

105  
105

SEÑORES

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISIÓN DE NUEVAS CREACIONES

E. \_\_\_\_\_ S. \_\_\_\_\_

D.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 05-111042-00003-0000

Fecha: 2007-08-28 10:24:57 Dep. 2020 NUECREACIONE  
Tra. 11 PATENTE IYI Eje: 378 FASE NACIONAL I  
Act 538 PETICION Folios: 2

Ref.: Expediente N° 05-111.042

Solicitud de Patente de Invención Titulada: "UN SURTIDOR PARA MATERIAL EN HOJA".

Solicitante: KIMBERLY-CLARK WORLDWIDE, INC.

**SOLICITUD DE EXAMEN DE PATENTABILIDAD SEGÚN**  
**EL ARTÍCULO 44 DE LA DECISION 486, GACETA No. 576**

J. IAN RAISBECK, mayor de edad y vecino de Bogotá, D.C., identificado tal como aparece al pie de mi firma, en mi condición de apoderado de la sociedad solicitante, respetuosamente me permito solicitar que se examine si la invención reúne los requisitos de patentabilidad previstos en la misma, dando cumplimiento a lo establecido en el artículo 44 de la Decisión 486 de la comisión de la Comunidad Andina de Naciones. Adjunto recibo por el monto de \$404.000 pesos para cubrir la tasa correspondiente, según la Resolución 36155 de 28 de diciembre 2006.

Atentamente,

J. IAN RAISBECK  
C.C. 79.376.996 de Bogotá  
T.P. 135.799

Anexo: Recibo por \$404.000 pesos

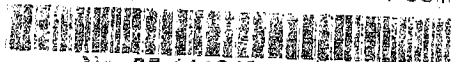
LMB/P1005/000108 70822 Sol exam

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT : 800176089-2

RECIBO OFICIAL DE CAJA : 07 - 68,049  
FECHA : AGOSTO 23 DE 2007

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 05-111042.-00003-0000

Fecha: 2007-08-28 10:24:57 Dep: 2020 NUBCREACIONE  
Tipe: 11 PATENTABILIDAD Ene: 378 FASENACIONALI  
Act: 508 PETICION Folios: 2

\*\*\*\*\* CONSIGNACION \*\*\*\*\*

| DEPOSITANTE    | TIPO PAGO    | BANCO         | CUENTA      | No. PAGO | FECHA PGO  | Vr. PAGO     |
|----------------|--------------|---------------|-------------|----------|------------|--------------|
| OLARTE RAISBEX | CONSIGNACION | BANCO POPULAR | 050-00110-6 | 68289260 | 22/08/2007 | 4,424,000.00 |

\*\*\*\*\* CONCEPTO \*\*\*\*\*

| CANT. | RENTISTICO              | CONCEPTO                             | TOTAL CONCEPTO |
|-------|-------------------------|--------------------------------------|----------------|
| 1     | 50005-01-01 SOLICITUDES | 85 EXAMEN DE PATENTABILIDAD DE INVEN | 404,000.00     |
|       |                         | TOTAL :                              | \$ 404,000.00  |

CUATROCIENTOS CUATRO MIL PESOS

RESPONSABLE :

RECIBO DE CAJA APLICADO AL EXPEDIENTE No. \_\_\_\_\_

~~107~~  
107

**DIVISIÓN DE NUEVAS CREACIONES**

RADICACIÓN EXPEDIENTE No. 05-111042

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

FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No **576** DE

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

EXPIRA EL **31 DE AGOSTO 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



US006439386B1

(12) **United States Patent**  
Sauer et al.

(10) Patent No.: **US 6,439,386 B1**  
(45) Date of Patent: **Aug. 27, 2002**

(54) **PACKAGED ABSORBENT PAPER PRODUCT,  
CONTAINER, AND DISPENSING METHOD**

(75) Inventors: **Barbara O. Sauer; Mary Rece Holt,**  
both of Fremont, WI (US); **Richard**  
**Frederick House,** Geneva, IL (US);  
**Paul Roy Schmidt; Herb F.**  
**Velazquez,** both of Neenah, WI (US)

(73) Assignee: **Kimberly-Clark Worldwide, Inc.,**  
Neenah, WI (US)

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

(21) Appl. No.: **09/727,807**

(22) Filed: **Nov. 30, 2000**

(51) Int. Cl.<sup>7</sup> **B65D 73/00; B65H 1/00**

(52) U.S. Cl. **206/494; 206/806; 221/45;**  
**221/61; 221/102**

(58) Field of Search **206/233, 409,**  
**206/410, 494, 806, 812; 221/45, 46, 61,**  
**64, 102; 383/8, 9**

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

2,122,048 A \* 6/1938 Shapiro ..... 206/494  
2,279,658 A \* 4/1942 Crebbs ..... 206/494  
3,089,586 A \* 5/1963 Cole ..... 206/494  
3,095,087 A \* 6/1963 Yates ..... 221/45  
3,738,721 A 6/1973 Maschek et al.  
3,744,448 A 7/1973 Boone  
3,794,253 A 2/1974 Megdall  
3,824,953 A 7/1974 Boone  
3,830,198 A 8/1974 Boone  
3,834,636 A 9/1974 Linick  
3,837,595 A 9/1974 Boone  
4,004,687 A 1/1977 Boone  
4,017,002 A 4/1977 Doyle et al.  
D247,077 S 1/1978 Gruber  
4,101,026 A 7/1978 Bonk

4,106,617 A 8/1978 Boone  
4,205,802 A 6/1980 Economakis  
4,235,333 A 11/1980 Boone  
4,274,573 A \* 6/1981 Finkelstein ..... 206/409  
D262,422 S 12/1981 Ortiz et al.  
4,385,733 A 5/1983 O'Keefe  
4,453,649 A \* 6/1984 Origuchi ..... 221/45  
4,513,923 A 4/1985 Ulies  
4,607,809 A 8/1986 Sineni et al.  
D289,140 S 4/1987 Fischer et al.  
4,662,577 A 5/1987 Lewis  
4,690,345 A 9/1987 Cotey  
D293,182 S 12/1987 Carter  
4,739,809 A \* 4/1988 Adams ..... 206/233  
4,765,475 A 8/1988 Kayserian  
4,834,316 A 5/1989 DeLorean  
4,913,312 A 4/1990 Boutin  
4,978,095 A 12/1990 Phillips  
5,054,675 A 10/1991 Iaves  
5,076,424 A 12/1991 Nakamura

(List continued on next page.)

**FOREIGN PATENT DOCUMENTS**

WO WO 86/05076 A1 9/1986  
WO WO 96/33647 A1 10/1996

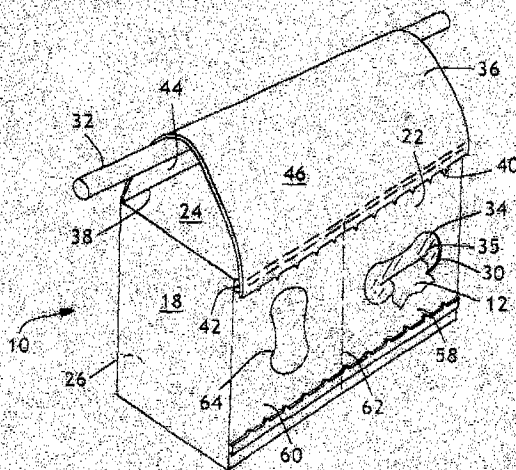
Primary Examiner—Bryon P. Gehman

(74) Attorney, Agent, or Firm—Scott A. Baum

(57) **ABSTRACT**

A product comprising an absorbent paper material and a container for use as a dispenser, which is adapted to hanging from a support member, such as a towel bar, is disclosed. The container can be optionally located on a surface, such as a counter-top, and used as a dispenser. This provides the container with two different dispensing modes. The container has a hanger member integral with the container on one end, and the hanger member is attachable to the container in at least two separate positions. The hanger member is also adapted to covering at least a portion of the absorbent paper material exposed by an opening into the container prior to hanging the container.

**27 Claims, 6 Drawing Sheets**



~~109~~  
109

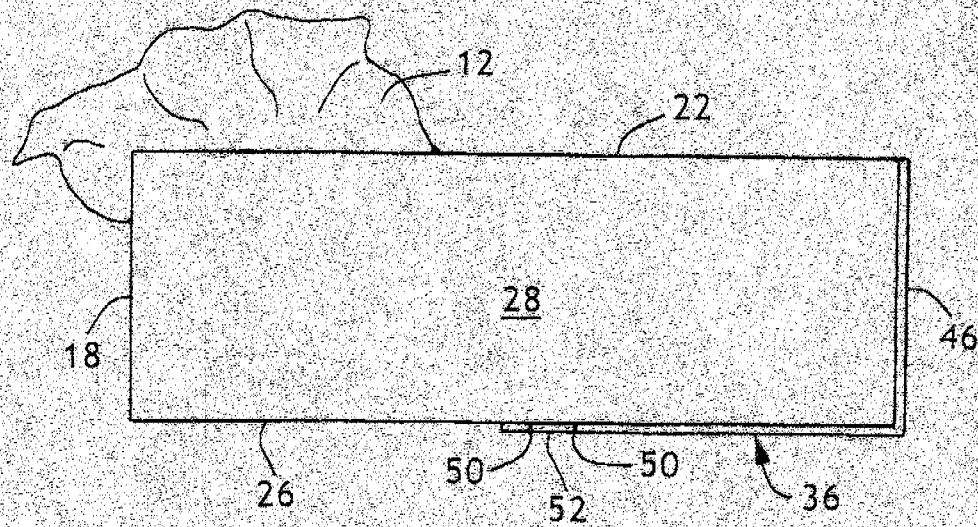


FIG. 2A

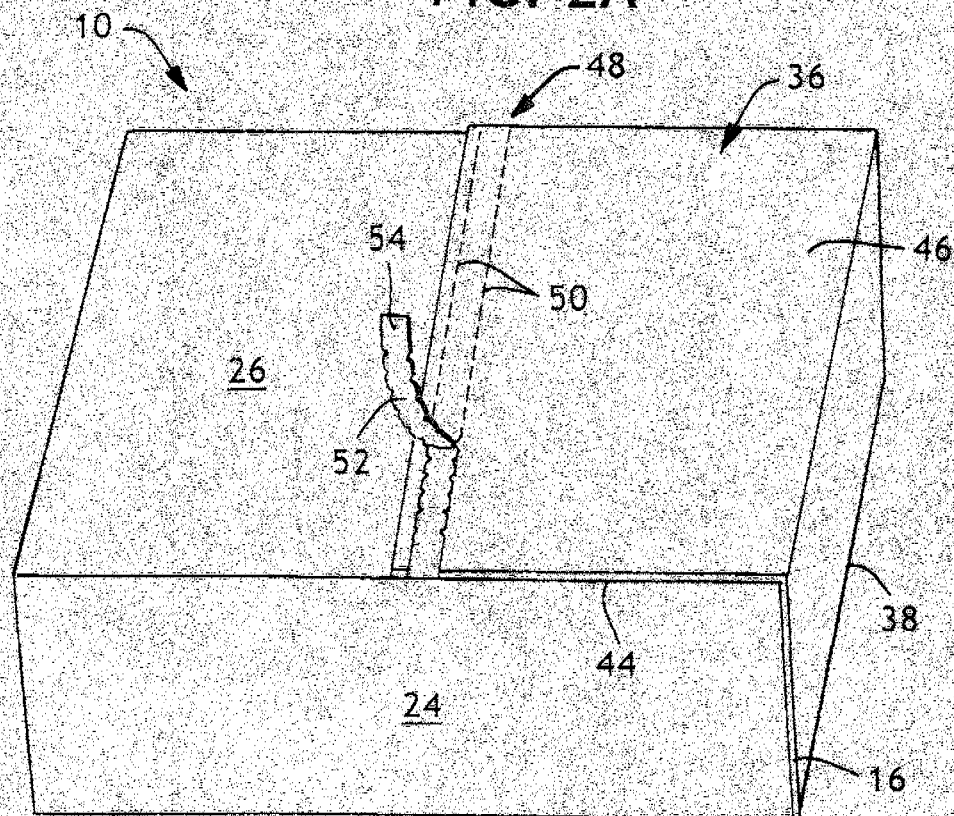


FIG. 2

110

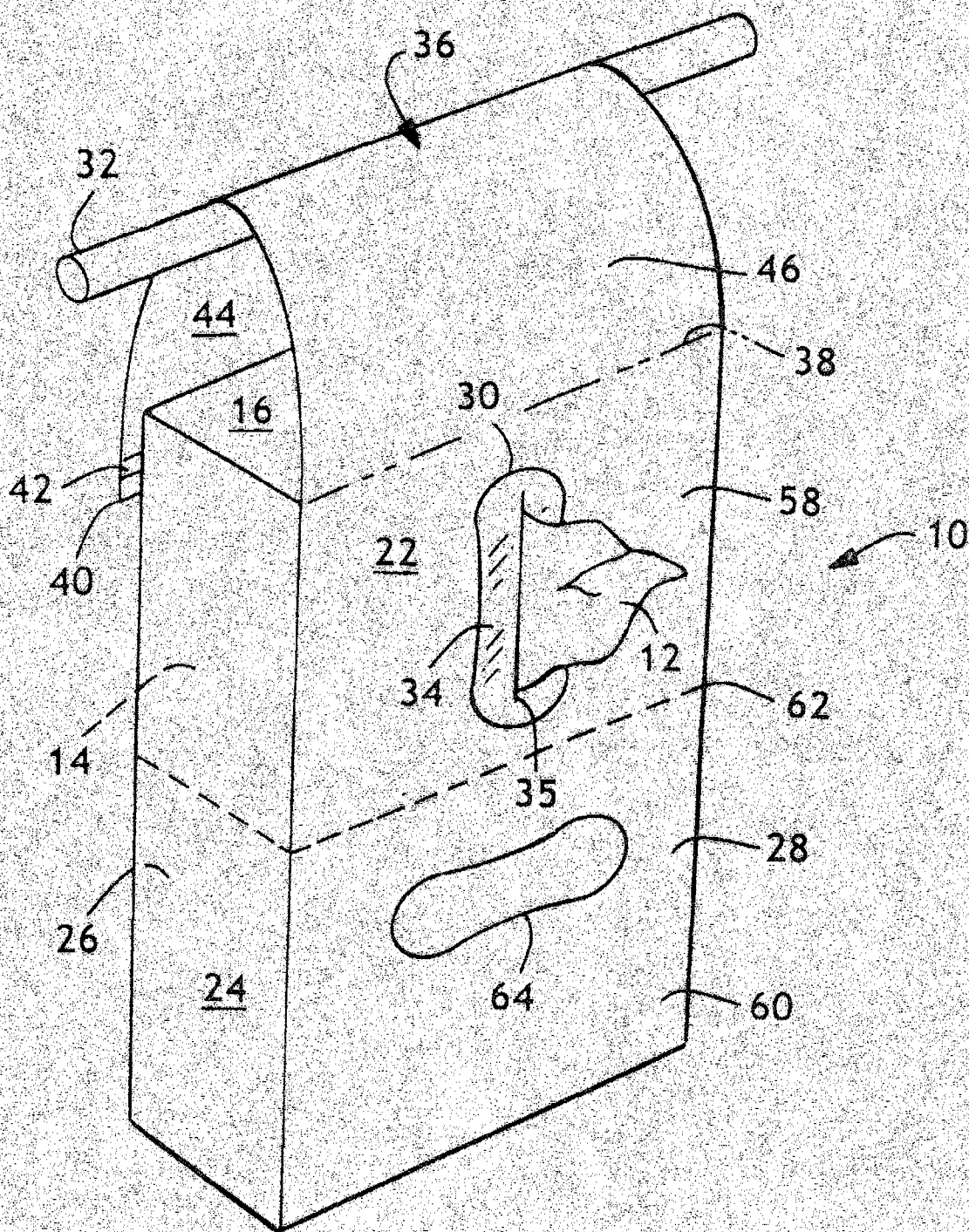


FIG. 4

1

## PACKAGED ABSORBENT PAPER PRODUCT, CONTAINER, AND DISPENSING METHOD

### BACKGROUND

The present invention relates to a product comprising an absorbent paper material in a container, and the container for the absorbent paper material. In households today there is an ever-increasing demand for novel ways to dispense absorbent paper materials such as facial tissue, bathroom tissue, paper towels, napkins, and the like. In particular, with the increase in the number of items stored on counters and shelves and the resulting decrease in available counter space, there is a need to provide dispensing methods or products of absorbent paper materials, which reduce or eliminate the amount of counter space required. Thus, dispensers or products that have a reduced footprint while still dispensing standard size absorbent paper materials, or hanging dispensers or products, which eliminate the need for any counter space usage, are consumer preferred.

In addition, absorbent paper materials are frequently used in areas with exposure to liquids and moisture such as kitchens and bathrooms. Conventional cartons of absorbent paper materials, when placed on counters, can be damaged by associated liquid spills. By providing a dispenser that hangs or a dispenser that protects the absorbent paper material from moisture, the product's usefulness to consumers is enhanced.

For the foregoing reasons, there is a need for a packaged absorbent paper product that reduces the need to place the dispenser on a counter, or that protects the absorbent paper material inside the dispenser from liquids.

### SUMMARY

The present invention is directed to a product comprising an absorbent paper material in a container that satisfies one or more of these needs, and a method of dispensing the absorbent paper material. The invention provides a significant advantage in that the absorbent paper material is protected from moisture damage by liquids on surfaces and counters by hanging from a support member. Another advantage is that the product eliminates counter space requirements by hanging while still providing acceptable dispensing performance. An additional advantage is that the container can be used as a dispenser when hanging or when the container is placed on a counter, thus providing two separate dispensing modes.

Hence in one aspect, the invention resides in a combination of a container and an absorbent paper material comprising: a substantially enclosed container having an interior volume, an interior surface, and a first opening; an absorbent paper material in the container; and a hanger member having a first hanger end integral with the container, and a second hanger end releasably attached to the container.

In another aspect, the invention resides in a method of dispensing an absorbent paper material comprising: releasing a second hanger end of a hanger member attached to a container by a first attachment member; wrapping the second hanger end of the hanger member around a support member; reattaching the second end of the hanger member to the container with a second attachment member; and withdrawing the absorbent paper material through an opening in the container.

### DESCRIPTION THE DRAWINGS

These and other features, aspects, and advantages of the present invention will become better understood with regard

2

to the following description, appended claims, and accompanying drawings where:

FIG. 1 is an isometric view of an embodiment of the invention.

FIG. 1A is an elevation view of FIG. 1.

FIG. 2 is an isometric view of an embodiment prior to hanging the container.

FIG. 2A is an elevation view of FIG. 2.

FIG. 3 is an isometric view of an alternative embodiment of the invention.

FIG. 4 is another alternative embodiment of the invention.

FIG. 5 is an isometric view of an alternative embodiment of the invention.

FIG. 6 is an isometric view of the embodiment of FIG. 5 prior to hanging the container.

### DETAILED DESCRIPTION

Referring to FIG. 1, a product comprising a container 10 and an absorbent paper material 12 is shown. The container 10, as herein described, is designed to provide the advantage of two dispensing modes. The container 10 may be any size or shape useful for containing the absorbent paper material 12. In a specific embodiment, the container 10 is disposable upon depletion of the absorbent paper material 12, and constructed from board, carton stock, heavy paper, and the like. The absorbent paper material 12 is substantially in contact with an interior surface 14 of the container 10, and not housed within a second container or carton. However, it is possible to design the container 10 to be refillable, and constructed from a sturdier substrate such as plastic, metal, or the like. A refillable container, or a dispenser, could be used with an absorbent paper material purchased in another pre-packaged container, such as a facial tissue carton, that is placed into the dispenser. It is also possible to refill the container 10 with absorbent paper materials 12 purchased in bulk, and not housed in individual containers.

In a specific embodiment, the container 10 has a first end 16, a second end 18, and a sidewall comprised of four panels 22, 24, 26, and 28 as shown in FIG. 1 and FIG. 1A. The container 10 is generally rectangular. Generally rectangular means that at least one side of the container 10 is rectangular, although not all sides of the container 10 necessarily meet at right angles. Thus, a three dimensional parallelogram is generally rectangular. However, it is possible to construct the container 10 in a spherical shape, a cylindrical shape, or any other three-dimensional volume by use of a differently shaped sidewall and/or end panel. For instance, a cylindrical container would have one sidewall and two circular ends, while a spherical container would only have one continuous sidewall.

A first opening 30 is provided into the interior of the container 10. In a specific embodiment, the first opening 30 is located partially panel 22 of the container's sidewall and partially in the second end 18. Construction of the first opening 30 partially in the sidewall and partially in the second end 18 has the advantage of convenient dispensing independent of the container's orientation. Thus, acceptable dispensing performance is achieved when the container 10 is placed on a surface, or when the container 10 is hung from a support member 32. However, any size, style, or location of opening configured to dispense an absorbent paper material 12 through the sidewall from the interior of the container 10 is possible. The type of absorbent paper material 12 being dispensed will dictate the style of opening. Alternative first openings may be located entirely in the container's ends or in any of the container's panels forming the sidewall.

3

All or a portion of the absorbent paper material 12 exposed by the first opening 30 may be covered by at least one cover 34 as is conventionally practiced with facial tissue cartons. For instance, a removable cover created by lines of perforation in the container 10 may occupy all or a portion of the first opening 30 (not shown). The removable cover is stripped from the container 10 prior to dispensing the absorbent paper material 12. Alternatively, the absorbent paper material 12 may be covered by a poly film wrap that is removed (not shown). In a preferred embodiment, a poly film window with a slit 35 is present as the cover 34 covering the absorbent paper material 12, and a removable cover (not shown) is supplied to protect the absorbent paper material prior to dispensing. However, if desired a poly film window in combination with the poly film wrap could be utilized instead. Alternatively, as later herein described, the hanger member 36 can be initially attached to the container 10 to cover the first opening 30.

As shown in elevation in FIG. 1A, the container 10 has a hanger member 36 that has a first hanger end 38 integral with the container 10, and a second hanger end 40. Integral means the first hanger end 38 is a continuous portion of the container 10. The second hanger end 40 is not integral as shown in FIG. 1A, but is attached to the container 10 by a first attachment member 42. It is also possible to construct the hanger member 36 such that both the first hanger end 38 and the second hanger end 40 are integral to the container 10. The hanger member 36 also has a first opposing surface 44 and a second opposing surface 46.

Referring now to FIG. 2, the hanger member 36 is illustrated in a position when the product is purchased by a consumer. The hanger member 36 is attached to the container 10 such that the first opposing surface 44 is substantially in contact with the container 10. If desired, the container 10 can be used in a non-hanging mode by leaving the hanger member 36 attached to the container 10 as shown in FIG. 2A. With the first opposing surface 44 substantially adjacent the container 10, no loop is present to hang the dispenser from the support member 32. The hanger member 36 is attached to the container 10, as received by the consumer, by a second attachment member 48 prior to hanging the container. Alternatively, the first attachment member 42 can be used to secure the hanging member 36 in its two alternate positions.

If desired, the container 10 may be hung from the support member 32 by releasing the second hanger end 40 from the container 10, wrapping the hanger member 36 around the support member 32, and then reattaching the second hanger end 40 to the container 10. In the hanging mode, at least a portion of the first opposing surface 44 is adjacent the container 10, while another portion of the first opposing surface 44 is adjacent the support member 32. This creates a loop between the first end 16 and the first opposing surface 44, which allows the container 10 to hang from the support member 32.

In a specific embodiment, the first attachment member 42 is an adhesive, and the second attachment member 48 is a plurality of perforated lines 50 defining a strip 52. To hang the container, a consumer grasps a tab 54 and removes the strip 52 attaching the second hanger end 40 to the container 10. The first attachment member 42 is made inoperative in this position by placing an appropriate release means between the first attachment member 42 and the container 10. Such a release means may be a release strip placed over the adhesive secured to the first opposing surface 44, or a release strip on panel 26 preventing the adhesive from attaching the second hanger end 40 to the container. After

4

removing the strip 52, the consumer wraps the hanger member 36 around the support member 32, and then reattaches the hanger member 36 to the container 10 with the adhesive.

Another possibility, instead of including a release means, is a latex co-adhesive or rubber cement for the first attachment member 42. Latex co-adhesive is applied to the first opposing surface 44 of hanger member 36 near the second hanger end 40. Offset relative to the first application of the adhesive, additional latex co-adhesive is applied to the panel 26 near the first end 16 of the container 10. Because the two adhesive locations are offset, the hanger member 36 can be removed from the panel 26. The two adhesive strips act as the first and second attachment members. After wrapping the hanger member 36 around the support member 32, the two adhesive locations are aligned and pressed together. This reactivates the adhesive providing a secure bond for the second hanger end 40 to the container 10.

As previously mentioned, two separate or different types of attachment members are not required. For instance, an adhesive first attachment member 42 could be used in both of the hanger member's positions instead of the plurality of perforated lines 50 and the strip 52 combined with an adhesive. Alternate types of attachment members may be utilized. For instance examples of alternative attachment members, by way of illustration and without limitation, include adhesives, hook and loop materials, tabs and slots, lines of perforation with or without a strip, clips, glue, hooks, and tape.

The container 10 preferably contains an interfolded stack of paper towels as the absorbent paper material, although other products may be packaged in the container. A product comprising container 10 and a stack of interfolded paper towels has the advantage of two dispensing modes—resting on a surface or hanging from a support member. While being utilized in the hanging mode, the container has the advantage of eliminating any counter surface requirements, and protecting absorbent paper material 12 from damage due to liquids that may be present on the surface.

FIG. 3 shows an alternative embodiment of the invention in an elevation view hanging from a towel bar. In this embodiment the container 10 has been altered to have a parallelogram profile as shown. The three dimensional parallelogram shown is generally rectangular since panels 16, 18, 22, and 26 are rectangular. The parallelogram profile has the advantage of feeding the absorbent paper material 12 towards the first opening 30 as the material is depleted. The helps eliminate the need to reach into the container when there is a missed interfold or dispensing problem. Because the remaining interfolded absorbent paper materials are near the first opening 30, it is easy to restart the dispensing process. In addition, the trapezoidal profile is aesthetically pleasing. The interfolded absorbent paper material 12 is shown after dispensing several sheets of the material.

Referring now to FIG. 4, an alternative embodiment of the invention is shown. The container 10 has a first compartment 58, and a second compartment 60 separated by an internal partition 62 attached to an interior surface 14 of the container 10. An absorbent paper material 12 is located in the first compartment 58. The container 10 may be any shape or size useful for containing an absorbent paper material, and need not be the generally rectangular shape shown.

A first opening 30 into the interior of the first compartment 58 is provided, and adapted to dispense the absorbent paper material 12. The first opening 30 may be any shape or size useful for dispensing the absorbent paper material 12,

113  
113

**SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO**  
**DIRECCION DE NUEVAS CREACIONES**

202084

Bogotá, D.C.

Abogado

**J. IAN RAISBECK**

Apoderado

ASUNTO

Radicación 05 - 111042

Trámite 011

Evento 379

Actuación 519

Oficio

Folios 008 179

Patente de Invención

☒

Patente de Modelo de Utilidad

☐

Vía Nacional

☐

Vía PCT (fase nacional)

☒

Cap. I

☐

Cap. II

☒

No. Sol. Internacional

US2004/005636

Fecha de Presentación Internacional 25/02/2004

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 53 a 821.2. Reivindicaciones: Folios 83 a 871.3. Dibujos: Folios 97 a 1031.4. Prioridad: Folios 5 a 52 (US 10/439.424 2003-05-16)**2. Objeto de la invención**

Título de la solicitud: "UN SURTIDOR PARA MATERIAL EN HOJA".

El problema planteado en esta solicitud es que los surtidores para uso encima de la mesa no están adaptados para uso con aditamentos para el baño; y los surtidores para uso con aditamentos para el baño a menudo han sido engorrosos y voluminosos.

Para solucionar este problema técnico la solicitud en estudio proporciona un surtidor capaz de suministrar hojas secas y/o previamente humedecidas al cual este estéticamente adaptado para el suministro encima de la mesa así como para el suministro desde un aditamento de producto enrollado convencional.

El objeto de la presente invención se lleva acabo de acuerdo con las características reivindicadas en las reivindicaciones independientes 1 y 2 (Folios 83 a 84)

Clasificación Internacional de Patentes (IPC): B65D 05/042, B65D 75/56, B65D 83/08.

3. Determinación del Estado de la Técnica

Se buscaron documentos del estado de la técnica relacionados, con fecha de publicación anterior a 16/08/2002, que pueden afectar la patentabilidad del objeto de la presente solicitud, encontrándose:

| Nº | Documento | Título                                                             | Fecha de Publicación |
|----|-----------|--------------------------------------------------------------------|----------------------|
| D1 | US6439386 | Packaged absorbent paper product, container, and dispensing method | August 27, 2002      |

4. De la solicitud de Patente

4.1. Reivindicaciones (artículo 30 D 486).

Se observa que las reivindicaciones independientes 1 y 2, se pueden fusionar ya que el objeto de la solicitud es únicamente "Un Surtidor", por tal razón se sugiere fusionarlas en una única reivindicación independiente, teniendo en cuenta la siguiente recomendación:

Que en el preámbulo de la reivindicación independiente 1 estén todas aquellas partes que ya se encuentran ampliamente divulgadas en el estado de la técnica, como: *"una caja con un compartimiento configurado para contener hojas; una abertura surtidor; caja configurada para ser colocada sobre la parte superior de una mesa para surtir hojas desde la misma, la caja incluye un par de brazos configurados para permitir a la caja el ser acoplado a un accesorio, los brazos están doblados en contra de la caja y enmascarados cuando el surtidor está colocado para surtir desde la parte superior de una mesa. Los brazos son liberables y están configurados para permitir a la caja el ser acoplada a un accesorio que tiene una montura de rollo cuando una montura de rollo es colocada a través de una abertura en cada brazo y acoplada al accesorio"*; y seguido de la frase **"CARACTERIZADO POR"** mencione específicamente la invención, mostrando la forma, disposición, ubicación, construcción de cada una de las partes y como se acoplan entre sí; de modo que se pueda determinar en la reivindicación el alcance de la protección ya que las características que esta mencionando actualmente son conocidas ampliamente en el estado de la técnica.

Se observa que las reivindicaciones 3 a la 6 repiten las mismas características técnicas, dichas en las siguientes reivindicaciones 7 a la 15, se sugiere fusionarlas. Con la eliminación de estas iteraciones y la fusión de las 2 reivindicaciones independientes, se procura tener un capítulo reivindicatorio más conciso, en donde se logre identificar claramente que es lo novedoso de la invención.

5. Análisis de patentabilidad (artículo 14 D 486)

1.1. Novedad (artículo 16 D 486)

Teniendo en cuenta que el documento **US6439386** (mencionado de ahora en adelante como **D1**), que se refiere a: un **"Packaged absorbent paper product, container, and dispensing method"** y al comparar elemento por elemento de la

invención tal como está definido en las reivindicaciones independientes 1 y 2, con el documento D1, vemos que el dicho documento contiene todas las características técnicas, como son:

- o Una caja que tiene un compartimiento configurado para contener hojas ahí y una abertura surtidora, la caja está configurada para ser colocada sobre la parte superior de una mesa para surtir hojas desde la misma. Ver D1, Capítulo descriptivo, elementos 35, 64 y Figuras 1, 4 y 5.
- o La caja incluye un par de brazos configurados para permitir a la caja el ser acoplado a un accesorio, los brazos están doblados en contra de la caja y enmascarados cuando el surtidor está colocado para surtir desde la parte superior de una mesa. Ver D1, Capítulo descriptivo, elementos 44, 46 y Figuras 2 y 2A.
- o Los brazos son liberables y están configurados para permitir a la caja ser acoplada a un accesorio que tiene una montura de rollo cuando una montura de rollo es colocada a través de una abertura en cada brazo y acoplada al accesorio. Ver D1, Capítulo descriptivo, elementos 44, 46 y Figuras 1 a 5.

Realizada la comparación del documento D1 con la presente solicitud de patente de invención, se observa que dicho documento contiene todas las características técnicas de las reivindicaciones independientes 1 y 2; con lo cual quedaría desvirtuada la novedad de esta.

#### 6. Conclusión:

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

| Nº | Documento Nº | Reivindicaciones Afectadas | Requisito que Afecta |
|----|--------------|----------------------------|----------------------|
| D1 | US6439386    | 1 a 15                     | Novedad              |

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.

  
**JESÚS FERNEL GARCÍA GARCÍA**  
 Director de Nuevas Creaciones (E)

08 ENE. 2010

El anterior requerimiento fue notificado por fijación en lista, de fecha \_\_\_\_\_

|                           |                                     |
|---------------------------|-------------------------------------|
| CONCEPTO TÉCNICO No. 3910 | EXAMINADOR TÉCNICO<br>Código No. 84 |
|---------------------------|-------------------------------------|

