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Señora Jefe de la
DIVISION DE NUEVAS CREACIONES
Superintendencia de Industria y Comercio
E. S. D.

Trámite : 011

Evento : 379

Actuación : 444

Referencia : Expediente No. 03101173
Asunto : SOLICITUD DE PATENTE PARA
"PAQUETE PARA ALMACENAMIENTO HIGIENICO DE
ARTÍCULOS ABSORBENTES"
Solicitante : SCA HYGIENE PRODUCTS AB
Clase : B65D 075/058
Fecha de solicitud : 14 de Noviembre, 2003

1. Yo, Emilio FERRERO, obrando como apoderado del solicitante en el asunto antes identificado, me refiero al Oficio No. 5246 notificado por fijación en lista del 18 de Abril de 2008.

2. Mediante el Oficio No. 5246 se puso en conocimiento del solicitante el informe del examen de fondo que contiene las observaciones hechas por su Despacho sobre la presente solicitud de patente. Con memorial radicado el 16 de Julio de 2008 solicité plazo de treinta (30) días para atender el Oficio No. 5246. Atiendo a las observaciones realizadas por ese Despacho de la manera siguiente

3. Claridad del capítulo reivindicatorio:

3.1 Con el fin de atender a las observaciones realizadas por su Despacho y de acuerdo al artículo 34 de la Decisión 486, se presenta un nuevo capítulo reivindicatorio como sustituto del anteriormente presentado conformado por 18 reivindicaciones, en el cual se tuvieron en cuenta las anteriores objeciones.

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El nuevo capítulo reivindicatorio se adaptó al capítulo reivindicatorio de la patente US 7,017,744 otorgado por la Oficina de Patentes y Marcas de los Estados Unidos (Anexo copia de dicho capítulo reivindicatorio para su información), este nuevo capítulo reivindicatorio tiene una definición más detallada de la invención y específicamente de la forma del paquete derivada de la forma de los artículos a almacenar.

La nueva reivindicación 1 se relaciona con un sistema de empaque que comprende tanto el empaque como los artículos que este contiene, además incluye las limitaciones de tamaño (altura/anchura) del recipiente. Esta reivindicación también especifica que la superficie de extremo de la parte de recipiente del empaque tiene forma redondeada y las primeras porciones de extremo de los artículos absorbentes proximales al extremo redondeado están desplazadas de modo correspondiente de manera tal que los artículos absorbentes que se extienden por encima de la superficie superior de orilla de la parte de recipiente exhiben una forma cóncava.

Con respecto a la objeción a las frases "el espacio de almacenamiento (6) tiene una forma que se adecua principalmente a la forma de la pila" y "tiene forma estable y es a prueba de golpes" en la reivindicación 1, por favor note que la primera frase fue remplazada por "el espacio de almacenamiento tiene la forma de la pila". Con respecto a la segunda frase, mi representada cree que es entendible porque se indica de una forma clara para la persona versada en el tema, que el material del empaque tiene ciertas propiedades físicas que le permite soportar las cargas que puedan surgir durante el uso normal del empaque. Esto se explica en el último párrafo de la pagina 8 y en el segundo párrafo de la página 22 hasta la página 23 (corresponden a las líneas 16-32 de la columna 3 y líneas 58 de la columna 6 a la línea 24 de la columna 7 de la patente US 7,017,744). De todas formas, la misma fue borrada del nuevo capítulo reivindicatorio y ahora se define el espesor adecuado

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del material del paquete de acuerdo a la información revelada en la página 23, línea 25 del capítulo descriptivo.

Con las limitaciones de tamaño que se muestran en la nueva reivindicación 1, los artículos se mantienen inmóviles en el empaque hasta que el último artículo sea retirado del recipiente y sea organizado de tal forma que cuando se abra el empaque, los extremos salientes de los artículos estén listos para sujetarlos y remover los artículos de forma sencilla.

La forma redondeada del extremo del recipiente resulta en que los artículos son de cierta forma relativa desplazados a otro en el extremo abierto opuesto de la parte del contenedor. Esta característica proporciona la ventaja técnica de facilitar la entrada y la remoción individual de los artículos del empaque.

4. Análisis del requerimiento de nivel inventivo

Su Despacho enuncia que el documento D1 (US 5564562) afecta el nivel inventivo de las reivindicaciones 1 a 14 de la presente invención debido a que D1 contiene tapa de cierre, y espacio de dispensado.

Su Despacho enuncia que la única diferencia con D1 es que esta solicitud reivindica un espacio de almacenamiento (6) que presumiblemente se adecua a la forma de la pila (100). Esta forma de artículos absorbentes (en pila) no está definida, lo que dificulta y limita la posibilidad de afirmar si el espacio de almacenamiento se adecua o no a ella.

Concluye su Despacho que el contenido completo de la reivindicación 1 es evidente para una persona medianamente versada en la materia y que por lo tanto, no tendría nivel inventivo.

5. Argumentos en favor del nivel inventivo:

Mi representada establece que el documento D1 (US 5,564,562) citado por su Despacho también se citó en el anterior Oficio N.15124 y por

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la Oficina de Patentes Europea, y después de estudiar los argumentos que se enuncian a continuación; la Oficina de Patentes Europea encontró que la solicitud equivalente a la solicitud Colombiana además de ser novedosa cumplía con el requisito de altura inventiva:

En primer lugar, D1 enseña un paquete para pañuelos de papel. El paquete se forma al doblar un espacio plano de una lámina de papel o de plástico. El material del paquete debe ser delgado y flexible como se revela en la columna 1, líneas 9 a 13. El paquete tiene una solapa de cierre, que sirve como una especie de tapa.

En segundo lugar, el paquete del documento D1 (US 5,564,562) no tiene una forma estable (la forma de la pila), no se define un grosor del material del paquete entre 0.5-3.5mm como es requerido por la reivindicación 1 y no es a prueba de golpes, como se explica en el capítulo descriptivo de la presente invención. Pues las anteriores características indican que el material del empaque tiene ciertas propiedades físicas que le permite soportar las cargas que puedan surgir durante el uso normal del empaque. Esto se encuentra sustentado en el último párrafo de la página 8, en la línea 25 de la página 23 y en el segundo párrafo de la página 22 hasta la página 23, como fue mencionado anteriormente.

Por lo tanto, no hubiera sido obvio para una persona experta en la técnica sustituir el material flexible revelado en US 5,564,562 por un material que se adecuara a la forma de la pila ya que está expresamente establecido en US 5,564,562 que el material del paquete debe ser un material flexible. Por favor, ver columna 1, líneas 9-12 y columna 2, líneas 19 a 21 de US 5 564 562.

Además de lo anterior, la forma redondeada del extremo del recipiente mencionada en el numeral 3 del presente memorial, proporciona la ventaja técnica de facilitar la entrada y la remoción individual de los artículos del empaque. Con lo anterior, es bueno mencionar que artículos pequeños y flexibles como los micro panty-

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protectores tienden a pegarse entre ellos en el paquete lo que implica una difícil remoción de uno en uno del contenedor. Por lo tanto, gracias a la curvatura que presenta el empaque que se define en esta solicitud permitirá que los artículos estén en una ligera desalineación (ver Fig 1) haciendo más fácil su remoción.

De acuerdo con las razones mencionadas anteriormente se muestra en consecuencia que la nueva reivindicación 1 es novedosa e inventiva con relación al documento D1 citado por su Despacho.

6. Conclusión:

Teniendo en cuenta las modificaciones hechas al capítulo reivindicatorio así como los anteriores argumentos, se puede concluir que la presente invención es novedosa y posee altura inventiva frente a US 5 564 562.

Puesto que se han atendido a cabalidad las observaciones hechas por su Despacho sobre la presente solicitud de patente, respetuosamente solicito se continúe con su tramitación.

7. Anexos:

- Nuevo pliego reivindicatorio conformado por 18 reivindicaciones.
- Copia de la patente US 7,017,744
- Formulario para modificaciones.
- Recibo por concepto de modificaciones en solicitud pendiente.

Bogotá,
Señora Jefe,



EMILIO FERRERO

T.P.A. No. 31.929

FORMULARIO UNICO DE CORRECCIONES Y MODIFICACIONES

1	SOLICITUD DE: ☐ Corrección de Error Material ☒ Modificación a una solicitud	
2 SOLICITANTE	Nombre: SCA HYGIENE PRODUCTS AB Sociedad constituida y existente bajo las leyes de Suecia. Dirección: 405 03 Göteborg, Suecia Domicilio: Göteborg, Suecia Teléfono: 546 09 70 Fax: 249 40 70 E-mail: clientes@camyp.com	IDENTIFICACION C.C. ☐ NIT ☐ C.E. ☐ Otro ☐ Número: _____
3 REPRESENTANTE O APODERADO	Nombre: Emilio FERRERO Dirección: Carrera 4ª No. 72-35 Teléfono: 347 36 11 Fax: 217 92 11 E-mail: cavelier@cavelier.com	IDENTIFICACION C.C. ☒ NIT ☐ C.E. ☐ Otro ☐ Número: 438.019 TP 31.929
4	Número de expediente: 03.101.173	
5	Descripción de la corrección o modificación solicitada: Presento nuevo capítulo reivindicatorio compuesto por 18 reivindicaciones con el fin de superar las objeciones hechas por Su Despacho a la presente solicitud de Patente y pido respetuosamente que el examen de patentabilidad sea realizado sobre estas nuevas reivindicaciones presentadas.	
6	Comprobante de pago No. 08-63,763 Fecha: 11 de agosto de 2008	
7	Anexos ☒ Comprobante de pago de la tasa por \$103.000, por concepto de modificaciones. ☐ Poderes, si fuere el caso ☐ Documento que acredita la existencia y representación legal de las partes, cuando sean personas jurídicas.	
8	NOMBRE: EMILIO FERRERO	FIRMA:  C.C. 438.019 de Usaquén T.P.A. 31.929



US007017744B2

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(12) **United States Patent**
Persson

(10) **Patent No.:** **US 7,017,744 B2**
(45) **Date of Patent:** **Mar. 28, 2006**

(54) **PACKAGE FOR HYGIENIC STORAGE OF
ABSORBENT ARTICLES**

(75) **Inventor:** **Håkan Persson, Billdal (SE)**

(73) **Assignee:** **SCA Hygiene Products AB, Göteborg
(SE)**

(*) **Notice:** Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 11 days.

(21) **Appl. No.:** **10/146,929**

(22) **Filed:** **May 17, 2002**

(65) **Prior Publication Data**

US 2002/0170841 A1 Nov. 21, 2002

Related U.S. Application Data

(60) Provisional application No. 60/291,625, filed on May
18, 2001.

(51) **Int. Cl.**

A61B 19/02 (2006.01)

(52) **U.S. Cl.** **206/440**

(58) **Field of Classification Search** D3/203,
D3/205; 206/440, 449, 494, 497, 581, 823;
220/315, 837-839; 53/399

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,268,064 A * 5/1918 Johnson 220/686

1,436,406 A * 11/1922 Schulz 220/319
1,692,504 A * 11/1928 Hayden 206/570
2,478,412 A * 8/1949 McMahan 206/581
2,750,033 A * 6/1956 Pickens 206/361
3,733,002 A * 5/1973 Fujio 215/12.2
4,184,309 A * 1/1980 Amberg 53/399
4,458,468 A * 7/1984 Sivilich 53/428
4,832,198 A * 5/1989 Alikhan 206/438
4,964,526 A * 10/1990 Stephens 220/520
D359,163 S * 6/1995 Summerfield et al. D3/205
5,443,161 A 8/1995 Jonese
5,564,562 A 10/1996 Focke et al.
5,579,916 A * 12/1996 Manko 206/581
5,722,774 A 3/1998 Hartz
5,860,550 A * 1/1999 Miller et al. 220/4.23
D427,764 S * 7/2000 Conway D3/203
D436,434 S * 1/2001 Conway D3/203

* cited by examiner

Primary Examiner—Mickey Yu

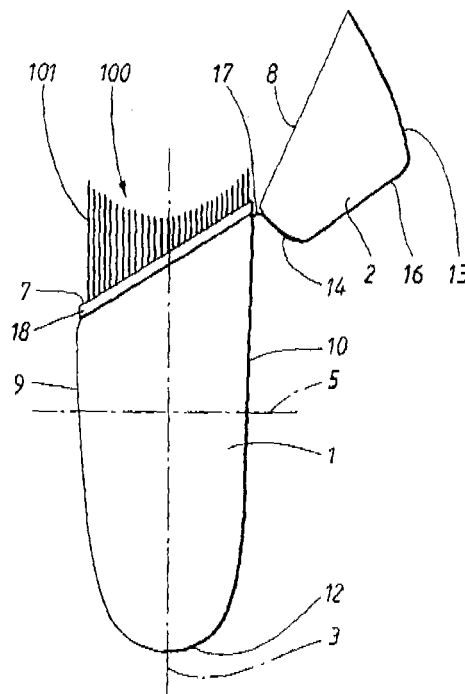
Assistant Examiner—Jerrold Johnson

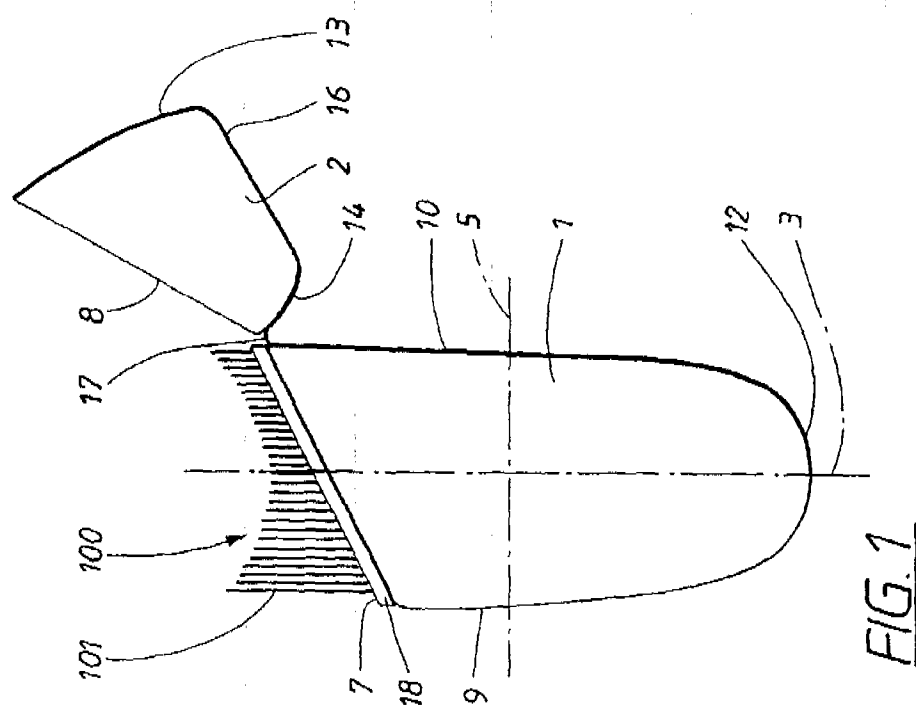
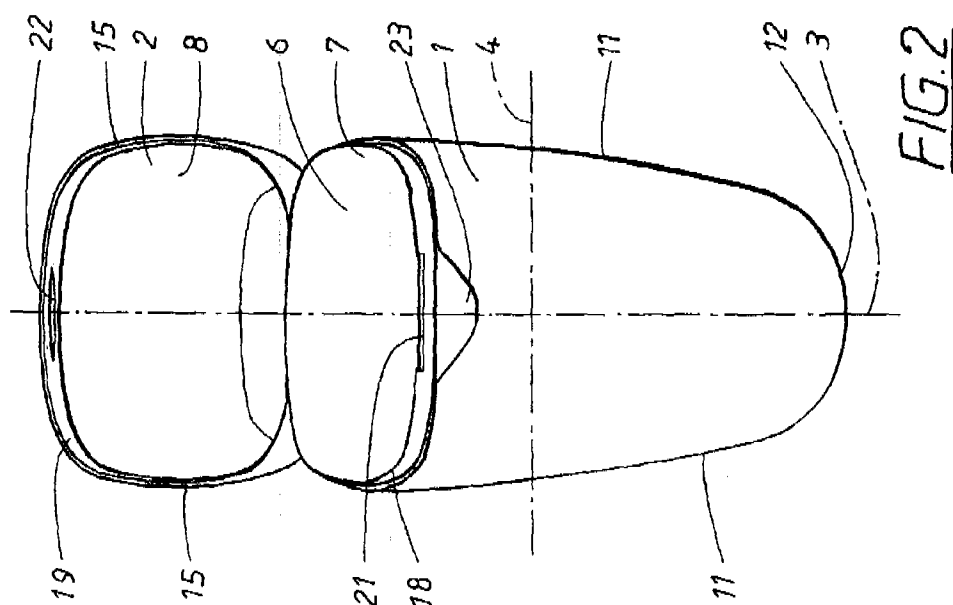
(74) *Attorney, Agent, or Firm*—Buchanan Ingersoll PC

(57) **ABSTRACT**

The present invention concerns a package for hygienic storage of two or more similar, non-folded, thin absorbent articles, preferably micro panty shields, which are placed on top of each other in a stack. The package is shape stable and shockproof and has a container part and a lid part. The container part and the lid part together delimit a storage space intended to accommodate the stack, where the storage space has a form that principally conforms to the form of the stack.

18 Claims, 4 Drawing Sheets





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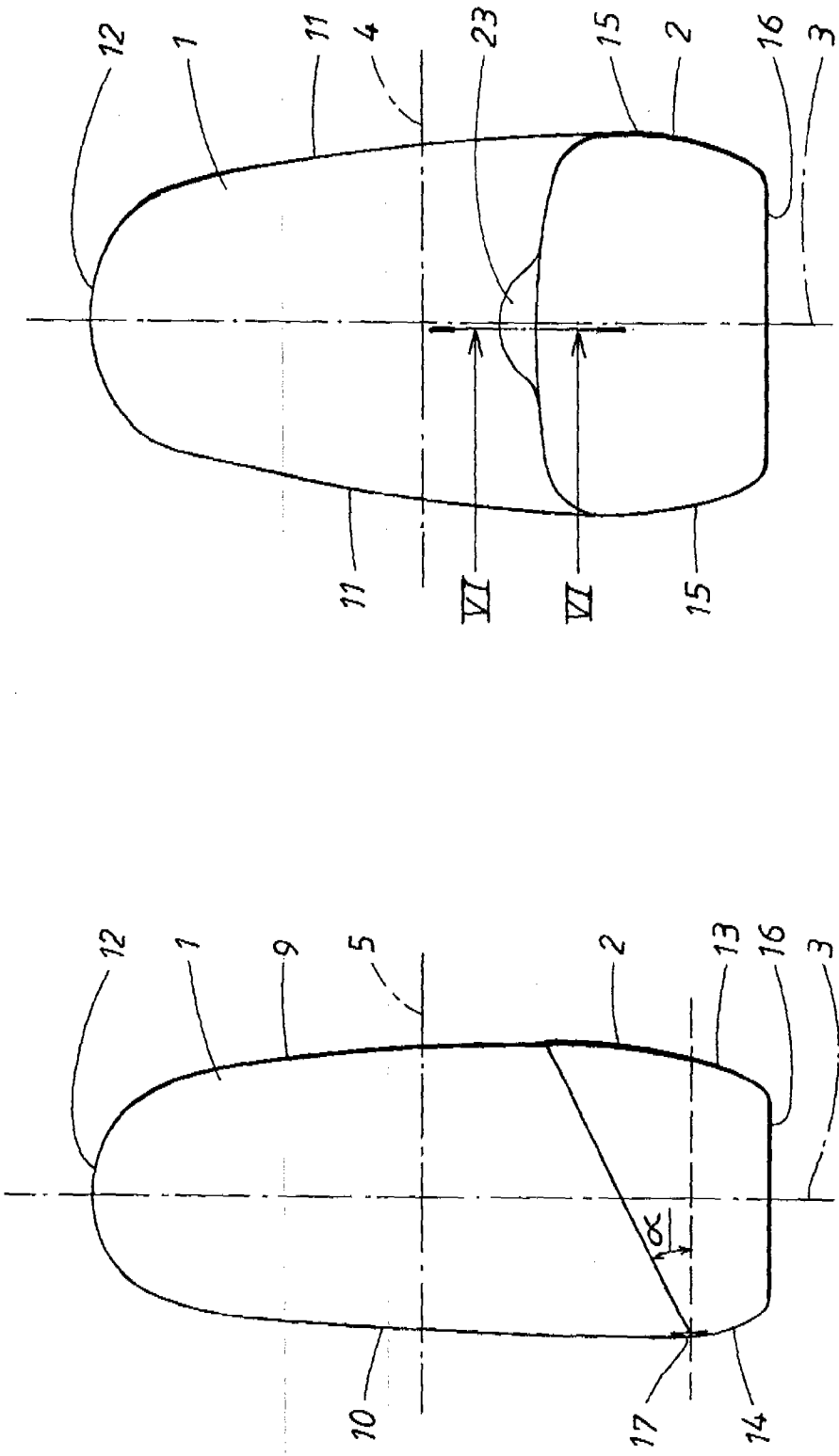
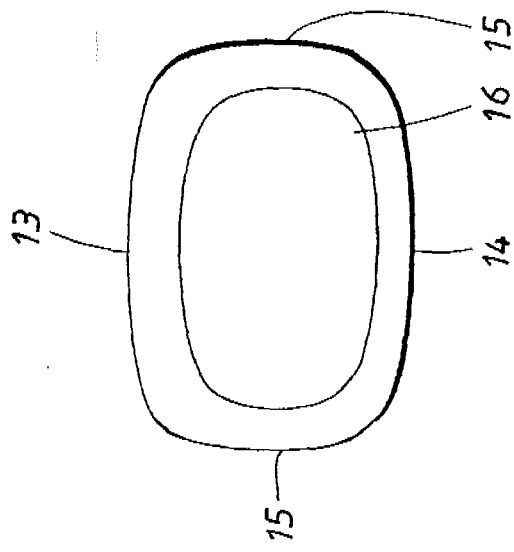
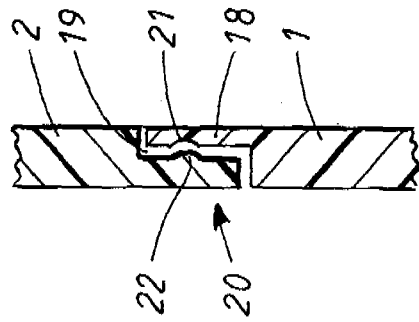
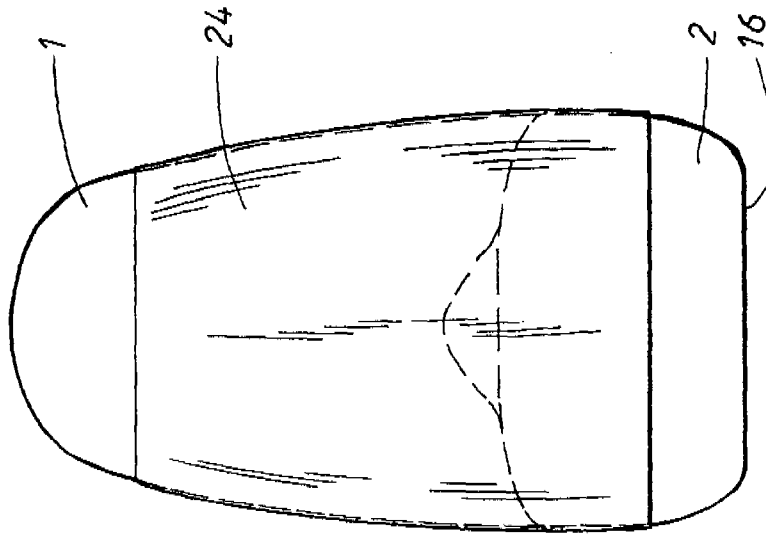


FIG. 3

FIG. 4

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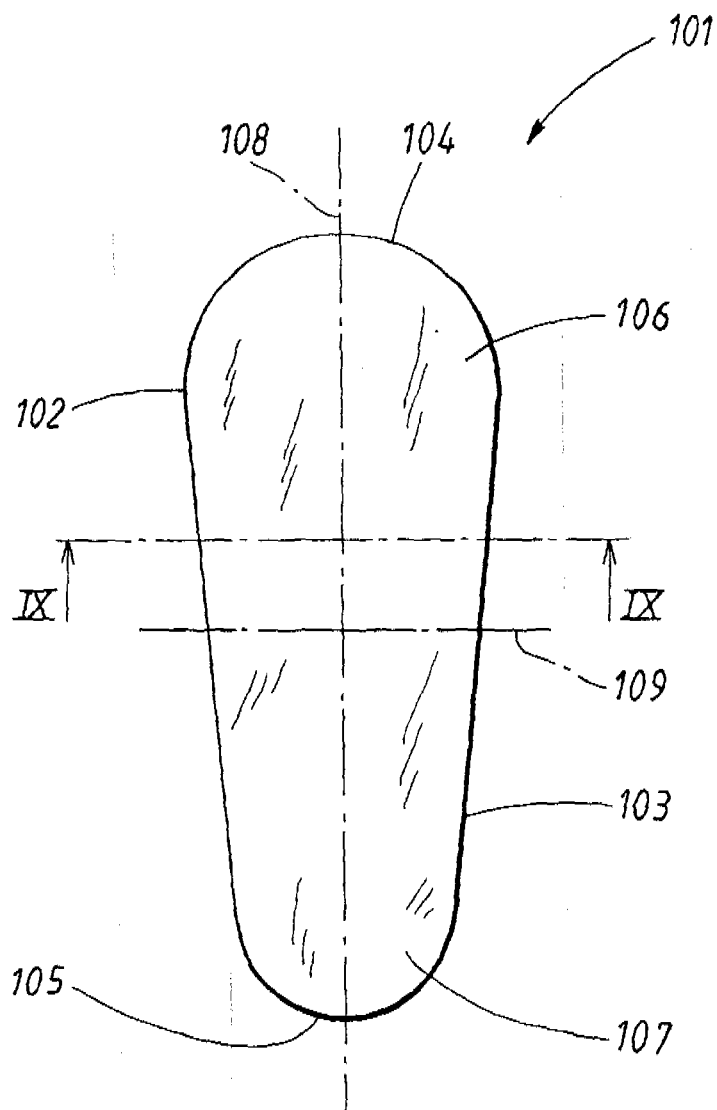


FIG. 8

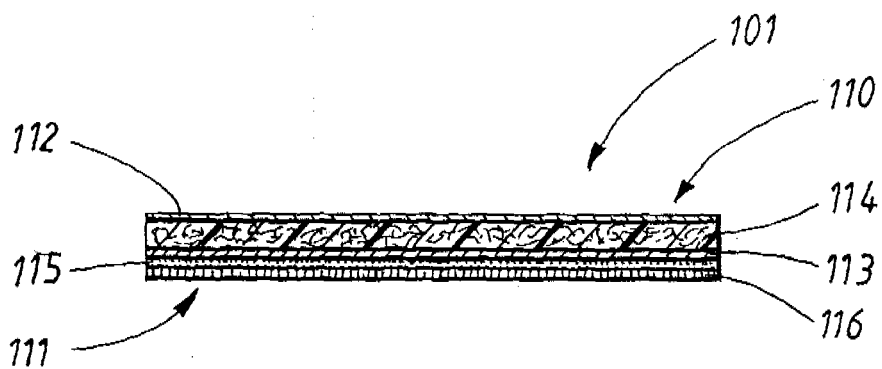


FIG. 9

PACKAGE FOR HYGIENIC STORAGE OF ABSORBENT ARTICLES

This application claims priority under 35 U.S.C. §119 to U.S. Provisional Application No. 60/291,625 entitled PACKAGE FOR HYGIENIC STORAGE OF ABSORBENT ARTICLES and filed on May 18, 2001, the entire content of which is hereby incorporated by reference.

FIELD OF THE INVENTION

The present invention concerns a package for hygienic storage of two or more similar, non-folded, thin absorbent articles, which are placed on top of each other in a stack, such as panty shields, thin sanitary napkins or similar small personal hygiene products, preferably so-called micro panty shields. The package is shape stable and shockproof and comprises a container part and a lid part.

BACKGROUND INFORMATION

Conventional packages for absorbent articles of this type are usually manufactured from cardboard or plastic and often contain a number of articles packed beside one another. The individual articles can either be packed in the package as they are or in so-called single-wrap packages, where each article is usually wrapped in a plastic film. With a single-wrap package, the article itself does not come into contact with the environment until it is time to use the article, which is advantageous from a hygienic aspect. A commonly occurring type of package is cardboard boxes which are parallelepipedic, cubic or have some other polyhedral form and contain a number of articles, which can be singly wrapped. Another variation is that a number of articles, which are normally singly wrapped, are packed in bags of plastic, such as polyethylene.

A problem with this type of packages is that, in order to obtain hygienic storage of the absorbent articles, they must be singly wrapped. Single wrapping in itself is complicated from the point of view of both manufacturing and process engineering and it is also expensive as each individual sanitary napkin or panty shield must be wrapped in plastic.

The articles are also often folded in connection with the single wrapping to make them smaller in size. The folding in itself complicates the manufacturing and can have a negative effect on the liquid absorption ability of the articles as well as often giving the articles a less attractive appearance. If the articles are not singly wrapped but are placed as they are in a box or in a plastic bag, there is a risk that dirt, dust or the like will end up on the articles, which can lead to the articles not being perceived as fresh during use. Another problem with conventional packages is that they are not suited to being taken in a handbag or the like. The box or the plastic bag that they are made of easily breaks or is compressed, which can lead to the individual articles falling out of the package. One solution to the problem can be that the user takes along individual singly-wrapped articles, with the risk of the single-wrap packages splitting or not protecting the article sufficiently.

Examples of packages for a plurality of absorbent articles are given in WO 96/24537 A1 and WO 98/06369 A1, and examples of singly wrapped absorbent articles are given in WO 88/10219 A1, WO 91/18574 A1 and EP 0 675 703 B1.

In U.S. Pat. No. 4,964,526, a package for hygiene products, such as sanitary napkins, panty shields or tampons is described. The package is designed so that a number of hygiene products can easily be carried by a user. The

disadvantage with a package of this type is that it is not adapted for a specific type of absorbent article but is so spacious that a number of different types and sizes of hygiene products can be stored in it. As the package is not optimized for a certain type of absorbent article, it is not suitable for compact storage, transport and retail.

Similar packages or containers which are adapted for a specific type of absorbent article are also described in GB 2 269 162 A, U.S. Pat. Nos. 5,579,916 A and U.S. Pat. No. 3,557,853 A.

SUMMARY OF THE INVENTION

The aim of the present invention is to remedy the above problem and to construct a hygienic package which effectively protects the absorbent articles from dirt, dust or the like without the need for them to be singly wrapped.

The package for hygienic storage of two or more similar absorbent articles which are placed on top of each other in a stack, such as panty shields, thin sanitary napkins or similar small hygiene products, preferably so-called micro panty shields, in accordance with the present invention is distinguished in that it is shape stable and shock-proof and comprises a container part and a lid part, wherein the container part and the lid part together delimit a space intended to accommodate said stack and that the space has a form that principally conforms to the form of the stack.

DESCRIPTION OF THE INVENTION

Through the present invention, a package of the type mentioned in the description has been achieved, which package essentially eradicates the problems mentioned above with respect to the prior art.

The package includes a container part and a lid part. The container and lid parts are intended to together enclose a number of adjacent, non-folded absorbent articles, preferably micro panty shields, placed on top of one another in a stack. The package has a three-dimensional form with a longitudinal direction, a transverse direction and a height direction, where the different directions are perpendicular or essentially perpendicular to one another. The package is provided with a storage space which has a form which essentially corresponds to the form that the stack of panty shields has when packaged.

The container part suitably has an elongate form with a front surface, a rear surface opposite to the front surface, two side surfaces opposite to each other and an end surface. In the same way as the container part, the lid part has a front surface, a rear surface opposite to the front surface, two side surfaces opposite to each other and an end surface. The end surface on the lid part is preferably flat so that during transport and sale the package can stand upright with the lid part arranged downwards and the container part upwards.

The container part is provided with an opening which is adapted to an opening arranged on the lid part in such a way that a tight seal is obtained between the container and lid parts in order to avoid dirt, dust or the like penetrating into the package. The two openings are situated at a distance from and opposite to the end surface of each respective part. The opening of the container part thus has a periphery that is delimited by the forward, rear and side surfaces of the container part. In the same way, the opening of the lid part has a periphery that is delimited by the forward, rear and side surfaces of the lid part.

The package is opened by the lid part being removed from or displaced in relation to the container part. In accordance

with one preferred embodiment, the lid part is joined to the container part by means of a joint member, such as a hinge, which is placed so that the rear surface of the container part is connected to the rear surface of the lid part. In this way, the lid part is pivotably joined in relation to the container part.

In order to prevent dirt, dust or the like from penetrating into the package, a rim is arranged on the container part, suitably along the entire periphery on the opening of the container part. In a corresponding manner, the area along the periphery on the opening of the lid part is suitably provided with a recess. The rim is adapted to the recess and in a closed position the rim ends up in the recess, with the result that the rim and the recess together give a tight seal.

An important property for the package is that it is shock-proof and is formed so that the lid part sits securely on the container part so that the package does not open of its own accord when it is being stored or is subjected to blows or knocks. As the package is suitably provided with a locking mechanism in the form of a snap lock, it is possible to ensure safe storage of the panty shields. The snap lock is suitably arranged in connection with the rim and the recess. By giving the package a form that is adapted to its purpose and by manufacturing it from suitable material, it can also be made shape stable. The expression shape stable is intended to mean that the package is not deformed to any appreciable degree under the loads it can be subjected to during normal use. The fact that the package is shape stable also means that it shall be able to revert to its original form after having been subjected to the deformation.

Suitable materials for the package are plastics, such as polystyrene (PS), polyvinyl chloride (PVC), polyethylene (PE), polypropylene (PP) and polyethylene terephthalate (PET). By using a transparent or semi-transparent material during manufacture, the package can be formed so that it is possible to see the stack of panty shields from its outside. It is also possible to make a part of the package transparent or semi-transparent, for example by arranging a window on the package through which it is possible to see the absorbent articles. Another alternative can be that only the lid part or the container part is made transparent or semi-transparent. The package is advantageously manufactured by means of injection moulding, blow moulding or vacuum forming.

BRIEF DESCRIPTION OF THE DRAWINGS

The invention will be described below in more detail with reference to the embodiments shown in the figures.

FIG. 1 shows an open package in accordance with the invention seen from the side.

FIG. 2 shows the open package seen from the front.

FIG. 3 shows a closed package in accordance with the invention seen from the side.

FIG. 4 shows the closed package seen from the front.

FIG. 5 shows an end view of the closed package.

FIG. 6 shows a cross section along the line VI—VI through the closed package in FIG. 4.

FIG. 7 shows a closed package provided with a girdle.

FIG. 8 shows a micro panty shield seen from above.

FIG. 9 shows a section along the line IX—IX through the panty shield in FIG. 8.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

A package for storing absorbent articles is shown in FIGS. 1–5. The package includes a container part 1 and a lid part 2. The container and lid parts are intended to together enclose a number of non-folded micro panty shields, or similar absorbent articles 101 which are placed against each other in a stack 100 on top of each other. A micro panty shield is distinguished by the fact that it has a small extension in the longitudinal and transverse directions compared with a traditional panty shield. The package has a three-dimensional form with a longitudinal direction 3, a transverse direction 4 and a height direction 5, where the different directions are perpendicular or essentially perpendicular to each other. The package has a storage area 6 which is delimited by the container part 1 and the lid part 2. The storage area 6 has a form, i.e. an extension in the longitudinal, transverse and height directions which essentially corresponds to the extension which the stack 100 of panty shields has during packaging. Due to the fact that the form of the package is adapted to the stack, it can be made compact, small, neat and easy for a user to carry around. It is expedient for the storage area 6 to have a somewhat greater extension in the longitudinal, transverse and height directions than the stack 100 to make it easy to place the panty shields in the package during the actual packaging stage in the manufacturing process. Due to the form of the storage area 6, the package encloses the stack 100 in such a way that the panty shields lie securely during transport and storage.

The container part 1 is provided with an opening 7 which cooperates with an opening 8 on the lid part 2 in such a way that a tight seal is obtained between the container and lid parts 1, 2 in order to avoid dirt, dust or the like penetrating into the package.

The container part 1 can have any form that is suitable for the articles to be stored in it as long as it is adapted to cooperate with the lid part 2 by means of the container part together with the lid part forming a space which essentially corresponds with the extension defined by the stack of panty shields. In FIGS. 1–5, the container part 1 has an elongate form with a front surface 9, a rear surface 10 opposite to the front surface 9, two side surfaces 11 opposite to each other and an end surface 12. The afore-mentioned opening 7 on the container part is situated at a distance from the end surface 10 and the periphery of the opening 7 is delimited by the front, rear and side surfaces of the container part. The rear surface 10 preferably has an extension in the longitudinal direction 3 that is greater than that of the front surface 9, and as a result the side surfaces 11 are slanted at the opening 7. The end surface 12 preferably has a rounded form without sharp corners so that the package will have a small and compact form that does not catch or stick on various objects when the package is stored in, for example, a handbag. The other surfaces of the container part are also arranged by each other with gradual transitions without sharp corners or edges, see the figures.

Similar to the container part 1, the lid part 2 has a front surface 13, a rear surface 14 opposite to the front surface 13, two side surfaces 15 opposite to each other and an end surface 16. The opening 8 on the lid part is situated at a distance from the end surface 16 and the periphery of the opening 8 is delimited by the front 13, rear 14 and side 15 surfaces of the lid part. On the lid part the rear surface preferably has an extension in the longitudinal direction 3 that is less than that of the front surface 13, with the result

that the side surfaces 15 are also slanted in order to be adapted to the container part 1. The end surface 16 on the lid part is preferably flat so that, during transport and sale the package can stand upright with the lid part arranged downwards and the container part upwards, as shown in FIGS. 3 and 4. Also on the lid part the different surfaces are arranged by each other with gradual transitions without sharp corners or edges.

The opening 7 in the container part and the opening 8 in the lid part are designed so that the lid part 2 can cooperate releasably with the container part 1, i.e. the package is opened by removing the lid part from or displacing it in relation to the container part. In accordance with a preferred embodiment, the lid part 2 is connected to the container part by means of a joint member 17, for example a hinge, which is placed so that the rear surface 10 of the container part is connected to the rear surface 14 of the lid part. In this way, the lid part is pivotably joined in relation to the container part by means of the joint member and the package can then be opened by pushing the front surface 13 of the lid part away from the container part, see FIG. 1.

The slanted design of the side surfaces 11, 15 of the container and lid parts and the situation of the joint member 17 on the rear surface 10 of the container part high up on the package means that it is possible to make the package small and compact without the risk of the front surface 13 of the lid part catching in the stack 100 when the package is opened. Due to the fact that the front surface 9 of the container part has a longitudinal extension 3 that is smaller than that of the rear surface 10, it is also easy to access the panty liners in the container after the lid part has been swung up in relation to the container part. The angle on the periphery of the side surfaces 11, 15 at the openings on the container and lid parts in relation to the height direction can be varied depending on the design of the package. Suitably, the angle α , which has its apex in the joint member 17 and runs from a line that is parallel with the height direction to the periphery of the side surfaces 11, 15 at the openings when the package is closed, is within the interval 0° – 70° , see FIG. 3. According to a preferred embodiment, the angle α is approximately 30° . It is also possible within the scope of the invention to make the opening such that the angle α is negative.

Due to the rounded form of the end surface 12 of the container part, the upper surface of the stack 100 is given a somewhat concave form when it is stored in the package (see FIG. 1), as those panty shields that lie in the middle of the stack end up further down in the package than those that lie at the outer edges of the stack. The concave form of the stack makes it easier for the user to take hold of the panty shield lying foremost in the stack nearest the front surface 9 of the container part and in this way the user can avoid more than one panty shield being taken out of the package at a time. The end surface 12 need not be rounded but can, alternatively, be undulating or have some other irregular form in order to give the upper surface of the stack a form that facilitates removal of panty shields. The end surface 12 can also be flat so that the package can stand upright with the container part arranged downwards during transport and sale. In a corresponding manner, the end surface 16 of the lid part need not be flat but can, alternatively, have a rounded or irregular form.

In order to prevent dirt, dust or the like from penetrating into the package, a rim 18 is arranged on the container part 1, suitably along the entire periphery on the opening 7 of the container part. In a corresponding manner, the area along the periphery of the opening 8 of the lid part is provided with a

recess 19, which can cooperate with the rim 18 when the package is closed by pivoting the lid part towards the container part. The rim 18 is adapted to the recess 19 and in the closed position the rim 18 thus ends up in the recess 19, as a result of which the rim 18 gives a tight seal and functions as a barrier against dirt, dust or the like (see FIG. 6). Alternatively, it is possible within the scope of the invention to arrange the rim on the lid part and the recess on the container part. A suitable way to construct the rim and the recess is simply to let the lid and container parts have a lesser material thickness at their respective openings (see FIG. 6).

An important characteristic for the package is that it is shockproof. It should preferably therefore be manufactured from a material that does not break when the package is subjected to pressure, blows or knocks during normal use, or if the package should be dropped on the floor or the ground. Furthermore, when the package is closed it should be formed in such a way that the lid part sits securely on the container part so that the package does not open of its own accord when it is being stored, for example in a handbag, or is subjected to blows or knocks. Thus, it is expedient that the lid part is constructed and designed in such a way in relation to the container part that a certain force is required to open the package. The force should be sufficiently great to ensure hygienic storage but at the same time the package must not be perceived as being difficult to open. It is possible to ensure safe storage of the panty shields by arranging a locking mechanism in the form of a snap lock 20 on the package. The snap lock 20 is suitably arranged in connection with the rim 18 and the recess 19. In the embodiment according to FIGS. 1–6, the rim 18 along a part of its periphery, preferably on the front surface 9 of the container part, is provided with a tab 21 and the recess 19 along a part of its periphery, preferably on the front surface 13 of the lid part, is provided with a notch 22 which conforms to the tab 21. Due to the fact that the container part and the lid part are somewhat flexible, the tab can take hold of the notch when the package is closed, with the result that the lid part is locked tightly to the container part. The package is opened by pushing the lid part away from the container part at the snap lock 20 with a force which exceeds the holding power of the snap lock. In order to facilitate opening, it is also possible to press the front surface of the container part down immediately under the snap lock in order to free the tab 21 from the notch 22 while at the same time pushing the lid up. To facilitate the pressing down, the front surface of the container part can be provided with a thumb grip 23 in the form of a dip in the surface (see the figures). By varying the form of the tab 21 and the notch 22 in the longitudinal and transverse directions and also along the periphery of the openings 7, 8 of the lid and container parts, the holding power of the snap lock 20 can be varied. It is also possible in the present invention to arrange the tab 21 and the notch 22 on the lid part and the container part, respectively, or to use other types of snap lock or holding devices such as hooks or the like.

If the package is to offer hygienic storage of the absorbent articles, it is important that it protects the articles from blows or knocks and at the same time efficiently prevents dirt and dust from penetrating in and spoiling the articles. The package can be made shape stable by giving it a form that is adapted to its purpose and by manufacturing it from a suitable material. The term shape stable is intended to mean that the package does not become deformed to any appreciable degree by any strain it can be subjected to during normal use, for example when it is carried around in a

handbag or the like. That the package is shape stable also implies that it shall tolerate knocks and blows without appreciable deformation and shall regain or essentially regain its original form if it is deformed.

Suitable materials for the package are transparent, semi-transparent or opaque plastics, such as for example polystyrene (PS), polyvinyl chloride (PVC), polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET), and polypropylene (PP) is preferably used. By using a transparent or semi-transparent material during manufacture, the package can be formed so that it is possible to see the stack of panty shields from the outside. The package can be manufactured by injection moulding, blow moulding or vacuum moulding. In injection moulding, a mould provided with a cavity which corresponds to the dimensions of the package is used. During the actual injection moulding, a molten plastic is pressed into the cavity and after the plastic has set, the package is taken out of the mould. Preferably, the whole package is injection moulded with both the lid and container parts and also the joint member of the same material in a single continuous unit. The material thickness of the package should lie within the range of 0.5–3.5 mm and is suitably 1.2 mm and the package preferably has the same material thickness over essentially its entire extension. During manufacture, it is possible to provide the surfaces of the package with different surface structures or design elements such as graphic designs, logos or the like in order to give it an attractive and pleasant appearance. The design elements can expediently be formed directly during the injection moulding by engraving the actual mould with relief patterns which are reproduced on the package or by the tool having alternating matte and shiny surfaces which give patterns in matte and shiny surfaces on the package. It is also possible to provide the package with patterns or the like after it has been taken out of the mould. As the package is suitably made of plastic, it is possible to give it different colors to make it look attractive.

A suitable number of absorbent articles for the package can lie, for example, within the range of 2–40, depending on which type of absorbent article is to be packed and on how great an extension in the height direction the package is to have. The extension of the package in the height direction can easily be adapted to a suitable number of articles. The extension of the package in the longitudinal and transverse directions is completely dependent on the extension of the absorbent articles in the corresponding directions and the size and form of the storage space will here form the basis of the extension of the package. A package for small absorbent articles such as micro panty shields or the like should, in the closed position, have a greatest length in the longitudinal direction of about 70–150 mm, a greatest width in the transverse direction of about 40–70 mm and a greatest height in the height direction within the range of about 5–60 mm depending on the height of the stack. In accordance with one particular preferred embodiment, the package has a greatest length of about 100 mm, a greatest width of about 50 mm and a greatest height of about 39 mm.

After the stack 100 of panty shields 101 has been packed in the package and the lid part has been closed properly, it is suitable to provide the package with an extra protection to ensure for a customer that it is unopened when it is offered for sale. An effective way to prevent undesired opening of the package before sale is to provide it with a girdle or circumferential band 24 made of a plastic film or the like, which encircles at least a part of the container part 1 and also a part of the lid part 2 in the area on the outside of the package where the opening 7 of the container part cooper-

ates with the opening 8 of the lid part (see FIG. 7). Due to the band 24 being placed over both the container and lid parts and it being constructed in such a way that it must be removed before opening of the package, it is easy for the customer to see if the package has been opened or not. The band can be manufactured of a shrink film of, for example, polyethylene terephthalate (PET) or, more preferably, oriented polystyrene (OPS), which is formed as a tube that is slipped over the package and then warmed up carefully so that it closes round the package. In order to facilitate the removal of the band, it is possible to provide it with a perforation, tear arrangement, or the like. It is also suitable to provide the band with product information, trademarks, or the like since it is much simpler and cheaper to print this type of information on a plastic film than on the actual container. In order to be able to provide the package with as much information as possible, the band should be formed so that it covers the greater part of the surface of the package. As it is possible to print on the band, it can advantageously be used to strengthen the visual impression of the package when it is on sale and at the same time the package can be made discreet when the band is removed.

Within the scope of the invention, it is possible to place the opening of the package in another way than that described above, in which the package is divided in the longitudinal direction 3 into a container part and a lid part 2. For example, it is possible to form the package so that it is divided in the transverse or height direction. It is also possible to form the opening in another way and to form the container and lid parts with straight side surfaces.

A suitable absorbent article for this type of package is panty shields or sanitary napkins. A so-called micro panty shield suitable for the package will be described in further detail below. A micro panty shield is distinguished by the fact that it has a small extension in the longitudinal and transverse directions compared with a traditional panty shield. The panty shield has a length in the longitudinal direction which lies within the range of about 65–100 mm and a greatest width in the transverse direction within the range of about 35–55 mm. According to a particular preferred embodiment, the panty shield has a length of about 91 mm and a greatest width of about 42 mm.

The panty shield 101 in FIGS. 8 and 9 has an essentially elongate form with a longitudinal direction 108 and a transverse direction 109 and displays two long sides 102, 103, two short sides 104, 105, a first end portion 106 intended to face forwards on the user, a second end portion 107 intended to face rearwards on the user. The panty shield has an upper side 110, which is intended to face towards the user during use, and an underside 111, which is intended to face away from the user during use.

The panty shield comprises a liquid-permeable surface layer 112 arranged on the upper side so that it is facing towards the user during use and a liquid-impermeable rear-side layer 113 on the underside. Between the surface layer 112 and the rear-side layer 113 an absorbent body 114 is arranged. The surface layer and the rear-side layer are suitably connected to the absorbent body with glue. The surface layer 112 and the rear-side layer 113 can have the same extension in the longitudinal and transverse directions as the absorbent body 114 (see FIG. 9). It is also possible to form the panty shield so that the surface layer 112 and the rear-side layer 113 have a greater extension than the absorbent body 114. In that case, the surface layer and the rear-side layer are connected to one another in the area outside the absorbent body around the periphery of the absorbent body, wherein a hem is formed around the edge of

the panty shield. During manufacture of the panty shield, the different layers can be pressed together during gluing with an embossed roll, for example around the edge of the panty shield. It is also possible to emboss a pattern into the article during manufacture.

FIG. 9 shows a section through the panty shield in FIG. 8 along the line IX—IX. Fastening members in the form of pressure-sensitive glue 115 are arranged on the underside of the panty shield. The glue 115 can cover the entire underside, be applied in parallel strips along the underside or be applied on the underside in another suitable pattern, such as check patterns or spots. A removable protective layer 116 is arranged over the glue 115 and the protective layer 116 is removed by the user before application of the panty shield in the user's undergarments. The protective layer 116 may be, for example, a so-called release paper, which can be constituted by a paper layer coated with silicon.

The surface material 112 may be any conventional material, for example nonwoven, perforated plastic film or a laminate of a perforated plastic film and a nonwoven.

The rear-side layer 113 may be a liquid-impermeable material, such as a thin liquid-tight plastic film, or a material which in itself is liquid-permeable and which has then been coated with a layer of plastic, resin or some other liquid-tight material. The barrier layer 113 can thus include any material that fulfills the criterion of liquid-impermeability so that leakage from the underside is prevented and displays sufficient flexibility and skin-friendliness for the purpose. Examples of suitable materials are plastic films of polyethylene, polyester or polypropylene, nonwoven and laminates of nonwoven and plastic films. A rear-side layer which includes a laminate of a liquid-impermeable plastic layer, turned towards the absorbent layer, and a nonwoven turned towards the undergarments of the user gives a leakage-safe barrier layer with a textile feel. It is also possible to form the rear side of the panty shield with a breathable rear-side layer of, for example, SMS (spunbond-meltblown-spunbond) or of a breathable plastic film of, for example, polyethylene.

The absorbent body 114 is suitably produced from natural fibers, such as cellulose fluff, absorbent synthetic fibers or mixtures of natural fibers and synthetic fibers. Preferably, the absorbent body 114 includes a so-called airlaid, i.e. an airlaid cellulose body. It is also possible to mix in so-called superabsorbents in the absorbent body. A superabsorbent is a polymer with an ability to absorb several times its own weight of liquid. The absorbent body 114 can also contain further components as shape-stabilizing members, liquid-dispersion members or binding means. It is also possible to use different kinds of absorbent foam material in the absorbent body.

An admission layer may be arranged between the surface layer and the absorbent body. The admission layer has the task of drawing in liquid into the absorbent article and transporting the liquid down to the absorbent body 114. The admission layer can be made of, for example a nonwoven material with low density.

The panty shield 101 can have another form than that described above. Other conceivable forms of this type of absorbent article can be, for example, rectangular, triangular, hour-glass-shaped, round or oval. The package can then have another form than that which has been described, as its design is decided by the form of the absorbent body.

The invention should not be considered to be limited to the above embodiments as these are merely intended to clarify the invention. Within the scope of the invention it is also possible to combine characteristics from different embodiments with each other.

What is claimed is:

1. A package system, the package system comprising:
 - a plurality of non-folded, thin absorbent articles placed adjacent each other in a stack, said plurality of absorbent articles each having a first end portion and a second portion defining an absorbent article length therebetween, said plurality of absorbent articles having similar lengths;
 - a package for hygienic storage of the stack of absorbent articles, said package including a container part and a lid part, the container part having an end surface and an upper rim surface;
 - wherein the container part and the lid part together cooperate to delimit a storage space intended to accommodate the stack, such that the storage space has a form that principally conforms to the form of the stack;
 - wherein said container part is adapted to receive the first end portions of the absorbent articles in the stack proximal the bottom end of said container part such that the second end portions of the absorbent articles extend above the upper rim surface of said container part;
 - wherein said lid part includes a recess adapted to receive the second end portions of the absorbent articles in the stack, when said package is in a closed position;
 - wherein said container part has a greatest width defined in a transverse direction; said length of said absorbent article being greater than said greatest width of said container part;
 - wherein the end surface of said container part has a rounded form and the first end portions of the absorbent articles proximal thereto are correspondingly displaced relative to the rounded form such that the second end portions of the absorbent articles extending above the upper rim surface of said container part exhibit a concave form, thereby enabling a user to more easily grasp a foremost one of said absorbent articles; and
 - wherein said package is shape stable and shock-proof.
2. A package in accordance with claim 1, wherein the container part has an opening which cooperates with an opening arranged on the lid part so that a tight seal is obtained between the openings, and wherein the container part is provided with a rim which is adapted to a recess in the lid part.
3. A package in accordance with claim 1, wherein the container part is provided with a front surface, a rear surface opposite to the front surface, and two opposing side surfaces, and the lid part is provided with a front surface, a rear surface opposite to the front surface, two opposing side surfaces and an end surface.
4. A package in accordance with claim 1, wherein the absorbent articles include micro panty shields.
5. A package in accordance with claim 3, wherein the end surface of the lid part is flat.
6. A package in accordance with claim 3, wherein the lid part is pivotably attached to the container part by means of a joint member.
7. A package in accordance with claim 6, wherein the joint member connects the rear surface of the container part with the rear surface of the lid part.
8. A package in accordance with claim 3, further comprising a locking mechanism in the form of a snap lock.
9. A package in accordance with claim 8, wherein the container part is provided with a rim which is adapted to a recess in the lid part, and the snap lock is arranged adjacent to the rim and the recess, wherein the rim along a part of its periphery is provided with a tab and the recess along a part of its periphery is provided with a notch such that the tab can

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take hold of the notch when the package is closed and the lid part can be locked to the container part.

10. A package in accordance with claim 1, wherein said package is manufactured from a plastic material.

11. A package in accordance with claim 1, wherein in a closed position said package has a greatest length in a longitudinal direction of about 70-150 mm, and a greatest width in a width direction of about 40-70 mm, and a greatest height in a height direction within an interval about 5-60 mm.

12. A package in accordance with claim 1, further comprising a band encircling at least a part of the container part as well as a part of the lid part in the area on the outside of the package where the opening of the container part cooperates with the opening of the lid part.

13. A package in accordance with claim 12, wherein the band is manufactured from a shrink film of orientated polystyrene (OPS).

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14. A package in accordance with claim 12, wherein the band is provided with a perforation or tear arrangement.

15. A package in accordance with claim 9, wherein said tab is provided on the front surface of the container part and said notch is provided on the front surface of the lid part.

16. A package in accordance with claim 10, wherein the plastic material comprises polypropylene.

17. A package in accordance with claim 11, wherein said package has the greatest length in the longitudinal direction of about 100 mm, and the greatest width in the width direction of about 50 mm, and the greatest height in the height direction of about 39 mm.

18. A package in accordance with claim 12, wherein said band comprises a plastic film.

* * * * *

REIVINDICACIONES

1. Un sistema de paquete que comprende:

5 una pluralidad de artículos absorbentes delgados sin doblar colocados de forma adyacente unos a otros en una pila, dicha pluralidad de artículos absorbentes tiene una primera porción de extremo y una segunda porción que define la longitud del artículo absorbente entre las
10 mismas, dicha pluralidad de artículos absorbentes tiene longitudes iguales; y

un empaque para almacenamiento higiénico de una pila de artículos absorbentes, en donde dicho empaque incluye una
15 parte de recipiente y una parte de tapa, la parte de recipiente tiene una superficie de extremo y una superficie superior de orilla; caracterizado porque la parte de recipiente y la parte de tapa cooperan conjuntamente para delimitar un espacio de almacenamiento
20 destinado a acomodar la pila de forma tal que el espacio de almacenamiento tiene la forma de la pila; porque dicha parte de recipiente está adaptada para recibir las primeras porciones de extremo de los artículos absorbentes de la pila próximos al extremo inferior de dicha parte de recipiente de forma tal que
25 las segundas porciones de extremo de los artículos absorbentes se extienden por encima de la superficie superior de orilla de dicha parte de recipiente; / porque dicha parte de tapa incluye un nicho que está adaptado para recibir las segundas porciones terminales
30 de los artículos absorbentes de la pila, cuando dicho empaque se encuentra en la posición cerrada; porque dicha parte de recipiente presenta su mayor ancho definido en dirección transversal; dicha longitud de
35 dicho artículo absorbente es mayor a dicho ancho de dicha parte de recipiente;

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porque la superficie de extremo de dicha parte de recipiente tiene forma redondeada y las primeras porciones de extremo de los artículos absorbentes proximales a la misma están desplazadas de modo correspondiente relativas a la forma redondeada de manera tal que los artículos absorbentes que se extienden por encima de la superficie superior de orilla de dicha parte de recipiente exhiben una forma cóncava, permitiéndole así al usuario tomar más fácilmente el más externo de dichos artículos absorbentes; y porque el material de dicho paquete tiene un grosor entre 0.5-3.5mm.

2. Un paquete de acuerdo con la reivindicación 1, caracterizado porque la parte de recipiente tiene una abertura que coopera con una abertura dispuesta sobre la parte de tapa de forma tal que se obtiene un sello hermético entre las aberturas y porque la parte de recipiente está provista con una orilla la cual se adapta a un nicho en la parte de tapa.

3. Un paquete de acuerdo con la reivindicación 1, caracterizado porque la parte de recipiente está provista con una superficie frontal, una superficie posterior opuesta a la superficie frontal y dos superficies laterales opuestas y la parte de tapa está provista con una superficie frontal, una superficie posterior opuesta a la superficie frontal, dos superficies lateral opuestas y una superficie de extremo.

4. Un empaque de acuerdo con la reivindicación 1, caracterizado porque los artículos absorbentes incluyen micro protectores de pantaloncito.

5. Un empaque de acuerdo con la reivindicación 3, caracterizado porque la superficie de extremo de la tapa es plana.

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6. Un empaque de acuerdo con la reivindicación 3, caracterizado porque la parte de tapa está fijada de forma pivotable a la parte de recipiente por medio de un miembro de unión.

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7. Paquete de acuerdo con la reivindicación 6, caracterizado porque el miembro de unión conecta la superficie posterior de la parte de recipiente con la superficie posterior de la parte de tapa.

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8. Paquete de acuerdo con cualquiera de la reivindicación 3, caracterizado porque adicionalmente comprende un mecanismo de aseguramiento en la forma de un seguro de presión.

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9. Paquete de acuerdo con la reivindicación 8, caracterizado porque la parte de recipiente está provista con una orilla la cual se adapta a un nicho en la parte de tapa, y el seguro de presión está dispuesto adyacente a la orilla y al nicho, caracterizado porque la orilla está provista a lo largo de su periferia con una lengüeta y el nicho está provisto a lo largo de una parte de su periferia con una muesca de forma tal que la lengüeta puede enganchar la muesca cuando se cierra y la parte de tapa puede asegurarse a la parte de recipiente.

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10. Un paquete de acuerdo con la reivindicación 1, caracterizado porque dicho empaque es elaborado de un material plástico.

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11. Un paquete de acuerdo con la reivindicación 1, caracterizado porque en la posición cerrada dicho paquete tiene longitud mayor en la dirección longitudinal de 70-150 mm y un ancho mayor en la dirección de anchura de 40-70 mm y una altura mayor en la dirección de altura dentro del intervalo 5-60 mm.

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12. Un paquete de acuerdo con la reivindicación 1, caracterizado porque comprende adicionalmente una banda que circunda al menos una porción de la parte de recipiente así como una porción de la parte de tapa en el área externa del paquete en donde la abertura de la parte de recipiente coopera con la abertura de la parte de tapa.

13. Un paquete de acuerdo con la reivindicación 12, caracterizado porque la banda se elabora de una película encogible de poliestireno orientado (OPS).

14. Un paquete de acuerdo con la reivindicación 12, caracterizado porque la banda se suministra con una perforación o dispositivo de rasgado.

15. Un paquete de acuerdo con la reivindicación 9, caracterizado porque la lengüeta está provista en la superficie frontal de la parte de recipiente y dicho nicho está provisto en la superficie frontal de dicha parte de tapa.

16. Un paquete de acuerdo con la reivindicación 10, caracterizado porque el material plástico contiene polipropileno.

17. Un paquete de acuerdo con la reivindicación 11, caracterizado porque dicho paquete tiene su mayor longitud en la dirección longitudinal de aproximadamente 100 mm y su ancho mayor en la dirección de anchura de aproximadamente 50 mm y su altura mayor en la dirección de altura de aproximadamente 39 mm.

18. Un paquete de acuerdo con la reivindicación 12, caracterizado porque la banda contiene una película plástica.

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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT : 900176089-2

RECIBO OFICIAL DE CAJA : 08 - 63,763
FECHA : AGOSTO 11 DE 2008

***** CONSIGNACION *****

DEPOSITANTE	TIPO PAGO	BANCO	CUENTA	No. PAGO	FECHA PGO	Vr. PAGO
CAVELIER ABOGADOS	CONSIGNACION	BANCO DE BOGOTA	062754387	3422042	11/08/2008	37,840,000.00

***** CONCEPTO *****

CANT.	RENTISTICO	CONCEPTO	TOTAL CONCEPTO
1	50005-01-03	CAMBIO DE MODALIDAD Y MODIFICA	
		12 MARCAS Y LENAS COMERCIALES	103,000.00
		TOTAL :	\$ 103,000.00

CIENTO TRES MIL PESOS

RESPONSABLE : _____

RECIBO DE CAJA APLICADO AL EXPEDIENTE No. _____

COLO. 11256-841-029-7

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US00D341315S

United States Patent [19]

Seymour

[11] Patent Number: Des. 341,315

[45] Date of Patent: ** Nov. 16, 1993

[54] CONTAINER WITH CAP

[75] Inventor: Richard W. Seymour, London, England

[73] Assignee: SmithKline Beecham Plc, Brentford

[**] Term: 14 Years

[21] Appl. No.: 857,818

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[30] Foreign Application Priority Data

Sep. 30, 1991 [GB] United Kingdom 2017816

[52] U.S. Cl. D9/424; D9/529

[58] Field of Search D9/428, 429, 414, 424, D9/529, 569, 573, 574, 575, 550, 556; 220/252, 253, 254, 608, 623, 669, 675; 215/DIG. 1, 1 R; 206/581, 265-270; D3/39, 74; D28/1, 76, 77, 78, 82; 229/160.1; D27/189, 186, 183, 172

[56] References Cited

U.S. PATENT DOCUMENTS

D. 265,550 7/1982 Young et al. D9/529
D. 285,174 8/1986 Teschner D9/573 X
D. 325,164 4/1992 Cann et al. D9/529
D. 332,749 1/1993 Pizar D9/549 X
4,923,059 5/1990 Evers et al. 206/261 X

5,044,550 9/1991 Lamm 206/268 X
5,097,948 3/1992 Campbell 206/268
5,129,513 7/1992 David et al. 206/265

FOREIGN PATENT DOCUMENTS

DM008518 4/1987 World Int. Prop. O. .

OTHER PUBLICATIONS

D & CI May 1984, p. 112, Oval Doric Bottle.

D & CI Jul. 1977, p. 10, Oval Shaped Container second from left.

D & CI, Sep. 1975, p. 79, Container, right top of the page.

Primary Examiner—Prabhakar G. Deshmukh

Attorney, Agent, or Firm—Stuart R. Suter; Edward T. Lentz

[57] CLAIM

The ornamental design for a container with cap, as shown and described.

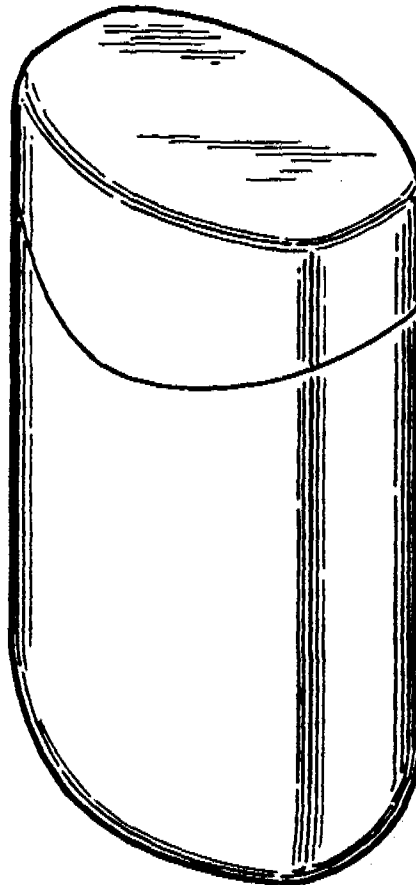
DESCRIPTION

FIG. 1 is a front perspective view of a container with cap showing my new design;

FIG. 2 is a rear elevational view thereof;

FIG. 3 is a bottom plan view thereof; and,

FIG. 4 is a right side elevational view thereof; the left side elevational view being a mirror image thereof.



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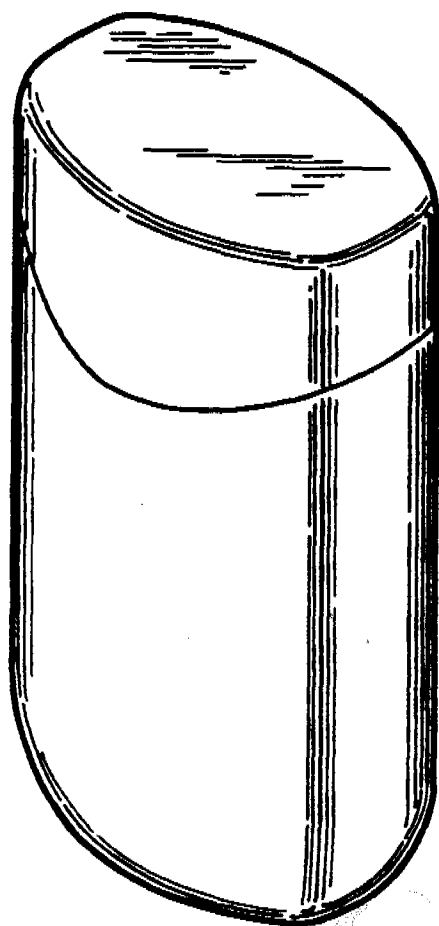


Fig.1

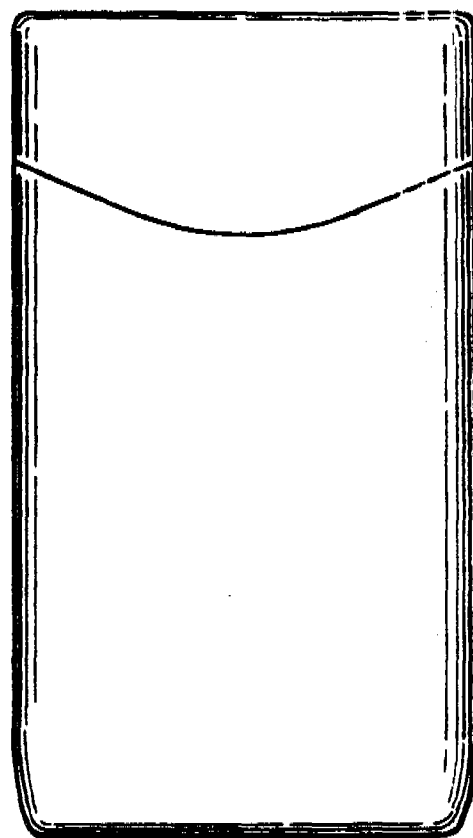


Fig.2

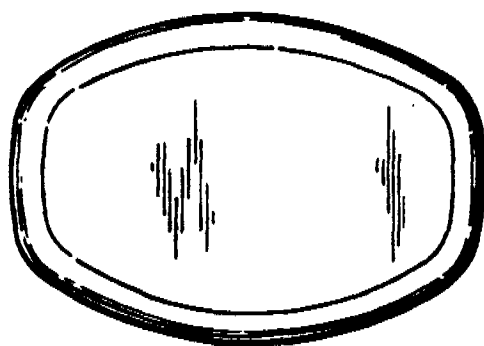
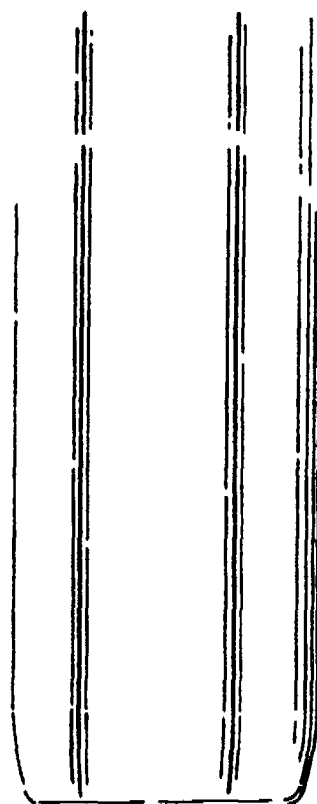


Fig.3

Fig.4



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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIRECCION DE NUEVAS CREACIONES

2020
Bogotá, D.C.,

Abogado
EMILIO FERRERO

ASUNTO	Radicación	03101173
	Trámite	011
	Evento	379
	Actuación	430
	Oficio	108955
	Folios	7

Patente de Invención	☒	Patente de Modelo de Utilidad	☐
Vía Nacional	☐		
Vía PCT (fase nacional)	☒	Cap.I	☐
		Cap. II	☒
No. Sol. Internacional	PCT/SE02/00831		
Fecha de Presentación Internal.	29 de abril de 2002		

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

1. Documentos estudiados

Descripción:	Folios: 48 a 80
Reivindicaciones:	Folios: 172 a 175
Dibujos:	Folios: 31 a 34
Prioridad:	Folios: 11 a 34
	18-05-2001 SE 0101761-5
Rta. del solicitante:	Folios: 153 a 159

2. Objeto de la invención

- Título de la solicitud: "PAQUETE PARA ALMACENAMIENTO HIGIENICO DE ARTICULOS ABSORBENTES" (folio 48).
- Objeto de la invención: La solicitud se relaciona con un almacenamiento higiénico de dos o más artículos absorbentes delgados. Los problemas que se presentan (según el autor) con los paquetes convencionales para artículos absorbentes de este tipo es que para obtener un almacenamiento higiénico de los artículos, estos deben estar envueltos de una manera sencilla que al mismo tiempo se hace complicada como elaboración, proceso de ingeniería y costosa porque cada elemento debe ser envuelto en material plástico. Además los artículos son doblados en relación con la envoltura simple para hacerlos mas pequeños de tamaño. El doblez complica la elaboración y puede tener un efecto negativo sobre la capacidad de absorción de líquido y

le da una apariencia menos atractiva al producto. Por ultimo los empaques tradicionales no son adecuados para ser transportados en bolsas de mano o similares debido a que se rompen con mucha facilidad hecho que puede llevar a que los artículos terminen fuera del empaque.

Para solucionar estos inconvenientes el autor propone un empaque con un espacio de almacenamiento que tiene una forma que corresponde esencialmente con la forma que la pila de productos tiene al ser empacado, el empaque incluye una tapa que produce un sello hermético entre las paredes del recipiente y la tapa con el fin de evitar que la suciedad, polvo o similares penetren dentro del paquete y una propiedad importante que el autor dice agregar al producto consiste en que este recipiente es a prueba de golpes y se forma de tal manera que la tapa quede fija y no se abra durante el transporte esto quiere decir que el paquete no se deforma en un grado considerable bajo las cargas a las que puede ser sometido durante el uso normal, para lograr esta característica el autor propone materiales como plástico (poliestireno, polivinilo, polietileno, polipropileno y tereftalato de polietileno). Para mejor visibilidad del producto el diseño de la solicitud revela la utilización de un material transparente o semitransparente o por ejemplo el disponer de una ventana sobre el empaque a través de la cual se posible ver la disponibilidad del producto.

- El objeto de la invención se catalogó como **B65D 75/58** según la Clasificación Internacional de Patentes (IPC.).

3. De la solicitud de Patente

3.1. Reivindicaciones (artículo 30 D 486)

Después de estudiar toda la solicitud se hacen las siguientes observaciones:

- El solicitante en la reivindicación principal uno (1, folio 172) pretende reclamar protección sobre un sistema compuesto por el empaque de almacenamiento y el producto, hecho no permitido, las reivindicaciones deben referirse únicamente al producto que en este caso es el empaque. Por lo tanto, el contenido debe referirse únicamente al empaque lo demás (artículos absorbentes) debe ser eliminado.
- No se puede incluir dentro de las reivindicaciones los artículos absorbentes, por lo tanto el párrafo: "una pluralidad de artículos absorbentes delgados sin doblar.....dicha pluralidad de artículos absorbentes tienen longitudes iguales" no será tenido en cuenta y debe ser eliminado. De igual forma ocurre con las expresiones: "adaptada para recibir las primeras porciones.....por encima de la superficie de orilla de dicha parte de recipiente", "recibir las segundas porciones terminales de los artículos absorbentes de la pila". "dicha longitud de dicho articulo absorbente es mayor a dicho ancho de dicha parte de recipiente" y "las primeras porciones de extremo.....exhiben una forma cóncava". Igualmente ocurre en la reivindicación cuatro (4, folio 173) donde se pretende caracterizar el empaque por lo artículos absorbentes contenidos dentro de dicho empaque en este caso "protectores de pantaloncito".
- Además la reivindicación uno menciona: "permitiéndole así al usuario tomar más fácilmente el más externo de dichos artículos absorbentes" la expresión anterior señala un efecto producido al insertar el producto dentro del

recipiente y ventajas técnicas a alcanzar. Estas ventajas, efectos y/o resultados no son características técnicas de la invención. Esta se debe definir por sus características esenciales, estructurales y funcionales.

- Se sugiere al solicitante incluir dentro de todas las reivindicaciones los números de referencia de cada uno de los elementos que hacen parte de la invención entre paréntesis, de acuerdo con la numeración empleada en los dibujos (figuras 1 a 7), con el fin de hacer mas fácil y sencilla la comprensión de la materia objeto reivindicada

4. Determinación del Estado de la Técnica

Teniendo en cuenta que la fecha de prioridad de la solicitud PCT es 18 de mayo de 2001, se encontró el siguiente documento relevante:

Nº	Documento	Título	Fecha de publicación*
D1	Des. 341,315	CONTAINER WITH CAP	16-11-1993

5. Análisis de patentabilidad (artículo 14 D486)

5.1 Novedad (artículo 16 D486)

El estudio se realizó comparando la invención tal como esta definida en la reivindicación uno (1, folios 172-173) con D1 y teniendo en cuenta las observaciones hechas en el numeral tres (3), encontramos que el mencionado documento revela la mayoría de los elementos y características de dicha reivindicación:

Reivindicación Uno (1, folios 172-173): Un empaque para almacenamiento en donde dicho empaque incluye una parte de recipiente y una parte de tapa, la parte de recipiente tiene una superficie de extremo y una superficie superior de orilla.

D1: Ver: figura 2.

Reivindicación Uno (1, folios 172-173): caracterizado porque la parte de recipiente y la parte de tapa cooperan conjuntamente para delimitar un espacio de almacenamiento.

D1: Ver: figura 2.

Reivindicación Uno (1, folios 172-173): Porque dicha parte de recipiente presenta su mayor ancho definido en dirección transversal, porque la superficie de extremo de dicha parte de recipiente tiene forma redondeada, porque el material de dicho paquete tiene un grosor de 0.5-3.5 mm.

D1: Ver: figuras 1-2.

D1 revela toda la configuración definida en la reivindicación 1 a excepción de la característica que hace referencia al ancho definido en dirección transversal y al espesor.

De la tabla anterior se puede deducir que la solicitud tal como fue definida en la reivindicación independiente uno (1, folios 172-173) sería nueva y que las reivindicaciones 1-18 (folios 172-175) cumplirían con lo estipulado en el artículo 16 de la Decisión 486 de la Comisión de la Comunidad Andina de Naciones.

5.2 Nivel inventivo (artículo 18 D486)

Continuando con el estudio, la reivindicación uno (1, folios 172-173) define una variación en el ancho del recipiente y unos espesores determinados, estas características para un empaque de este tipo no fueron reveladas por D1 sin embargo dicho documento revela una configuración muy similar a la de la solicitud, con una parte del recipiente en forma redondeada (Ver en D1: figuras 1-2).

Así las cosas, la solicitud se vería afectada por nivel inventivo ya que no sería difícil para un experto en la materia tomar como base el recipiente propuesto por el documento D1 variando el ancho y seleccionando un espesor específico, obteniendo así un recipiente de similares características al definido en las reivindicaciones 1-18 (folios 172-175). Hecho que no constituye un resultado sorprendente e inesperado y que por el contrario se ubica en el desarrollo normal de la tecnología. El estudio anterior permitiría afirmar que la solicitud tal como fue definida en las reivindicaciones 1-18, NO cumple con lo estipulado en el artículo 18 de la Decisión 486 de la Comunidad Andina de Naciones. De acuerdo a lo expresado antes, se sugiere cambiar de modalidad de Patente de Invención a Modelo de Utilidad.

6. **Conclusión:**

Los requisitos de patentabilidad de la presente solicitud se encuentran afectados así:

Nº	Documento Nº	Reivindicaciones afectadas	Requisito que afecta
D1	Des. 341,315	1-9	NIVEL INVENTIVO

- Se sugiere al solicitante tener en cuenta las observaciones hechas en el numeral tres (3) y realizar el CAMBIO DE MODALIDAD DE PATENTE DE INVENCION A PATENTE DE MODELO DE UTILIDAD, debido a que la presente solicitud no cumpliría con el requisito de nivel inventivo.

7. **Respuesta a los argumentos del solicitante:**

El solicitante dio respuesta al requerimiento 5246 del 18 de abril de 2008 y argumenta lo siguiente:

- El solicitante define dentro de la reivindicación 1 (folio 172) y su respuesta que el “espacio de almacenamiento tiene forma de la pila” y que “el material del empaque tiene ciertas propiedades físicas que le permite soportar las cargas que puedan surgir dentro del uso normal”.

Sobre estos argumentos se puede afirmar que estas propiedades no son características a tener en cuenta puesto que se pretende caracterizar el empaque por la forma del producto a dispensar y por las propiedades intrínsecas del material del cual se pretende fabricar dicho empaque. A pesar

de las observaciones hechas repetidamente el solicitante insiste en caracterizar el empaque con el producto a dispensar, hecho no permitido.

- El solicitante define dentro de la reivindicación 1 (folio 172) y su respuesta que la forma redondeada del fondo del recipiente permite la entrada y remoción individual de los artículos del empaque.

La variación en la forma del extremo del recipiente no constituye un hecho sorprendente e inesperado, como lo define el Manual Andino de Patentes significa una simple variación en la forma del empaque que lo hace nuevo pero no le da nivel inventivo alguno, por lo tanto se sugiere nuevamente al solicitante tener en cuenta las observaciones y sugerencias hechas en el numeral 3 y realizar el cambio a modelo de utilidad.

En cumplimiento del artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le indica que debe dar respuesta dentro del término de sesenta (60) días contados a partir de la fecha de notificación de la presente comunicación. En caso de no dar respuesta al presente requerimiento, o si a pesar de la respuesta subsistieran los impedimentos para la concesión, se denegará la patente.

Notifíquese el presente oficio conforme a lo dispuesto en el numeral 5.2, literal e), del capítulo quinto del título primero de la Circular Única N° 10 de 2001.



ALIX CARMENZA CÉSPEDES DE VERGEL
Directora de Nuevas Creaciones (C).

El anterior requerimiento fue notificado por fijación en lista, de fecha _____, 6 JUL. 2010

CONCEPTO TÉCNICO No. 1763	EXAMINADOR TÉCNICO Código No.202086
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