

SEÑORES

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISIÓN DE NUEVAS CREACIONES

E. _____ S. _____

SUPERINDUSTRIA Y COMERCIO
Radicación : 06000505 00000462 Folios: 11
Fecha (AMD): 2006-03-15 17:08:03
Trámite : 011 PCI-PATENT 379 FASE NAC1 444 REMUESTA
Dependencia: 2020 DIVISION DE NUEVAS CREACIONES

Ref.: Expediente N°. 06-000.505

Solicitud de Patente de Invención Titulada: "ANTAGONISTAS DE RECEPTORES
MUSCARINICOS DE LA ACETILCOLINA"

Solicitante: GLAXO GROUP LIMITED.

RESPUESTA AL OFICIO N°. 2653 NOTIFICADO
POR FIJACION EN LISTA No. 86, DE FECHA 3 DE MARZO DE 2006,
(EXAMEN DE FORMA)

CARLOS R. OLARTE, mayor de edad y vecino de Bogotá, identificado tal como aparece al pie de mi firma, en mi carácter de apoderado de la sociedad en referencia, me permito dar respuesta al auto proferido por ese Despacho, dentro del término legal previsto en el artículo 39 de la Decisión 486, en los siguientes términos:

1. En respuesta a la primera observación del Examinador, me permito aportar junto al presente memorial, el documento de cesión debidamente legalizado, junto con su correspondiente traducción, según lo previsto en el Art. 26- k de la Decisión 486.

2. En respuesta a la segunda observación del Examinador, me permito aclarar al despacho que la presente solicitud entra en Fase Nacional Capítulo I y no Capítulo II como inicialmente se presentó. Para tal efecto adjunto copia del Reporte Preliminar Internacional de Patentabilidad.

Atentamente,


CARLOS R. OLARTE
C.C. No. 79.782.747 de Bogotá
T.P. 74.295

Anexo: Documento de Cesión
Reporte de Patentabilidad.

APOSTILLA

(Convención de la Haya del 5 de Octubre de 1961)

1. País: Estados unidos de América

El presente documento público

2. Ha sido firmado por: **ARLENE E CANNON**

3. Actuando en su calidad de Notario Público

4. Aparece el sello ARLENE E CANNON, NOTARIO PUBLICO,
CONDADO DE MONTGOMERY, COMUNIDAD DE NACIONES DE
PENNSYLVANIA.

Se certifico

5. En Harrisburg, Pennsilvania

6. El 09 de enero de 2006

7. Por Pedro A. Cortés, Secretario de la Comunidad de
Naciones de Pennsilvania.

8. Bajo el Número **200600981**

9. Lleva el Sello del Secretario de la Comunidad de
Naciones de Pennsilvania.

10. Firmado por Pedro A. Cortés.



CESION

Nosotros,

Kristen E. BELMONTE de 709 Swedeland Road, Reino de Prussia, PA 19406, USA, ciudadano de los Estados Unidos de América; Jacob BUSCH-PETERSEN de 709 Swedeland Road, Reino de Prussia, PA 19406, USA, ciudadano de Dinamarca; Dramane I. LAINE de 709 Swedeland Road, Reino de Prussia, PA 19406, USA, ciudadano de Francia; Michael R. PALOVICH de 709 Swedeland Road, Reino de Prussia, PA 19406, USA, ciudadano de los Estados Unidos de América;

Por medio de la presente cedemos a

Glaxo Group Limited

Una compañía organizada bajo las leyes del reino Unido domiciliada en

Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex, UB6 0NN, Gran Bretaña,

(en adelante el "Cesionario"), todos mis (nuestros) derechos, título e interés sobre mi(nuestra) invención para una nueva y útil mejora tal como describe en:

ANTAGONISTAS DE RECEPTORES MUSCARINICOS DE LA ACETILCOLINA.

Serial No. 60/487981

Presentado el 17 de julio de 2003

En lo que concierne a la República de Colombia.

Lugar y Fecha: Reino de Prussia, Pennsilvania, U.S.A. 4 de agosto de 2004.

(Fdo) Kristen E. BELMONTE

(Fdo) Jacob BUSCH-PETERSEN

(Fdo) Dramane I. LAINE

(Fdo) Michael R. PALOVICH

Jurado y suscrito ante mi, el día 4 de agosto de 2004

(Fdo) ARLENE E. CANNON

Notario Público

Sello Notarial,

Arlene E. Cannon, Notario Público

Upper Merion. Twp., Condado de Montgomery

Mi comisión vence el 21 de mayo de 2005

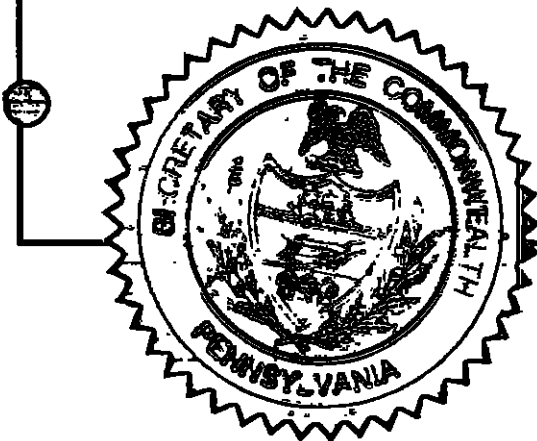
S

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country : United States Of America
2. This public document has been signed by **ARLENE E CANNON**
3. acting in the capacity of **NOTARY PUBLIC**
4.  bears the seal/stamp **ARLENE E CANNON, NOTARY PUBLIC, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA**
5. at Harrisburg, Pennsylvania
6. The 9th day of January, 2006
7. by Pedro A. Cortés, Secretary of the Commonwealth of Pennsylvania
8. No : 200600981
9. Seal/Stamp
10. Signature

Certified

Pedro A. Cortés

Pedro A. Cortés

OLARTERAISBECK

Carlos R. Olarte
J. Ian Raisbeck
Ana Maria Frieri

Olarte Raisbeck & Frieri, Ltda.
Legal & Professional Services

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ASSIGNMENT

CESION

I/ We, **Kristen E. BELMONTE** of 709 Swedeland Road, King of Prussia, PA 19406 USA, a citizen of the United States of America; **Jakob BUSCH-PETERSEN** of 709 Swedeland Road, King of Prussia, PA 19406 USA, a citizen of Denmark; **Dramane I. LAINE** of 709 Swedeland Road, King of Prussia, PA 19406 USA, a citizen of France; **Michael R. PALOVICH** of 709 Swedeland Road, King of Prussia, PA 19406 USA, a citizen of the United States of America;

by means of this document assign(s) to **GLAXO GROUP LIMITED**, a corporation organized under the laws of the United Kingdom domiciled in Glaxo Wellcome House Berkeley Ave, Greenford Middlesex, UK UB6 0NN (hereinafter referred to as the "ASSIGNEE"), all my(our) rights, title and interest in and to my(our) invention for a new and useful improvement entitled and as fully set forth and described in:

"Muscarinic Acetylcholine Receptor Antagonists"

Serial No. 60/487981

Filed on 17 July 2003

so far as the Republic of Colombia is concerned.

por medio de la presente cedo (cedemos) a **GLAXO GROUP LIMITED**, una organizada bajo las leyes de domiciliada en Glaxo Wellcome House Berkeley Ave, Greenford United States of America (de ahora en adelante el "CESIONARIO"), todos mis(nuestros) derechos, título e interés sobre mi(nuestra) invención tal como describe en:

en lo que concierne a la República de Colombia.

Place and date: King of Prussia, Pennsylvania, U.S.A.
on 4 August, 2004.

Lugar y fecha:

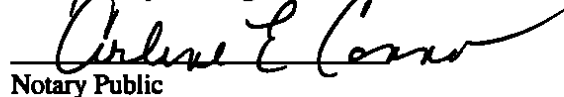

Kristen E. BELMONTE

Jakob BUSCH-PETERSEN

Dramane I. LAINE

Michael R. PALOVICH

Sworn to and subscribed before me
this 4 day of August, 2004


Notary Public

NOTARIAL SEAL
ARLENE E. CANNON, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires May 21, 2005

PCT

NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)
(PCT Rule 44bis.1(c))

To:

SIMON, Soma, G.
GlaxoSmithKline
Corporate Intellectual Property, UW 2220
709 Swedeland Road
P.O. Box 1539
King of Prussia, PA 19406-0939
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)
02 February 2006 (02.02.2006)

Applicant's or agent's file reference
PU60398

IMPORTANT NOTICE

International application No.
PCT/US2004/022947

International filing date (day/month/year)
16 July 2004 (16.07.2004)

Priority date (day/month/year)
17 July 2003 (17.07.2003)

Applicant

GLAXO GROUP LIMITED et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

RECEIVED
GLAXO
SMITHKLINE
2006 FEB 13 A 11:50

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

S

Applicant's or agent's file reference PU60398	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2004/022947	International filing date (day/month/year) 16 July 2004 (16.07.2004)	Priority date (day/month/year) 17 July 2003 (17.07.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant GLAXO GROUP LIMITED		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

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

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

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

- | | | |
|-------------------------------------|--------------|---|
| ☒ | Box No. I | Basis of the report |
| ☐ | Box No. II | Priority |
| ☐ | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| ☐ | Box No. IV | Lack of unity of invention |
| ☒ | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| ☐ | Box No. VI | Certain documents cited |
| ☐ | Box No. VII | Certain defects in the international application |
| ☐ | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Date of issuance of this report 23 January 2006 (23.01.2006) Authorized officer Yoshiko Kuwahara Telephone No. +41 22 338 90 90
---	---

PATENT COOPERATION TREATY

58

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
SOMA G. SIMON
GLAXOSMITHKLINE
CORPORATE INTELLECTUAL PROPERTY, UW2220
709 SWEDLAND ROAD, P.O. BOX 1539
KING OF PRUSSIA, PA 19406-0939

PCT

REC'D 29 DEC 2004

WIPO

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) **27 DEC 2004**

Applicant's or agent's file reference

PU60398

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US04/22947

International filing date (day/month/year)

16 July 2004 (16.07.2004)

Priority date (day/month/year)

17 July 2003 (17.07.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC(7): A61K 31/46; C07D 451/02 and US Cl.: 514/304; 546/124, 125

Applicant

GLAXO GROUP LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US

Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (703) 305-3230

Authorized officer

Ba K. Trinh

DEBORAH A. THOMAS
PARALEGAL SPECIALIST

Telephone No. (571)272-0600

~~GROUP 1000~~

Form PCT/ISA/237 (cover sheet) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/22947

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US04/22947

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims NONE

YES

Claims 1-13

NO

Inventive step (IS)

Claims NONE

YES

Claims 1-13

NO

Industrial applicability (IA)

Claims 1-13

YES

Claims NONE

NO

2. Citations and explanations:

Claims 1-13 lack novelty under PCT Article 33(2) as being anticipated by the MeBr salt of compound (IV) of Zirkle et al. Also note the compounds with the registration number RN 102924-25-4, RN 106546-58-1, RN 106801-38-1, RN 107422-05-9, RN 107894-96-2 and RN 108042-35-9.

Claims 1-13 lack novelty under PCT Article 33(2) as being anticipated by the quaternary ammonium salt of the compound of Formula 1 in column 1 and lines 19 to 28 column 2 of Zirkle (US 2,800,478).

REPUBLICA DE COLOMBIA
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

Folio 61

2020
Bogotá D.C.,

Doctor(a)
OLARTE GARCIA CARLOS REINALDO
Apoderado(a) y/o Representante de
GLAXO GROUP LIMITED

REFERENCIA	Radicación No.	06 505
	Solicitud internacional	PCT/US2004//022947
	Fecha inicio fase nacional	17/02/06
	Trámite	11
	Evento	379
	Actuación	416
	Oficio No.	2416
	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.

Cumplase
Dado en Bogotá D.C.,

J. NEVE ZEVI

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

projas