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SUPERINDUSTRIA Y COMERCIO

Radicación: 05039953 00000002

Folios: 2

Fecha (AMD): 2005-07-26 16:12:05

Trámite: 011 PCT-PATENT 379 FASE NACI 444 REPUESTA

Dependencia: 2020 DIVISION DE NUEVAS CREACIONES

Señor

SUPERINTENDENTE DE INDUSTRIA Y COMERCIO
DIVISIÓN DE NUEVAS CREACIONES

E. S. D.

REF.	Expediente No	05-039.953
	Patente de Invención	"AUTENTICACIÓN DE DOCUMENTOS Y ARTICULOS POR PATRONES DE MOIRE"
	Solicitante	ECOLE POLYTECHNIQUE FEDERALE DE LAUSANNE (EPFL).

Destino: 444

Humberto RUBIO CAMACHO, mayor de edad, domiciliado en Bogotá, identificado con la Cédula de Ciudadanía No 17192.062 de Bogotá, Abogado en Ejercicio, portador de la Tarjeta Profesional No 50.007 expedida por el Consejo Superior de la Judicatura, actuando en carácter de apoderado de la Sociedad ECOLE POLYTECHNIQUE FEDERALE DE LAUSANNE (EPFL), domiciliada en CH-1015, Lausanne, Suiza; encontrándome dentro del término legal para dar contestación al auto proferido por su Despacho mediante oficio No. 12947, notificado por fijación en lista de 10 de Junio de 2005, me permito MANIFESTAR.

- 1.- Las modificaciones realizadas sobre la presente invención, tanto en Inglés como en Español, obran de los folios 105 a 113 del presente expediente; y corresponden al nuevo capítulo reivindicatorio respecto al cual se reclama protección.
- 2.- Cabe aclarar que al momento de foliar el texto que compone la presente invención para ser radicado ante esa entidad; por un error involuntario, se invirtieron el lugar de los folios de los capítulos reivindicatorios

El capítulo reivindicatorio presentado con la solicitud inicial, obra de los folios 167 a 188, mientras que el capítulo reivindicatorio en el que obran las modificaciones realizadas posteriormente, y que por tanto su despacho, deberá tener en cuenta, obra en los folios 105 a 113 dentro del mencionado expediente

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Expediente No. 05-039.953
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- 3- Conforme a lo anterior, las modificaciones realizadas sobre la presente invención, y concretamente respecto a su capítulo reivindicatorio reposan en el presente expediente, de los folios 105 a 113, las que solicito respetuosamente, a su despacho tener en cuenta al momento de realizar el respectivo examen de fondo

De esta manera estamos dando cumplimiento a lo requerido en el correspondiente oficio; por tanto, solicito muy respetuosamente a su despacho, que de ser el caso se hagan las correspondientes observaciones, con el ánimo de hacer lo pertinente y continuar con el trámite de la referencia.

Del Señor Superintendente,

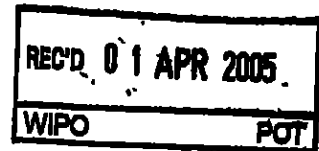


HUMBERTO RUBIO CAMACHO
C.C. 17192.062 de Bogotá
T.P. 50.007 de Consejo Superior
de la Judicatura.
COD. 4134

05/1927-01/pi
cpfm -
vb Mgr -

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)493
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Applicant's or agent's file reference IB 03/04202	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/IB 03/04202	International filing date (day/month/year) 24.08.2003	Priority date (day/month/year) 16.10.2002
International Patent Classification (IPC) or both national classification and IPC G07D7/12		
Applicant ECOLE POLYTECHNIQUE FEDERALE DE LAUSANNE		

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

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

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

These annexes consist of a total of 3 sheets.

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

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 06.11.2004	Date of completion of this report 04.04.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 6818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tlx 31 651 epo nl Fax +31 70 340 - 3016	Authorized Officer Verhoef, P  Telephone No. +31 70 340-4235

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IB 03/04202**

I. Basis of the report

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17):*

Description, Pages

1-54 as originally filed

Claims, Numbers

1-29 received on 18.02.2005 with letter of 11.02.2005

Drawings, Sheets

1/35-35/35 as originally filed

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

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

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

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

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

4. The amendments have resulted in the cancellation of:

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

Re Item V.

Reasoned statement with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement

1 *State of the art*

Reference may be made to the following documents

- D1 AMIDROR, I "The theory of the moire phenomenon" 2000, KLUWER ACADEMIC PUBLISHERS, DORDRECHT, XP002294163
- D2 US B1-6 249 588 (AMIDROR ISAAC ET AL) 19 June 2001 (2001-06-19)

2 *Novelty and Inventive Step – Articles 33(2) and 33(3) PCT*

- 2 1** Neither document D1 nor document D2 discloses a base layer comprising base bands in combination with a revealing layer comprising a line grating

The subject matter of independent device claim 1 and the corresponding method claim 25 is therefore new (Article 33(2) PCT)

- 2 2** The technical effect of these features is to have a much better light efficiency (see also page 4, second paragraph of the description of the international patent application)

The available prior art does not suggest that the skilled person should use a base layer comprising base bands in combination with a revealing layer comprising a line grating in order to solve the problem of increasing light efficiency

Therefore, without using hindsight, the available prior art does not lead the skilled person to the claimed device (claim 1) and method (claim 25) in an obvious manner

- 2 3** Dependent claims 2 - 24 and 26 - 29 are dependent on allowable independent claims 1 and 25, and as such also meet the requirements of the PCT with respect to novelty and inventive step

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IB 03/04202**

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

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

6. Additional observations, if necessary:

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

1. Statement

Novelty (N)	Yes: Claims	1-29
	No: Claims	
Inventive step (IS)	Yes: Claims	1-29
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-29
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1 *State of the art*

Reference may be made to the following documents

- D1 AMIDROR, I "The theory of the moire phenomenon" 2000, KLUWER ACADEMIC PUBLISHERS, DORDRECHT XP002294163
- D2 US-B1-6 249 588 (AMIDROR ISAAC ET AL) 19 June 2001 (2001-06-19)

2 *Novelty and Inventive Step – Articles 33(2) and 33(3) PCT*

- 2.1** Neither document D1 nor document D2 discloses a base layer comprising base bands in combination with a revealing layer comprising a line grating

The subject matter of independent device claim 1 and the corresponding method claim 25 is therefore new (Article 33(2) PCT)

- 2.2** The technical effect of these features is to have a much better light efficiency (see also page 4, second paragraph of the description of the international patent application)

The available prior art does not suggest that the skilled person should use a base layer comprising base bands in combination with a revealing layer comprising a line grating in order to solve the problem of increasing light efficiency

Therefore, without using hindsight, the available prior art does not lead the skilled person to the claimed device (claim 1) and method (claim 25) in an obvious manner

- 2.3** Dependent claims 2 - 24 and 26 - 29 are dependent on allowable independent claims 1 and 25, and as such also meet the requirements of the PCT with respect to novelty and inventive step

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB 03/04202

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Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. *State of the art*

Reference may be made to the following documents:

- D1: AMIDROR, I.: "The theory of the moire phenomenon" 2000, KLUWER ACADEMIC
PUBLISHERS, DORDRECHT, XP002294163
D2: US-B1-6 249 588 (AMIDROR ISAAC ET AL) 19 June 2001 (2001-06-19)

2. *Novelty and Inventive Step – Articles 33(2) and 33(3) PCT*

- 2.1** Neither document D1 nor document D2 discloses a base layer comprising base bands in combination with a revealing layer comprising a line grating.

The subject matter of independent device claim 1 and the corresponding method claim 25 is therefore new (Article 33(2) PCT).

- 2.2** The technical effect of these features is to have a much better light efficiency (see also page 4, second paragraph of the description of the international patent application).

The available prior art does not suggest that the skilled person should use a base layer comprising base bands in combination with a revealing layer comprising a line grating in order to solve the problem of increasing light efficiency.

Therefore, without using hindsight, the available prior art does not lead the skilled person to the claimed device (claim 1) and method (claim 25) in an obvious manner.

- 2.3** Dependent claims 2 - 24 and 26 - 29 are dependent on allowable independent claims 1 and 25, and as such also meet the requirements of the PCT with respect to novelty and inventive step.

REPUBLICA DE COLOMBIA
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

Folio 197 **194**

2020
Bogotá D.C.,

Doctor(a)
RUBIO CAMACHO HUMBERTO
Apoderado(a) y/o Representante de
ECOLE POLYTECHNIQUE FEDERALE DE LAUSANNE (EPFL)

REFERENCIA	Radicación No.	05 39953
	Solicitud internacional	PCT/IB2003/004202
	Fecha inicio fase nacional	16/05/2005
	Trámite	11
	Evento	379
	Actuación	416
	Oficio No.	1672
	Folios	1

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 la Decisión 486 de la Comisión de la Comunidad Andina, el Tratado de Cooperación en Materia de Patentes (PCT), el Reglamento y la Circular Única de la Superintendencia de Industria y Comercio, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial.

Cúmplase
Dado en Bogotá DC, **09 NOV. 2008**


ALIX CARMENZA CESPEDES DE VERGEL
Jefe de la división de Nuevas Creaciones

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