Sharon D. Lytle
NOTARY PUBLIC

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT



To:

Shapiro, Paul
COLGATE-PALMOLIVE COMPANY
909 River Road
P.O. Box 1343
Piscataway, New Jersey 08855-1343
ETATS-UNIS D'AMERIQUE

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

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(PCT Rule 71.1)

Date of mailing (day/month/year) 09/07/2002	
Applicant's or agent's file reference 6538-G0	IMPORTANT NOTIFICATION
International application No. PCT/US 01/ 30130	International filing date (day/month/year) 26/09/2001
	Priority date (day/month/year) 16/10/2000
Applicant COLGATE-PALMOLIVE COMPANY	

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the International preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

For the purpose of deciding whether the claimed invention is patentable or not, the elected Offices may apply criteria additional to or different from the criteria on which the international preliminary examination report is based (see Articles 27 (5), 33 (5)). Additional criteria may include e.g. exemptions from patentability and the requirements of enabling disclosure and of clarity and support of claims.

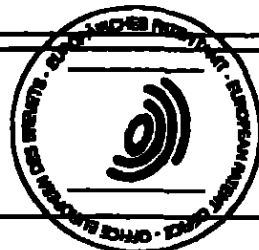
Name and mailing address of the (PEA/



European Patent Office, Gluckstr. 103
D-10969 Berlin - Germany
Tel.: (+49-30) 25901-0
Fax: (+49-30) 25901-840

Authorized officer

KOSTER A H
Tel. (+49-89) 2399 2828



Form PCT/PEA/16 (28/06/2002) P20473

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

53-9

Applicant's or agent's file reference 6538-00	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US 01/ 30130	International filing date (day/month/year) 26/09/2001	Priority date (day/month/year) 16/10/2000
International Patent Classification (IPC) or national classification and IPC A61K7/26		
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 2 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 consists 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 supporting 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 09/05/2002	Date of completion of this report 04/07/2002
Name and mailing address of the IPEA/  European Patent Office, Glitschiner Str. 103 D-10969 Berlin - Germany Tel.: (+49-30) 23901-0 Fax: (+49-30) 23901-840	Authorized officer DE BUNDEL E R J Tel. (+49-89) 2399 2828



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I. Basis of the report

The basis of this international preliminary examination is the application as originally filed.

V. Reasoned statement under Rule 66.2(a)(II) with regard to novelty, inventive step or industrial applicability

In light of the documents cited in the International search report, it is considered that the invention as defined in the claims meets the criteria mentioned in Article 33 (1) PCT, i.e. it appears to be novel, to involve an inventive step and to be industrially applicable.

TRATADO DE COOPERACIÓN DE PATENTES

De la
AUTORIDAD EXAMINADORA PRELIMINAR INTERNACIONAL

A:

Shapiro, Paul
COLGATE PALMOLIVE COMPANY.
909 River Road
P.O. Box 1343
Piscataway, New Jersey 08855-1343
ESTADOS UNIDOS DE AMÉRICA

PCT

NOTIFICACIÓN DE TRANSMISIÓN
DEL REPORTE DE EXAMEN
PRELIMINAR INTERNACIONAL

(PCT Regla 71.1)

Referencia del archivo del solicitante o del agente 6538-00		Fecha de envío por correo (día/mes/año) 09/07/2002
NOTIFICACIÓN IMPORTANTE		
Solicitud Internacional No. PCT/US 01/ 30130	Fecha Internacional de radicación 26/09/2001	Fecha prioritaria (día/mes/año) 16/10/2000
Solicitante COLGATE-PALMOLIVE COMPANY		

1. Al solicitante se le notifica por la presente que esta Autoridad Internacional Preliminar Examinadora transmite con la presente el informe del examen internacional preliminar y sus anexos, si los hay, establecido en la solicitud internacional.
2. Una copia del informe y sus anexos, si los hay, está transmitiéndose a la Oficina Internacional para su comunicación a todas las Oficinas elegidas.
3. Donde así lo requiera cualquiera de las Oficinas elegidas, la Oficina Internacional preparará una traducción al inglés del informe (pero no de los anexos) y transmitirá dicha traducción a esas Oficinas.

4. RECORDATORIO

El solicitante debe ingresar la fase nacional ante cada una de las Oficinas elegidas realizando ciertos actos (radicando traducciones y pagando las tarifas nacionales) dentro de un lapso de 30 meses a partir de la fecha de prioridad (o más tarde en algunas Oficinas) (Artículo 39(1)) (véase también el recordatorio enviado por la Oficina Internacional con la Forma PCT/IB/301).

Donde deba entregarse una traducción de la solicitud internacional a una Oficina elegida, la traducción debe contener una traducción de cualquier anexo al informe del examen preliminar internacional. Es responsabilidad de los solicitantes preparar y presentar dicha traducción directamente a cada Oficina elegida involucrada.

Para más detalles sobre los plazos de tiempo aplicables y los requisitos de las Oficinas elegidas, véase el Volumen II de la Guía PCT del Solicitante.

Con el propósito de decidir si la invención reivindicada es patentable o no, las Oficinas elegidas pueden aplicar criterios adicionales o diferentes al criterio en el que se basa el informe del examen preliminar internacional (véase Artículos 27(5), 33(5)). El criterio adicional puede incluir por ejemplo exenciones de patentabilidad y los requisitos de permitir el descubrimiento y de la claridad y soporte de las reivindicaciones.

Nombre y dirección de correo del IPEA/ 	Funcionario autorizado
Oficina de Patentes Europea D-80298 Munich Tel. +49 89 2399 - O Tx: 523636 epmu d Fax: +49 89 2399 - 4465	KOSTER A H Tel. +4989 2399-2828

Forma PCT/IPEA/416 (28/06/2002) P20473



TRATADO DE COOPERACIÓN DE PATENTES

PCT

INFORME DE EXAMEN PRELIMINAR INTERNACIONAL

(PCT Artículo 36 y Regla 70)

Referencia del archivo del solicitante o del agente 6538-00	PARA ACCIÓN POSTERIOR	Véase Notificación de Transmisión del Informe de Examen Preliminar Internacional (Forma PCT/IPEA/416)
Solicitud Internacional No. PCT/US 01 / 11174	Fecha Internacional de radiación 26/09/2001	Fecha prioritaria (día/mes/año) 16/10/2000
Clasificación de Patente Internacional (IPC) o clasificación nacional o IPC A61K7/26		
Solicitante COLGATE-PALMOLIVE COMPANY		

1. Este informe del examen preliminar internacional ha sido preparado por esta Autoridad Examinadora Preliminar Internacional y se transmite al solicitante según el Artículo 36. 2. Este INFORME consiste de un total de 2 hojas, incluyendo esta hoja de carátula. ☐ Este informe también se acompaña de los ANEXOS, es decir hojas de la descripción reivindicaciones y/o dibujos que han sido modificados y que son la base de este reporte y/o las hojas que contienen rectificaciones hechas ante esta Autoridad (véase Regla 70.16 y Sección 607 de las Instrucciones Administrativas bajo el PCT). Estos anexos consisten de un total de 0 hojas. 3. Este informe contiene indicaciones que se relacionan a los siguientes puntos: I ☒ Base del Informe II ☐ Prioridad III ☐ No establecer opinión con respecto a novedades, paso inventivo o pertinencia industrial IV ☐ Falta de unidad de la invención V ☒ Declaración razonada bajo el Artículo 35(2) con respecto a novedades, paso inventivo o pertinencia industrial; citas y explicaciones que soportan dicha declaración VI ☐ Ciertos documentos citados VII ☐ Ciertos defectos en la solicitud internacional VIII ☐ Ciertas observaciones en la solicitud internacional

Fecha de presentación de la reivindicación 09/05/2002	Fecha de Finalización de este informe 04/07/2002
Nombre y dirección de correo de la IPEA  Oficina de Patentes Europea, Glatziner Str. 103 D-10969 Berlin - Alemania Tel. (+49 -30) 25901 - 0 Fax: (+49 -30) 25901 - 840	Funcionario autorizado DE BUNDEL E R J Teléfono: +49 89 2399 2828 

Forma PCT/IPEA/409 (hoja de cubierta) (Julio de 1998)

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I. Base del Informe

1. La base de esta opinión escrita es la solicitud tal como fue radicada originalmente.

V. Declaración razonada bajo la regla 66.2(a) (H) con respecto a novedad, paso inventivo o pertinencia industrial.

A la luz de los documentos citados en el Informe de búsqueda internacional, se considera que la invención, tal como se define en las reivindicaciones, cumple con el criterio mencionado en el Artículo 33 (1) PCT, es decir, parece ser novedosa, involucrar un paso inventivo y ser pertinente industrialmente.

2020
Bogotá D C

Doctor
RAMIRO CASTRO DUQUE.
Apoderado

REFERENCIA:	Radicación N°	03-38123
	Solicitud internacional	PCT/US 01/30130
	Fecha inicio fase nacional	16/05/2003
	Trámite	011
	Evento	379
	Actuación	416
	Oficio N°	1115
	Folios	001

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 los artículos 26 y 27 de la Decisión 486, de la Comisión de la Comunidad Andina, y en las demás disposiciones vigentes sobre la materia, se envía el extracto de la solicitud a la oficina de comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial, conforme lo establece el artículo 40 de la Decisión 486.

Cúmplase
Dado en Bogotá D C,


ALIX CARMENZA CÉSPEDES DE VERGEL
Jefe División de Nuevas Creaciones.

Carrera 13 No. 27-00 Pisos 5 y 10
Conmutador: 334 12 21
Fax: 281 31 25
Santa Fe de Bogotá, D.C., Colombia