

96

ESCOBAR - URIBE ASOCIADOS

ABOGADOS

Carrera 11A No. 94-76 Of. 305 - P.O. Box 94948, Bogotá, Colombia, S.A.
Tels: (571) 6162051 - 6162061 - 6161839 - 6161869
Fax: (571) 6161839

2621/PCT

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISION DE NUEVAS CREACIONES

E. S. D.

Ref.: Expediente No. 04.011.525

Solicitud de Patente a nombre de

NOVARTIS AG

SUPERINDUSTRIA Y COMERCIO
Radicacion: 04011525 00000002 Folios: 22
Fecha (AMD): 2004-04-05 15:47:33
Tramite: 011 PCT-PATENT 379 FASE NNCI 444 REPUESTA
Dependencia: 2000 DIVISION DE NUEVAS CREACIONES

Yo, JIMENA ESCOBAR URIBE, identificada como aparece al pie de mi firma, domiciliada en la carrera 11 A No. 94-76, of. 305, obrando como apoderada de la sociedad Novartis AG, domiciliada en Basilea, Suiza, solicitante de la patente de la referencia, en respuesta al auto No. 03247 notificada por fijación en lista el día 26 de marzo de 2004, me permito presentar los documentos (8) en que consta la cesión del derecho a la patente otorgado por los inventores a favor de mi mandante.

Sobre el particular, es importante resaltar que de conformidad con las normas legales vigentes, artículo 1 de la Resolución 210 de 2001, expedida por el Superintendente de Industria y Comercio y artículo 2 de la Convención de la Haya, los documentos en inglés que se pretendan aportar como parte de los

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trámites de propiedad industrial ante la Superintendencia de Industria y Comercio no requieren traducción. Por otro lado, la legalización consular y/o diplomática de los documentos expedidos en el extranjero no es necesaria. Por lo tanto, los documentos de cesión (4) anexos a este memorial son válidamente presentados en idioma inglés y con la correspondiente Apostilla. Los restantes documentos de cesión (4), se presentan en inglés con su correspondiente traducción al español y así mismo, con la traducción de las partes pertinentes del idioma alemán al idioma español.

Espero con esto haber dado cabal cumplimiento a lo solicitado por ese despacho y de conformidad con lo indicado en los artículos 3º., inciso 3, 35 inciso 2 y 59 inciso 2 del CCA, al analizar este memorial, atentamente ruego se traten todas las cuestiones planteadas con motivo del mismo.

Señor Superintendente,


JIMENA ESCOBAR URIBE

C.C. 39.779.452 de Usaquén

T.P. 68.228

Cod. 5376

**DOCUMENTO DE CESIÓN
ASSIGNMENT DOCUMENT**

El (los) suscrito (s), en su calidad de inventor (es) de

declara (an) que cede (n) y traspasa (n) todos los derechos que les correspondan en y sobre el invento atrás mencionado a NOVARTIS AG, una compañía suiza constituida y existente bajo las leyes de Suiza, domiciliada en CH-4002 Basilea, Suiza, en cuanto se refiere a la República de Colombia.

The undersigned, as inventor (s) of

COMBINATIONS COMPRISING EPOTHILONES AND PHARMACEUTICAL USES THEREOF

hereby declare (s) that assign (s) all the rights in and to the aforementioned invention to NOVARTIS AG, a Swiss company incorporated and existing in conformity with the laws of Switzerland, domiciled at CH-4002 Basel, Switzerland, as far as the Republic of Colombia is concerned.

TianLing CHEN
domiciled at
38 Park Street, #18C, Florham Park, NJ 07932,
USA

FIRMA DEL CEDENTE
domiciliado en

Diane GREELEY
domiciled at
48 Lakeview Terrace, Watchung, NJ 07089, USA

FIRMA DEL CEDENTE
domiciliado en

John David ROTHERMEL
domiciled at
48 School House Road, Randolph, NJ 07869,
USA

FIRMA DEL CEDENTE
domiciliado en



Markus WARTMANN
domiciled at
Kornfeldstrasse 14, 4125 Riehen, Switzerland

FIRMA DEL CEDENTE
domiciliado en



Jeannette Marjorie WOOD
domiciled at
In den Kleematten 18, 4105 Biel-Benken,
Switzerland

FIRMA DEL CEDENTE
domiciliado en

Attestation

I, the undersigned notary public in Basel, Switzerland, certify herewith the authenticity of the signatures of **Mr. Markus Wartmann**, citizen of St. Gallen, Switzerland, residing in Riehen, Switzerland, and **Mrs. Jeanette Marjorie Wood**, ~~now residing~~ ^{two words omitted} residing in Biel-Benken, Switzerland. The authenticity of the signatures was established by comparison.

BASEL, this 24th (twenty-fourth) of December 2003 (two thousand and three).



M. Staehelin, Notar

Leg.Prot.Nr.: *MM5*/2003

APOSTILLE	
(Convention de la Haye du 5 octobre 1961)	
1. Land: Schweiz (Suisse)	
Diese öffentliche Urkunde	
2. ist unterschrieben von	<i>M. Staehelin</i>
3. in seiner Eigenschaft als	<i>Notar</i>
4. sie ist versehen mit dem Staatstempel des (der)	<i>Basel</i>
Besätigt 29. Dez. 2003	
5. in Basel (Bâle)	6. mit
7. durch die Staatskanzlei des Kantons Basel-Stadt	
8. durch den Staatstempel:	<i>2801-19-1ff</i>
10. Unterschrift:	
<i>Fischer</i>	
Heidi Fischer	

99

APOSTILLA

(Convention de la Haye du 5 octobre 1961)

1. País: Suiza

El presente documento público

2. Ha sido firmado por el Dr. iur. M. Staehelin

3. Actuando en calidad de: Notario público

4. Lleva el sello / estampilla del Notario Público en Basilea

Certificado

5. En Basilea

6. el 29 de diciembre de 2003

7. Por la Cancillería de Estado del Cantón de Basilea - Ciudad

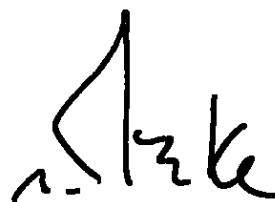
8. Bajo el No. 11280 / 19188

9. Sello/estampilla

10. Firmado

Sello de la Cancillería de Estado del
Cantón de Basilea - Ciudad

Heidi Fischer



ADOLF WATZKE
Traductor Oficial

Reg. 8498 Minjusticia

MINISTERIO DE
RELACIONES EXTERIORES

710832
Adolf Watzke
CUYA FIRMA APARECE EN EL
DOCUMENTO DESEMPEÑA
LAS FUNCIONES INDICADAS

SE ASUME
RESPONSABILIDAD DEL TEXTO

2004.03.10 1:46

REGISTRO DE
RELACIONES EXTERIORES

66
100

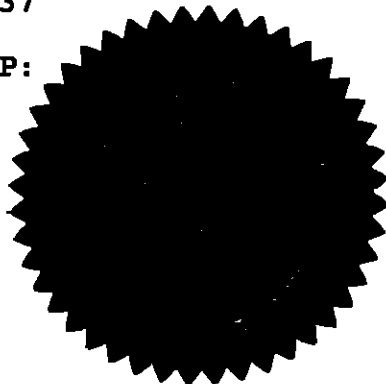
APOSTILLE

(CONVENTION DE LA HAYE DU 5 OCTOBRE 1961)

1. COUNTRY: UNITED STATES OF AMERICA
2. THIS PUBLIC DOCUMENT HAS BEEN SIGNED BY:
MAUREEN C MCGEE
3. ACTING IN THE CAPACITY OF:
NOTARY PUBLIC OF NEW JERSEY
4. BEARS THE SEAL/STAMP OF:
MAUREEN C MCGEE, NOTARY

CERTIFIED

5. AT TRENTON, NEW JERSEY
6. THE 30TH DAY OF JANUARY 2004
7. BY: John E McCormac, CPA, NEW JERSEY TREASURER
8. NO. A189237
9. SEAL/STAMP:
10. SIGNATURE



Handwritten signature of John E. McCormac.

**DOCUMENTO DE CESIÓN
ASSIGNMENT DOCUMENT**

El (los) suscrito (s), en su calidad de inventor (es) de

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TianLing CHEN
domiciled at
38 Park Street, #18C, Florham Park, NJ 07932,
USA

FIRMA DEL CEDENTE
domiciliado en



Diane GREELEY
domiciled at
48 Lakeview Terrace, Watchung, NJ 07069, USA

FIRMA DEL CEDENTE
domiciliado en



John David ROTHERMEL
domiciled at
46 School House Road, Randolph, NJ 07869,
USA

FIRMA DEL CEDENTE
domiciliado en

Markus WARTMANN
domiciled at
Kornfeldstrasse 14, 4125 Riehen, Switzerland

FIRMA DEL CEDENTE
domiciliado en

Jeanette Marjorie WOOD
domiciled at
In den Kleematten 18, 4105 Biel-Benken,
Switzerland

FIRMA DEL CEDENTE
domiciliado en

STATE OF NEW JERSEY)

)ss:

COUNTY OF MORRIS)

Before me, on the 18th day of December, 2003, personally appeared,
TianLing Chen and Diane Greeley
And

Before me, on the 16th day of January, 2004, personally appeared,
John David Rothermel

known to me and known to be the person(s) named in the attached document,
duly signed and executed the same.

Sworn and subscribed to
before me the 18th day of *December* 2003
and the 16th day of *January*, 2004


Notary

MAUREEN C. MCGEE
A Notary Public of New Jersey
My Commission Expires Jan 23rd, 2005

Seal

102

CO Case 4-32073A/078/079

Assignment of Priority Rights

I / We, the undersigned

John David ROTHERMEL, 46 School House Road, Randolph, NJ 07869, USA, citizen of USA**Markus WARTMANN, Kornfeldstrasse 14, 4125 Riehen, Switzerland, citizen of Switzerland****assign to Novartis AG, a body corporate organized according to the laws of Switzerland, of
Lichtstrasse 35, 4056 Basel, Switzerland, the right of priority****for Colombia****In respect of the invention disclosed and claimed in my (our) patent application(s)
hereinafter identified, and in consequence thereof, authorize Novartis AG to file****in Colombia****in its name a patent application corresponding to my (our) patent application(s) filed****in USA****on July 19, 2001****under No.****60/306,559****while claiming the priority of my (our) above named patent application(s) in conformity with
the dispositions of the International Convention.****dated with effect from July 5, 2002****John David ROTHERMEL****Markus WARTMANN**

8

Attestation

I, the undersigned notary public in Basel, Switzerland, certify herewith the authenticity of the signature of **Mr. Markus Wartmann**, citizen of St. Gallen, Switzerland, residing in Riehen, Switzerland. The authenticity of the signature was established by comparison.

BASEL, this 24th (twenty-fourth) of December 2003 (two thousand and three).



M. Staehelin, Notar

Leg.Prot.Nr.: *1116*/2003

APOSTILLE (Convention de la Haye du 5 octobre 1961)	
1. Land: Schweiz (Suisse)	
Diese öffentliche Urkunde	
2. ist unterschrieben von	<i>M. Staehelin</i>
3. in seiner Eigenschaft als	<i>Notar</i>
4. sie ist versehen mit dem Stempel des (des)	<i>Staatskanzlei</i>
29. Dez. 2003	
Bestätigt	
5. in Basel (Bâle)	6. am
7. durch die Staatskanzlei des Kantons Basel-Stadt	
8. unter Nr.	<i>11'279/10'119</i>
9. Stempel:	10. Unterschrift:
	<i>Fischer</i>
	Heldi Fischer

104
104

APOSTILLA

(Convention de la Haye du 5 octobre 1961)

1. País: Suiza

El presente documento público

2. Ha sido firmado por el Dr. iur M. Staehelin

3. Actuando en calidad de: Notario público

4. Lleva el sello / estampilla del Notario Público en Basilea

Certificado

5. En Basilea

6. el 29 de diciembre de 2003

7. Por la Cancillería de Estado del Cantón de Basilea - Ciudad

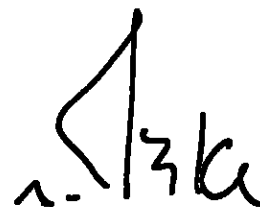
8. Bajo el No. 11279 / 19189

9. Sello/estampilla

10. Firmado

Sello de la Cancillería de Estado del
Cantón de Basilea - Ciudad

Heidi Fischer



ADOLF WATZKE
Traductor Oficial
Reg. 2433 Minjusticia

MINISTERIO DE
RELACIONES EXTERIORES

210831
Adolf Watzke
CUYA FIRMA APARECE EN EL
DOCUMENTO DESEMPEÑA
LAS FUNCIONES INDICADAS

YO ASUME
LA RESPONSABILIDAD DEL TEXTO
2004.12.29 1:45
ADOLF WATZKE
C.A.B.C.

Assignment of Priority Rights

I / We, the undersigned

TianLing CHEN, 38 Park Street, #18C, Florham Park, NJ 07932, USA, citizen of USA

Diane GREELEY, 46 Lakeview Terrace, Watchung, NJ 07069, USA, citizen of USA

John David ROTHERMEL, 46 School House Road, Randolph, NJ 07869, USA, citizen of USA

Markus WARTMANN, Kornfeldstrasse 14, 4125 Riehen, Switzerland, citizen of Switzerland

assign to Novartis AG, a body corporate organized according to the laws of Switzerland, of
Lichtstrasse 35, 4056 Basel, Switzerland, the right of priority

for **Colombia**

in respect of the invention disclosed and claimed in my (our) patent application(s)
hereinafter identified, and in consequence thereof, authorize Novartis AG to file

in **Colombia**

in its name a patent application corresponding to my (our) patent application(s) filed

in **USA**

on **July 19, 2001** under No. **60/306,571**

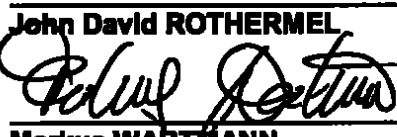
while claiming the priority of my (our) above named patent application(s) in conformity with
the dispositions of the International Convention.

dated with effect from **July 5, 2002**

TianLing CHEN

Diane GREELEY

John David ROTHERMEL



Markus WARTMANN

10

Attestation

I, the undersigned notary public in Basel, Switzerland, certify herewith the authenticity of the signature of Mr. Markus Wartmann, citizen of St. Gallen, Switzerland, residing in Riehen, Switzerland. The authenticity of the signature was established by comparison.

BASEL, this 24th (twenty-fourth) of December 2003 (two thousand and three).



M. Staehelin, Notar

Leg.Prot.Nr.: 1113/2003

APOSTILLE
(Convention de la Haye du 5 octobre 1961)

1. Land: Schweiz (Suisse)
Diese öffentliche Urkunde

2. ist unterschrieben von M. Staehelin

3. in seiner Eigenschaft als Notar

4. sie ist versehen mit dem Stempel/Stempel des Basel

Bestätigt 29. Dez. 2003

5. in Basel (Bâle)

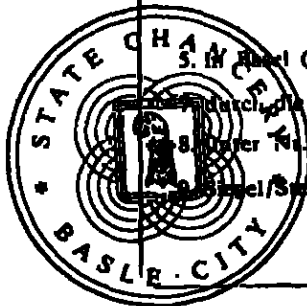
6. am 29.12.2003

7. durch die Staatskanzlei des Kantons Basel-Stadt

8. unter Nr. 1113/2003

9. Stempel/Stempel:

10. Unterschrift: Fischer
Heldi Fischer



108
106

AP STILLA

(Convention de la Haye du 5 octobre 1961)

1. País: Suiza

El presente documento público

2. Ha sido firmado por el Dr. iur M. Staehelin

3. Actuando en calidad de: Notario público

4. Lleva el sello / estampilla del Notario Público en Basilea

Certificado

5. En Basilea

6. el 29 de diciembre de 2003

7. Por la Cancillería de Estado del Cantón de Basilea - Ciudad

8. Bajo el No. 11278 / 19190

9. Sello/estampilla

10. Firmado

Sello de la Cancillería de Estado del
Cantón de Basilea - Ciudad

Heidi Fischer



ADOLF WATZKE
Traductor Oficial
Res. 2433 Minjusticia

MINISTERIO DE
RELACIONES EXTERIORES

210834
Adolf Watzke
CUYA FIRMA APARECE EN EL
DOCUMENTO DESEMPEÑA
LAS FUNCIONES INDICADAS

NO SE ASUME
RESPONSABILIDAD DEL TEXTO
CON FIRMA - 11:47
RELACIONES
EXTERIORES

Assignment of Priority Rights

I / We, the undersigned

John David ROTHERMEL, 46 School House Road, Randolph, NJ 07869, USA, citizen of USA

Markus WARTMANN, Kornfeldstrasse 14, 4125 Riehen, Switzerland, citizen of Switzerland

Jeanette Marjorie WOOD, In den Kleematten 18, 4105 Bliel-Benken, Switzerland, citizen of New Zealand

assign to Novartis AG, a body corporate organized according to the laws of Switzerland, of Lichtstrasse 35, 4056 Basel, Switzerland, the right of priority

for Colombia

in respect of the invention disclosed and claimed in my (our) patent application(s) hereinafter identified, and in consequence thereof, authorize Novartis AG to file

in Colombia

in its name a patent application corresponding to my (our) patent application(s) filed

in USA

on July 19, 2001 under No. 60/306,560

while claiming the priority of my (our) above named patent application(s) in conformity with the dispositions of the International Convention.

dated with effect from July 5, 2002

John David ROTHERMEL



Markus WARTMANN



Jeanette Marjorie WOOD

108

AP STILLA

(Convention de la Haye du 5 octobre 1961)

1. País: Suiza

El presente documento público

2. Ha sido firmado por el Dr. iur M. Staehelin

3. Actuando en calidad de: Notario público

4. Lleva el sello / estampilla del Notario Público en Basilea

Certificado

5. En Basilea

6. el 29 de diciembre de 2003

7. Por la Cancillería de Estado del Cantón de Basilea - Ciudad

8. Bajo el No. 11281 / 19187

9. Sello/estampilla

10. Firmado

Sello de la Cancillería de Estado del

Heidi Fischer

Cantón de Basilea - Ciudad

MINISTERIO DE
RELACIONES EXTERIORES

210833
Adolf Watzke
Cuya firma aparece en el
documento desempeña
las funciones indicadas

NO SE ASUME
RESPONSABILIDAD DEL TEXTO
2004.02.05 P. 1: 4b
JEFES DE EJECUCIONES
S. I. A. D. C.

Adolf Watzke

ADOLF WATZKE
Traductor Oficial
Res. 8493 Minjusticia

108
109

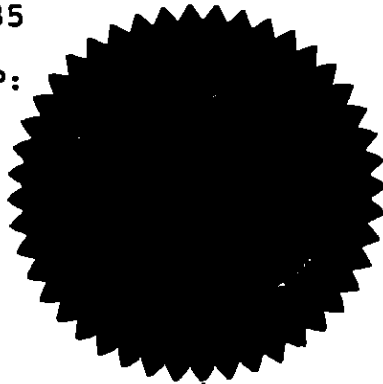
APOSTILLE

(CONVENTION DE LA HAYE DU 5 OCTOBRE 1961)

1. COUNTRY: UNITED STATES OF AMERICA
2. THIS PUBLIC DOCUMENT HAS BEEN SIGNED BY:
MAUREEN C MCGEE
3. ACTING IN THE CAPACITY OF:
NOTARY PUBLIC OF NEW JERSEY
4. BEARS THE SEAL/STAMP OF:
MAUREEN C MCGEE, NOTARY

CERTIFIED

5. AT TRENTON, NEW JERSEY
6. THE 30TH DAY OF JANUARY 2004
7. BY: John E McCormac, CPA, NEW JERSEY TREASURER
8. NO. A189235
9. SEAL/STAMP:
10. SIGNATURE



John E McCormac

110

Assignment of Priority Rights

I / We, the undersigned

TianLing CHEN, 38 Park Street, #18C, Florham Park, NJ 07932, USA, citizen of USA

Diane GREELEY, 46 Lakeview Terrace, Watchung, NJ 07069, USA, citizen of USA

John David ROTHERMEL, 46 School House Road, Randolph, NJ 07869, USA, citizen of USA

Markus WARTMANN, Kornfeldstrasse 14, 4125 Riehen, Switzerland, citizen of Switzerland

assign to Novartis AG, a body corporate organized according to the laws of Switzerland, of
Lichtstrasse 35, 4056 Basel, Switzerland, the right of priority

for Colombia

In respect of the invention disclosed and claimed in my (our) patent application(s)
hereinafter identified, and in consequence thereof, authorize Novartis AG to file

in Colombia

in its name a patent application corresponding to my (our) patent application(s) filed

in USA

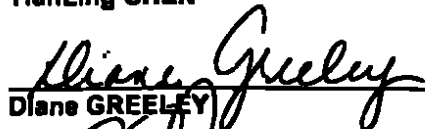
on July 19, 2001 under No. 60/308,571

while claiming the priority of my (our) above named patent application(s) in conformity with
the dispositions of the International Convention.

dated with effect from July 5, 2002



TianLing CHEN



Diane GREELEY



John David ROTHERMEL

Markus WARTMANN

STATE OF NEW JERSEY)

)ss:

COUNTY OF MORRIS)

Before me, on the 18th day of December, 2003, personally appeared,
TianLing Chen and Diane Greeley
And

Before me, on the 16th day of January, 2004, personally appeared,
John David Rothermel

known to me and known to be the person(s) named in the attached document,
duly signed and executed the same.

Sworn and subscribed to
before me the 18th day of December 2003
and the 16th day of January, 2004

Maureen C. McGee
Notary

MAUREEN C. MCGEE
A Notary Public of New Jersey
My Commission Expires Jan 23rd, 2005

Seal

112

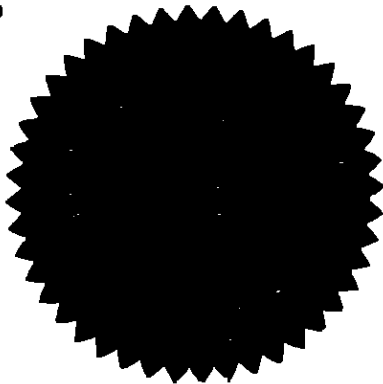
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4. BEARS THE SEAL/STAMP OF:
MAUREEN C MCGEE, NOTARY

CERTIFIED

5. AT TRENTON, NEW JERSEY
6. THE 30TH DAY OF JANUARY 2004
7. BY: John E McCormac, CPA, NEW JERSEY TREASURER
8. NO. A189236
9. SEAL/STAMP:
10. SIGNATURE



John E McCormac

Assignment of Priority Rights

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In Colombia

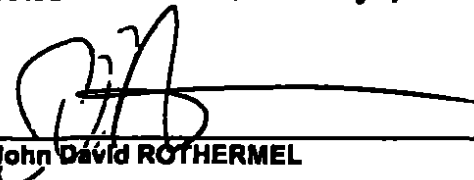
In its name a patent application corresponding to my (our) patent application(s) filed

In USA

on July 19, 2001 under No. 60/306,559

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John David ROTHERMEL

Markus WARTMANN

114

STATE OF NEW JERSEY)

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Sworn and subscribed to
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Notary

MAUREEN C. MCGEE
A Notary Public of New Jersey
My Commission Expires Jan 23rd, 2005

Seal

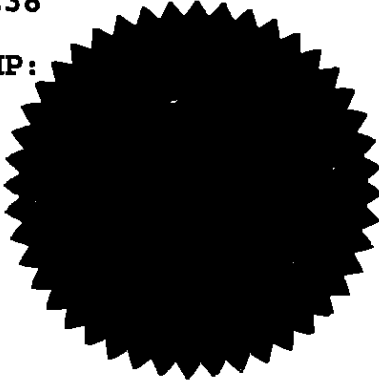
115
APOSTILLE

(CONVENTION DE LA HAYE DU 5 OCTOBRE 1961)

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8. NO. A189238
9. SEAL/STAMP:
10. SIGNATURE



John E McCormac

46
115

Assignment of Priority Rights

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Jeanette Marjorie WOOD, In den Kleematten 18, 4105 Blei-Benken, Switzerland, citizen of New Zealand

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for Colombia

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in Colombia

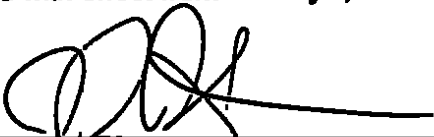
In its name a patent application corresponding to my (our) patent application(s) filed

in USA

on July 19, 2001 under No. 60/306,580

while claiming the priority of my (our) above named patent application(s) in conformity with the dispositions of the International Convention.

dated with effect from July 5, 2002



John David ROTHERMEL

Markus WARTMANN

Jeanette Marjorie WOOD

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118

STATE OF NEW JERSEY)

)ss:

COUNTY OF MORRIS)

Before me, on the 18th day of December, 2003, personally appeared,
TianLing Chen and Diane Greeley
And

Before me, on the 16th day of January, 2004, personally appeared,
John David Rothermel

known to me and known to be the person(s) named in the attached document,
duly signed and executed the same.

Sworn and subscribed to
before me the 18th day of *December* 2003
and the 16th day of *January*, 2004


Notary

MAUREEN C. MCGEE
A Notary Public of New Jersey
My Commission Expires Jan 23rd, 2005

Seal

2020
Bogotá D C

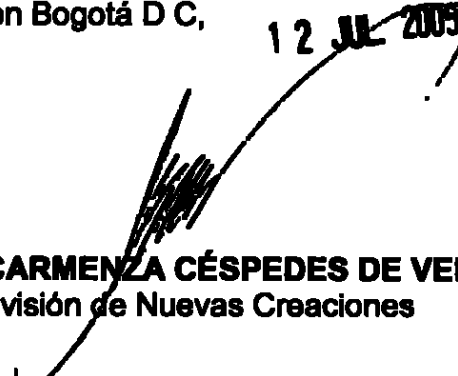
Doctor(a)
JIMENA ESCOBAR URIBE.
Apoderado(a)

REFERENCIA:	Radicación N°	04-11525
	Solicitud internacional	PCT/EP02/08020
	Fecha límite fase nacional	19/02/2004
	Trámite	011
	Evento	379
	Actuación	416
	Oficio N°	553
	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,

12 JUL 2005


ALIX CARMENZA CÉSPEDES DE VERGEL
Jefe División de Nuevas Creaciones

202051