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Clarke, Modet & C^o

COLOMBIA

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



Nº. 05-029248- -00005-0000

Fecha: 2007-06-28 16:02:33 Dep: 2020 NUECREACIONES
Tpo: 11 PATENTEIYII Eve: 379 FASENACIONALII
Act: 538 PETICION Folios: 2

SEÑORES

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

REF

EXPEDIENTE No: **05029248**

SOLICITANTES : MEDICAL INSTILL TECHNOLOGIES, INC.
TITULO: ENVASES SELLADOS Y METODOS PARA SU FABRICACION
Y LLENADO
FECHA SOLICITUD : ABRIL 4 ,2005

ASUNTO: SOLICITUD ESTUDIO DE FONDO

DILIA RODRÍGUEZ D'ALEMAN, en mi condición de apoderada de la Sociedad solicitante, por el presente escrito atentamente solicito a Usted que habiéndose surtido la publicación de la presente solicitud, en la Gaceta de la Propiedad Industrial No.572 de fecha Enero 31 de 2007 y se proceda con el estudio de Fondo.

Para tal fin me permito anexar la tasa correspondiente.

Agradezco continuar con el presente trámite.

Señor Jefe,


DILIA RODRÍGUEZ D'ALEMAN
C.C. 41.654.882 Bogotá

P-631

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 05-029248- -00005-0000

Fernando L. GARCIA 18-12-93 Dep. 2020 NUECREACIONES
Tirada de 10 ejemplares Lib. 379 FASENACIONALII
Acompañado de 1 Hoja: 2

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT : 800176089-2

RECIBO OFICIAL DE CAJA : 07 - 35,165
FECHA : MAYO 4 DE 2007

***** CONSIGNACION *****

DEPOSITANTE	TIPO PAGO	BANCO	CUENTA	No. PAGO	FECHA PGO	Vr. PAGO
CLARKE MODET Y CO. COLOMB	CONSIGNACION	BANCO POPULAR	050-00110-6	63908511	04/05/2007	9.064.000.00

***** C O N C E P T *****

CANT	RENTISTICO	CONCEPTO	TOTAL CONCEPTO
1	50005-01-01	SOLICITUDES	
		114 PTC CAP-II EXAMEN DE PATENTIBILIDAD	202,000.00
		TOTAL :	\$ 202,000.00

SON: DOSCIENTOS DOS MIL PESOS

RESPONSABLE : _____

RECIBO DE CAJA APLICADO AL EXPEDIENTE No. _____

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DIVISIÓN DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No. 05-29248

EL EXTRACTO DE LA PRESENTE SOLICITUD DE **PATENTE DE INVENCION**

FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No **572** DE

FECHA **31 DE ENERO DE 2007** EL TÉRMINO HÁBIL SEÑALADO POR LA LEY

EXPIRA EL **30 DE ABRIL DE 2007**

NOTA: Dentro del plazo de los seis (6) meses siguientes a partir de la fecha de publicación en la gaceta de Propiedad Industrial, deberá solicitar y cancelar el examen de patentabilidad so pena de que la solicitud caiga en abandono, de acuerdo con lo establecido en el Artículo 44 de la Decisión 486/2000.

SE PRESENTARON OPOSICIONES POR PARTE DE TERCEROS.

SI _____

NO X



US006189258B1

(12) **United States Patent**
Anderson

(10) **Patent No.:** **US 6,189,258 B1**
(45) **Date of Patent:** **Feb. 20, 2001**

(54) **FISHING LINE CONTAINER**
(76) **Inventor:** **Carl Anderson**, 1011 Capouse Ave.,
Scranton, PA (US) 18501
(*) **Notice:** Under 35 U.S.C. 154(b), the term of this
patent shall be extended for 0 days.
(21) **Appl. No.:** **09/044,657**
(22) **Filed:** **Mar. 19, 1998**
(51) **Int. Cl.⁷** **A01K 97/06; A01K 97/08**
(52) **U.S. Cl.** **43/54.1; 43/4; 206/315.11**
(58) **Field of Search** **43/1, 4, 54.1; 206/315.11,**
206/388; 220/601, 642, 605, 606, 608,
603, 611; 242/407, 398; 47/21, 23, 24,
26, 30, 71

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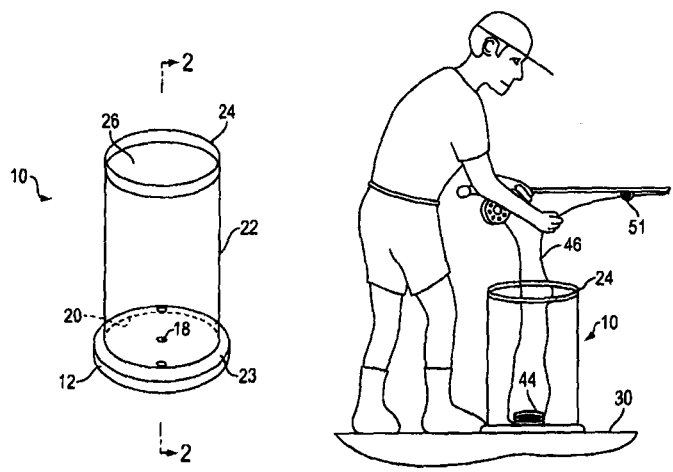
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Primary Examiner—Darren W. Ark
(74) **Attorney, Agent, or Firm**—Helfgott & Karas, P.C.

(57) **ABSTRACT**
A container formed as a clear cylindrical tube having a weighted base is dimensioned to pull stripped line into the tube and stack the line in neat coils using the weight of the line to provide a guiding pull. A removable handle may be provided for carrying the container over land and a tubular extension may be removably mounted on the top of the container for accommodating special fishing conditions such as high winds. The container may be used to transport clothing and other articles as it is carried inside a travel bag.

34 Claims, 5 Drawing Sheets



3

imity to the angler. In this manner dirt, sand, wind and other hindrances are largely avoided. In order to maximize casting distance, an angler may stand as close to the tube as desired.

The aforementioned objects, features and advantages of the invention will, in part, be pointed out with particularity, and will, in part, become obvious from the following more detailed description of the invention, taken in conjunction with the accompanying drawings, which form an integral part thereof.

BRIEF DESCRIPTION OF THE DRAWINGS

In the drawings:

FIG. 1 is a perspective view of a first embodiment of a fishing line container constructed in accordance with the invention;

FIG. 2 is a view in section taken through line 2—2 of FIG. 1;

FIG. 3 is a fragmented enlarged sectional view of the top rim of FIGS. 1 and 2;

FIG. 4 is a view similar to FIG. 3 showing an alternate embodiment of the rim of FIG. 3;

FIG. 5 is a view in section of a mounting assembly for removably mounting the container of FIG. 6 to a mounting surface such as the deck of a boat;

FIG. 6 is a front elevation view of the container of FIG. 1 illustrating a method of storing and transporting a fly fishing rod and reel between casts and/or between fishing locations.

FIG. 7 is a view similar to FIG. 1 showing a second embodiment of a fishing line container constructed in accordance with the invention;

FIG. 8 is an enlarged and exploded view of the carrying handle of FIG. 7;

FIG. 9 is a perspective view of an extension tube for use with the container of FIG. 7;

FIG. 10 is an elevation view of the inner or back face of a retainer strap for securing the extension tube of FIG. 9 to the container of FIG. 7;

FIG. 11 is an elevation view of the tube of FIG. 9 mounted on the container of FIG. 7 with the strap of FIG. 10 partially secured to each;

FIG. 12 is a schematic view of an angler using the container of FIG. 1 in accordance with the invention;

FIG. 13 is a longitudinal sectional view of an alternate handle embodiment for use with the container of FIGS. 7 and 11; and

FIG. 14 is a view partly in section of the handle of FIG. 13 fitted to the container of FIG. 7.

In the various figures of the drawings, like reference characters designate like parts.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

The present invention will now be described in conjunction with the drawings, beginning with FIGS. 1 and 2 which show a container 10 constructed in accordance with a first embodiment of the invention. Container 10 includes a base 12, preferably shaped as a flat circular disk having rounded edges 14.

Base 12 may be formed of any suitable material such as high density polyethylene. Base 12 should have sufficient weight for providing stability to container 10 such that the center of gravity of the container is adjacent the base within

4

about six to twelve inches. This stability is particularly advantageous when the container 10 is mounted on the bow of a rocking boat. A lighter base can be provided if the container is to be carried by an angler along the water's edge. A layer 16 of high friction material such as a low durometer rubber may be applied to the underside of base 12 to prevent the base from sliding on slippery surfaces such as boat decks.

Layer 16 may be secured to the base 12 by adhesive bonding, fasteners or any other suitable technique. Base 12 may be about one inch thick and nominally about 14 inches in diameter. A dual purpose drain and mounting hole 18 may be formed through base 12, and through layer 16 if present. Hole 18 is for the purpose of allowing the base to be fastened to a support or for draining water from the container introduced by wet fishing line when the container is not fastened in position.

A circular groove 20 is formed adjacent the outer edge of base 12 for receiving a cylindrical tube 22 with a snug fit. The base 12 may extend outwardly from tube 22 so as to define an annular flange 24 outside the tube. Tube 22 is preferably formed of a relatively rigid clear plastic such as acrylic or plexiglass and, as seen in FIG. 2, has a wall thickness substantially less than the thickness of the base. Although opaque materials such as aluminum may be used to form tube 22, a clear material is generally preferred to allow a boat operator unobstructed vision when piloting or maneuvering a boat with the container located on its deck. Tube 22 may be permanently fixed to the base 12 with an adhesive.

Although the dimensions of tube 22 may vary, it has been found advantageous to maintain the inner diameter of tube 22 between about 10 and 24 inches, with about 12 inches being preferred. Likewise, the length or height of tube 22 may also vary, but a length of between about 12 and 36 inches is advantageous, with a preferred length of about 24 inches being preferred.

With a tube length of 24 inches, the fingers of an average size angler will be positioned about 2 inches above the top of the container during line stripping. The angler's fingers will hit against the tube if the tube is too high. If the tube is too low, the wind will blow the fly line away from the tube.

Moreover, a short tube will not provide adequate support to a fly rod and can potentially allow the rod to tip over and fall out of the tube. It has been found that a vertical clearance of about 2 to 3 inches between the top of the tube and an angler's fingers is ideal for fly casting. This prevents the angler from hitting the container during casting. The height of the tube 22 can be varied between about 12 and 36 inches to provide the required 2 to 3 inch clearance. For anglers of varying heights, to accommodate handicapped anglers as well as to optimize the container for use in boat cockpits having different depths.

An annular rim 24 is mounted over the top edge of tube 24 to provide lubricity around the circular opening 26 at the top of the tube. As seen in FIG. 3, rim 24 may be bonded over the top edge of tube 24 when the rim is formed of a U-shaped strip of low friction plastic material such as nylon or polytetrafluoroethylene (PTFE). Alternatively, as seen in FIG. 4, rim 24 may be formed as a plastic ring having a generally C-shaped cross section and press fit or bonded over the top edge of tube 22.

In either case, rim 24 provides a rounded or radiused edge 28 around the top of the container for allowing fishing line to smoothly flow out of and into the container. This radiused edge reduces friction and wear of the line, as well as

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US006269976B1

(12) **United States Patent**
DeJonge

(10) **Patent No.:** **US 6,269,976 B1**
(45) **Date of Patent:** **Aug. 7, 2001**

(54) **VIAL ACCESS SPIKE ADAPTER FOR PUMP SPRAYER**

(75) **Inventor:** **Stuart DeJonge**, Easton, PA (US)

(73) **Assignee:** **Salnt-Gobain Calmar Inc.**, City of Industry, CA (US)

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) **Appl. No.:** **09/640,550**

(22) **Filed:** **Aug. 17, 2000**

(51) **Int. Cl.⁷** **B67D 5/00**

(52) **U.S. Cl.** **222/82; 222/83.5; 222/321.7; 222/382**

(58) **Field of Search** **222/82, 83.5, 321.7, 222/382, 464.1**

(56) **References Cited**

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Primary Examiner—Kevin Shaver

Assistant Examiner—Frederick C Nicolas

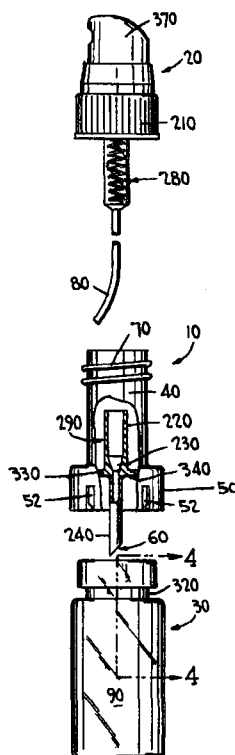
(74) **Attorney, Agent, or Firm—Dykema Gossett PLLC**

(57)

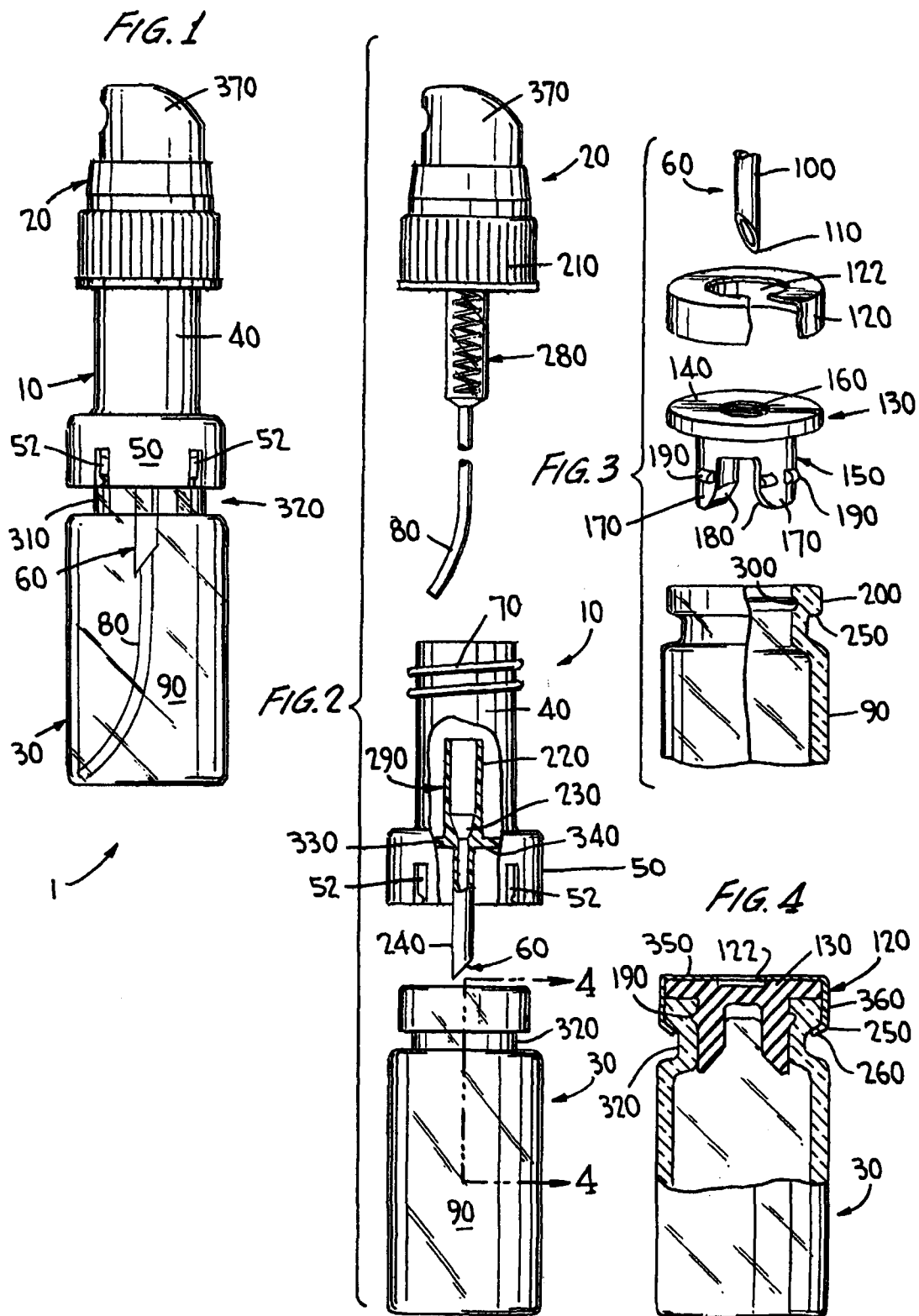
ABSTRACT

A vial access spike adapter for connecting a pump dispenser to a vial. The vial access spike adapter is capable of piercing a seal insert in the vial and guiding a dip tube of a pump dispenser into the vial so the contents of the vial can be dispensed directly from the vial. The vial access spike adapter has an upper tubular body with a threaded connection at one end, an annular snap ring connection at the opposite end and a hollow interior throughout. Within the hollow interior, is a central passage used to facilitate the placement of the dip tube into the interior of the vial. A central support is integral with and supports the central passage within the hollow body, and seals the vial access spike adapter to prevent leakage.

5 Claims, 1 Drawing Sheet



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through the dip tube 80 and dispensed from the sprayer upon pump actuation. The adapter 10 is sealed in such a manner as to prevent unnecessary leaking and spillage when the pump dispenser 20 is assembled with the vial access spike adapter 10 and the vial 30 itself.

The vial access spike adapter 10 has an upper hollow tube body 40 with connecting means 70 at one end. The connecting means 70, such as a threaded end, correspond to connecting means, such as a threaded collar 210 on the pump dispenser 20 so that the pump dispenser 20 can be connected to the vial access spike adapter 10.

The upper hollow tube body 40 is integrally formed with a lower annular snap ring 50 provided for connecting the vial access spike adapter 10 to a vial 30. The annular snap ring 50 may have a plurality of slots 52 located around the perimeter thereof which allow the annular snap ring 50 to be snap fitted onto the cover 120 (shown in FIG. 3) of a vial 30.

As the annular snap ring 50 is snapped onto the cover 120 of the vial 30, the slots 52 allow for the annular snap ring 50 to expand to a size larger in diameter than the cover 120 and neck 310 of the vial 30. When the annular snap ring 50 has been snapped over the cover 120, the annular snap ring 50 returns to its relaxed state as the lower end comes to rest in a trough 320 that extends around the perimeter of the neck 310 of the vial 30.

The annular snap ring 50 has an internal annular bead 330 at its lower end which fits within the trough 320 of the neck 310 of the vial 30 to keep the vial access spike adapter 10 in place on the vial 30 helping to maintain a sanitary environment within the vial 30 even when the vial access spike adapter 10 is connected to the vial 30.

The vial access spike adapter 10 is used to not only connect the pump dispenser 20 with the vial 30, but also serves as a conduit to guide and facilitate the dip tube 80 into the vial 30.

The vial access spike adapter 10 has a central passage means 290 which facilitates the placement of the dip tube 60 within the interior of the vial 30 and helps to maintain a sealed and sanitary connection. The central passage means 290 is comprised of an upper, larger tubular section 220, a middle graduated section 230 and a lower, smaller section 240. The upper section 220 has a greater diameter than that of the lower, smaller portion 240. The graduated middle section 230 allows for the transition from the larger, upper section 220 to the lower, smaller section 240 to be smooth and continuous. The central passage means 290 allows for the dip tube 80 to be easily placed within the upper, larger portion 220 and easily guided through the graduated middle section 230 into the smaller, lower section 240.

The central passage means 290 is also supported within the upper portion of the annular snap ring 50 with a central support 340. The plug 130 forms a seal around the lower, smaller section 240 after the lower, smaller section 240 has penetrated the septum 160 in the seal insert 130 thereby avoiding leakage from the vial 30 even if the assembly is tipped or tilted.

The lower end of the lower, smaller portion 240 of the central passage means 290 (FIG. 2) has a sharp, piercing end 60 that is used to perforate the septum 160 of the seal insert 130 in a vial 30. The sharp, piercing end 60 is tapered forming a barbed or perforating end 110 at its apex. This barbed end 110 punctures the septum 160 when axial force is applied to the vial access adapter 10.

Vial 30 has a seal insert 130 placed within the mouth thereof that seals off the vial 30 and prevents the contents of the vial 30 from spilling or leaking and also from being contaminated from pollutants.

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The seal insert 130 has an outer wall 140 of a circular, flat, disc shape which is integrally formed with a lower insertion portion 150. The lower insertion portion 150 is cylindrically shaped, having a slightly smaller diameter compared to the neck 310 of the vial 30 and has a plurality of legs 170 depending from wall 140 and which may be tapered as at 180 at one end. The taper 180 allows for the legs 170 to be squeezed together while being inserted into the vial 30. Around the outside perimeter of the lower, insertion portion 150 are spaced a plurality of tabs 190.

The tabs 190 are used to provide a snug fit between the seal insert 130 when it is placed within the mouth and neck 310 of the vial 30. The seal insert 130 also has a septum 160 located in the central portion of the top 140. The septum comprises a membrane of standard material that forms a seal for the vial 30, but which is easily punctured with the insertion of the barbed end 110 of the piercing tube 60.

The lower, smaller portion 240 of the central passage means 290 also channels the dip tube 80 securely into the vial 30.

As shown in FIG. 4, the seal insert 130 is held in place by resilient legs 170 and tabs 190 on the inside of the neck 310 of the vial 30 as well as by a cover or crimp seal 120 on the exterior of the vial 30. The cover 120 has a top portion 350 with a central aperture 122 that allows for the septum 160 to be accessible and a sidewall 360 that is folded or crimped around the neck 310 of the vial 30 to secure the cover 120 in place. The edge 260 of the sidewall 350 is actually bent around the shoulder 250 of the vial 30 and comes to rest within the trough 320.

To assemble the pump dispenser 20 and vial access spike adapter 10, a user grasps the vial 30 in one hand and the vial access spike adapter 10 in the other hand. The user aligns the piercing end 60 of the central passage 290 with the aperture 122 of the cover 120 and presses the barbed end 110 into the septum 160 rupturing it while moving the piercing end 60 into the interior of the vial 30 so as to access the contents therein.

The user continues to push the vial access spike adapter 10 onto the vial 30 forcing the annular snap ring 50 to expand around the neck 310 of the vial 30 until the lower end of the annular snap ring 50 comes to rest within the trough 320 of the vial 30. This snap fit arrangement of the annular snap ring 50 on the neck 310 of the vial 30 holds the vial access spike adapter 10 securely in place on the vial 30.

The user then releases the vial access spike adapter 10 and with the same hand grasps the pump dispenser 20. The user places the lower end of the dip tube 80 within the upper end of the vial access spike adapter 10 and pushes the dip tube, while simultaneously guiding it into the opening of the upper section 220 of the central passage means 290. As the pump dispenser 20 is pushed down onto the vial access spike adapter 10, the dip tube 80 is guided through the middle section 230 of the central passage means 290 into the smaller section 240 until it comes out the lower end of the smaller section 240 and extends into the interior of the vial 30.

The user then connects the pump dispenser 20 to the vial access spike adapter 10, in this embodiment by threading the collar 210 to the upper end of the hollow tube body 40.

After assembly as aforescribed, the contents of the vial 30 can be dispensed by the user simply by depressing the head 370 of the pump dispenser 20 in the usual pumping motion which causes the contents of the vial 30 to be evacuated up through the dip tube 80 and expelled through the pump dispenser 20 in a fashion that is common in the art of pump dispensers.

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US005706973A

United States Patent [19]

Robbins, III et al.

[11] Patent Number: 5,706,973

[45] Date of Patent: Jan. 13, 1998

[54] DRINKING CUP AND COVER WITH FLOW CONTROL ELEMENTS

[75] Inventors: Edward S. Robbins, III, Muscle Shoals, Ala.; Gregory S. Burcham, Tucson, Ariz.

[73] Assignee: E. S. Robbins Corporation, Muscle Shoals, Ala.

[21] Appl. No.: 791,380

[22] Filed: Jan. 30, 1997

[51] Int. Cl.⁶ A47G 19/22

[52] U.S. Cl. 220/714; 215/11.5; 222/482; 137/588

[58] Field of Search 220/714, 367.1; 215/11.4, 11.5, 389, DIG. 7; 137/587, 588; 222/482

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U.S. PATENT DOCUMENTS

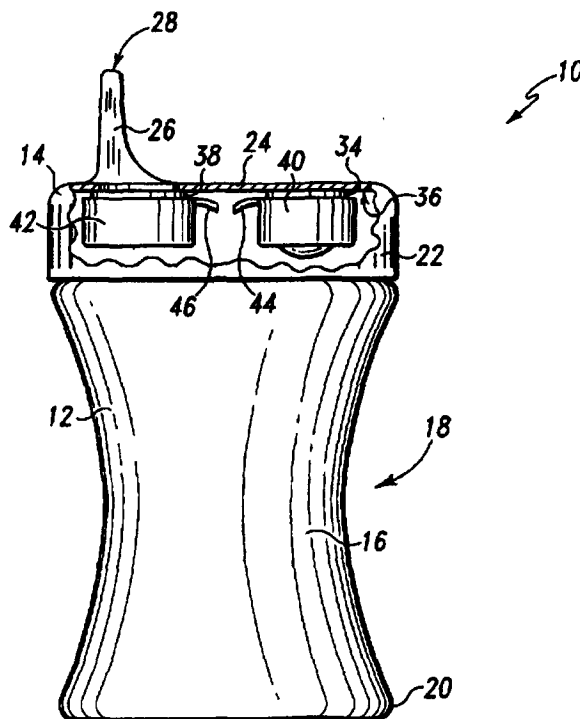
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5,477,980	12/1995	Chaffin		220/714 X
5,542,670	8/1996	Morano		137/588 X

Primary Examiner—Steven M. Pollard
Attorney, Agent, or Firm—Locke Reynolds

[57] ABSTRACT

A drinking cup having a body portion and a removably attached cover including an offset drinking spout and an offset vent aperture. The drinking spout and the vent aperture are each surrounded by wall members which depend generally away from an interior surface of the cover. An air inlet flow control valve is coupled to the wall member surrounding the vent aperture while a liquid outlet flow control valve is coupled to the wall member surrounding the spout. Each flow control valve includes a domed elastomeric member containing a slit allowing for passage of a selected fluid therethrough. The domed portions are each surrounded by a generally circular isolating channel, and outside of each isolating channel is a perimetral portion for connecting the flow control valve to the depending wall portion of the cover. Fluids passing through the slits achieve substantially only a one-way passage as the domed curvature substantially prevents any backflow. Vacuum must be applied on the convex side of the domed portion for sufficient elastomeric displacement to allow a fluid to pass through the slit. In the absence of such a vacuum, the sides of the slit are maintained in contiguous contact thereby preventing any transfer of liquid or air across the respective flow control valve. Coupling means are provided for coupling the flow control valves together, and may include handle portions integrally attached to the perimetral portion and including joining means for joining the handle portions together.

36 Claims, 5 Drawing Sheets



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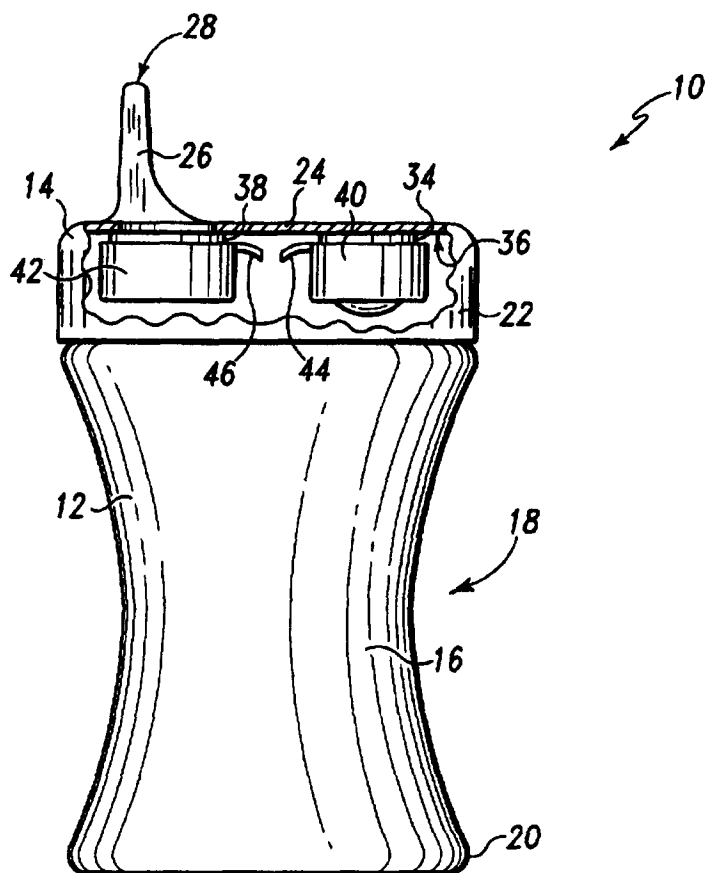


Fig. 1

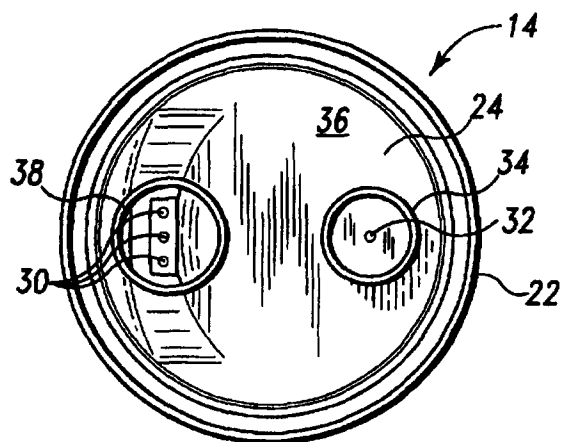


Fig. 2

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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIRECCIÓN DE NUEVAS CREACIONES

2020
Bogotá, D.C.,

Abogada
DILIA RODRÍGUEZ D'ALEMAN

ASUNTO Radicación 05029248
 Trámite 011
 Evento 001
 Actuación 430
 Oficio 3976
 Folios 013

Patente de Invención ☒ Patente de Modelo de Utilidad ☐

Vía Nacional ☐

Vía PCT (fase nacional) ☒ Cap. I ☐ Cap. II ☒

No. Sol. Internacional PCT / US2003 / 027545
Fecha de Presentación Internal. 2003-09-03

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

- 1.1. Descripción: Folios: 74 a 184 como se radicó inicialmente.
- 1.2. Reivindicaciones: Folios: 185 a 202 como se radicó inicialmente.
 Folios: 256 a 272 modificado.
- 1.3. Dibujos: Folios: 34 a 73 como se radicó inicialmente.
 Folios: 221 a 248 modificadas las figuras 22-48.
- 1.4. Prioridad: 2002-09-03, US 60/408,068

2. Objeto de la invención

Título de la solicitud: "Envases sellados y métodos para su fabricación y llenado".

El objeto de la presente solicitud de patente de invención se refiere a envases que incluyen un dispositivo de cierre que sella el envase en forma hermética. El envase se puede esterilizar utilizando sistemas de radiación.

El problema planteado en esta solicitud se relaciona con los medicamentos libres de preservativos, sujetos a contaminación y deterioro si se guardan en un vial en el cual

el tapón presente un agujero de aguja, resultando difícil mantener la esterilidad de los tapones y viales durante su transporte, almacenamiento y proceso de ensamble.

Por otra parte, la forma de los viales convencionales para medicamentos, puede presentar desventajas desde el punto de vista de seguridad y manipulación.

El objeto de la invención definido anteriormente se clasificó de acuerdo con el IPC así: B65B 1/04.

3. De la solicitud de Patente

3.1. Descripción (artículo 28 D. 486)

Se tomaron para el estudio de patentabilidad los dibujos de la solicitud original PCT que obran del folio 33 al 73, como quiera que no fueran allegados con la traducción de la solicitud que entró en fase nacional. Se sugiere presentar un nuevo juego de dibujos, libres de rótulos o encabezados que hagan alusión a la solicitud PCT.

3.2. Reivindicaciones (artículo 30 D 486)

Las reivindicaciones 1, 27, y sus respectivas dependientes, se relacionan al mismo objeto y las diferencias entre una y otras se limitan a la definición de la materia que se trata de proteger; por esta razón, el pliego no es conciso, por lo cual, se podría omitir la reivindicación 27, agrupando en la reivindicación 1 todas las características técnicas que se consideren hacen novedosa la invención.

Se sugiere presentar un nuevo capítulo reivindicatorio, evitando múltiples reivindicaciones independientes por categoría y definir la materia a proteger mediante una sola reivindicación independiente por categoría de producto y de procedimiento.

Por otra parte, se sugiere separar en forma clara el preámbulo de la parte característica de la invención. De acuerdo a esto, se sugiere utilizar en la reivindicación 1 y las reivindicaciones dependientes, el término "*caracterizado porque*" para efectos de mayor claridad y definición de las características novedosas de la invención.

También se observa falta de claridad en la redacción de las reivindicaciones del capítulo reivindicatorio presentado en los folios 256 a 272. Por otra parte, dicho capítulo reivindicatorio está presentado en una copia de una impresión que no es claramente legible, haciendo que su comprensión y lectura se dificulte. Se sugiere presentar una nueva copia de dicho capítulo reivindicatorio, que sea claramente legible y revisar la redacción de las reivindicaciones.

También se sugiere adicionar los números de referencia relacionados con los dibujos de los distintos elementos que se definen en las reivindicaciones, ya que esto aporta claridad y comprensión de la invención y del objeto de la solicitud que se desea proteger.

La solicitud en estudio no cumple con el requisito de claridad y concisión de acuerdo al artículo 30 de la Decisión 486.

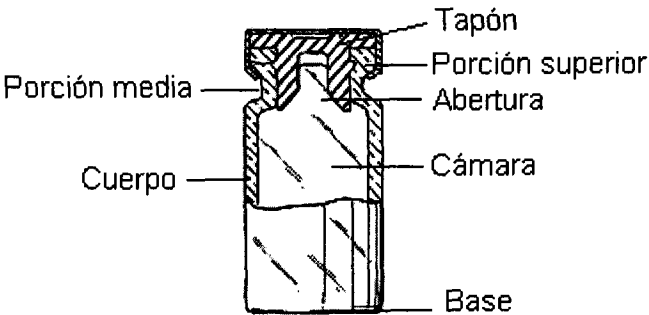
311
311

Un frasco para almacenar una sustancia y un conjunto de elementos en él, que comprende:
un cuerpo que define una abertura,
una cámara con la abertura para recibir la sustancia a almacenar,
una base,
una porción media,
una porción superior espaciada axialmente de la base, sobre un lado opuesto de la porción media relativo a la base.

Un tapón alojado dentro de la abertura. El tapón permite ser penetrado por un miembro de aguja o similar para introducir la sustancia dentro de la cámara del frasco y retirar la sustancia de dicha cámara.

Ver del documento D1: el resumen; columna 4; figuras 3 y 4; folios 303-305.

Figura 4 del documento D1 US 6269976

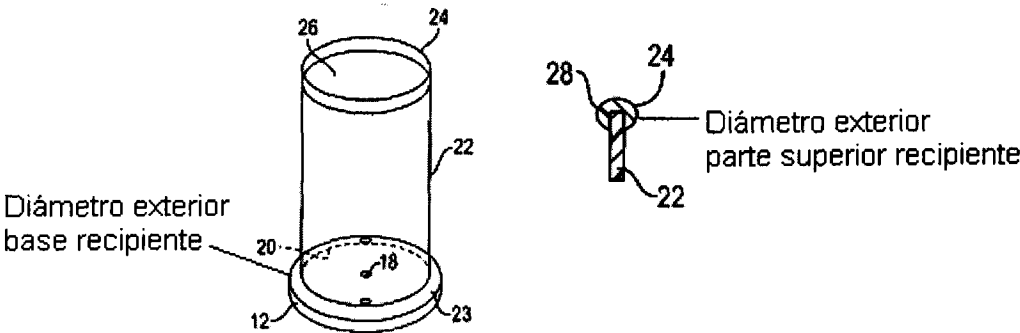


El documento D1 no enseña que el diámetro exterior de la base y de la porción superior del frasco sea mayor al diámetro exterior del cuerpo del frasco.

El documento US 6189258, mencionado como D2, enseña un recipiente el cual tiene el diámetro exterior de la base y de la parte superior del recipiente de dimensión mayor al diámetro del cuerpo del recipiente, otorgándole mayor estabilidad a dicho recipiente.

Ver del documento D2: el resumen; columna 3, líneas 55 a 67; columna 4, líneas 18 a 67; figuras 2 y 4; folios 300-302.

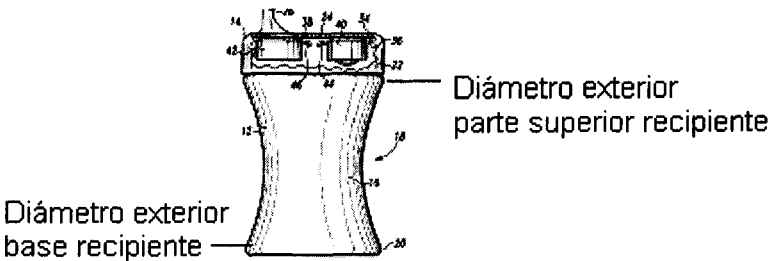
Figuras 2 y 4 del documento D2 US 6189258



El documento US 5706973, mencionado como D3, enseña un recipiente que tiene el diámetro exterior de la base y de la parte superior del recipiente de dimensión mayor al diámetro del cuerpo del recipiente.

Ver del documento D3: el resumen y la figura 1, en los folios 306, 307.

Figura 1 del documento D3 US 5706973



Se concluye que, una persona del oficio, versada en la materia técnica correspondiente y motivada por el problema técnico a solucionar, tomando en combinación las soluciones reveladas en los documentos D1 y D2, ó D1 y D3, lograría la obtención de un frasco para almacenar una sustancia, que comprende:

Una base, una porción media, y una porción superior espaciada axialmente de la base sobre un lado opuesto de la porción media relativa a la base; en donde la base y la porción superior definen una dimensión que se extiende lateralmente más grande que la dimensión que se extiende lateralmente en la porción media del recipiente.

Las reivindicaciones independientes 1 y 27 de la solicitud en estudio, se pueden ver afectadas por falta de nivel inventivo.

6. Conclusión:

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

Nº	Documento Nº	Reivindicaciones afectadas	Requisito que afecta
D1	US 6269976	1, 27	Nivel inventivo
D2	US 6189258	1, 27	Nivel inventivo
D3	US 5706973	1, 27	Nivel inventivo

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 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 Nº 10 de 2001.

ALIX CARMENZA CÉSPEDES DE VERGEL
Directora Nuevas Creaciones (c)

El anterior requerimiento fue notificado por fijación en lista, de fecha
19 MAR. 2010.

CONCEPTO TÉCNICO No. 916	EXAMINADOR TÉCNICO Código No. 202065
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