

Choachí, 30 de marzo de 2009

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 06-027461- -00005-0000

Fecha: 2009-04-01 14:20:45 Dep. 2020 NUECREACIONE
Tra. 3 MODELO Eve: 1 REGDEPOSITO
Act. 330 COMUNICACIÓN Folios: 1

Doctora
DORIS HELENA POLO CORDOBA
Jefe de División de Nuevas Creaciones
Bogotá D.C.

Respetada Doctora:

Me dirijo a usted con el fin de poner a su disposición, algunos elementos de juicio relacionados, con la solicitud de patente registrada bajo el No.06027461.

1. La fabricación de maquinas picadoras de pasto o forraje son de producción mundial.
2. El uso de motores tanto eléctricos como de gasolina se relacionan según la necesidad sin importar su potencia.
3. Las cuchillas de variadas formas y tamaños se consiguen en el comercio como elementos para cortar o picar pasto.
4. El hecho de colocar una cuchilla convencional en un motor y dejarlo girar no es en sí una invención, sino un sistema funcional y de uso.

Por lo anteriormente enumerado y como fabricante de máquinas picadoras de pasto, con algo más de 10 años en el mercado, utilizando cuchillas tipo guadaña y otras, solicito muy comedidamente a Usted, no sea tenida en cuenta la solicitud de patente mencionada anteriormente, lo anterior por lesionar mis intereses y los de muchos fabricantes tanto nacionales, como de importación, como podrá ser corroborado al visitar el comercio de estos productos.

Además que se está utilizando esta "PATENTE EN TRÁMITE" para coaccionar y crear dudas entre los compradores y amenazas directas a los productores.

Por la atención prestada me suscribo de usted,

Atentamente,

LUIS EDUARDO MACHADO
C.C.C No. 19.150.419 de Bogotá
Choachí, Cundinamarca Cra 3ª No. 6 – 59
Celular: 3123187547



US005474241A

United States Patent [19]
Kennedy[11] **Patent Number:** **5,474,241**[45] **Date of Patent:** **Dec. 12, 1995**[54] **PORTABLE APPARATUS FOR CREATING MULCH**[76] **Inventor:** **Brian L. Kennedy, Rd. 2, Box 154, Mayport, Pa. 16240**[21] **Appl. No.:** **243,939**[22] **Filed:** **May 17, 1994**[51] **Int. Cl.⁶** **B02C 18/06; B02C 18/16**[52] **U.S. CL.** **241/81; 241/100; 241/101.71; 241/199.12; 241/292.1**[58] **Field of Search** **241/81, 100, 101.7, 241/199.12, 292.1**[56] **References Cited****U.S. PATENT DOCUMENTS**

2,963,229	12/1960	Rhodes	241/46
3,069,101	12/1962	Wexell	241/92
3,241,173	3/1966	Finn	15/328
4,360,166	11/1982	Biernack	241/92
4,477,029	10/1984	Green	241/101.7
4,593,863	6/1986	Mordstein et al.	241/92
4,640,465	2/1987	Schmid	241/37.5

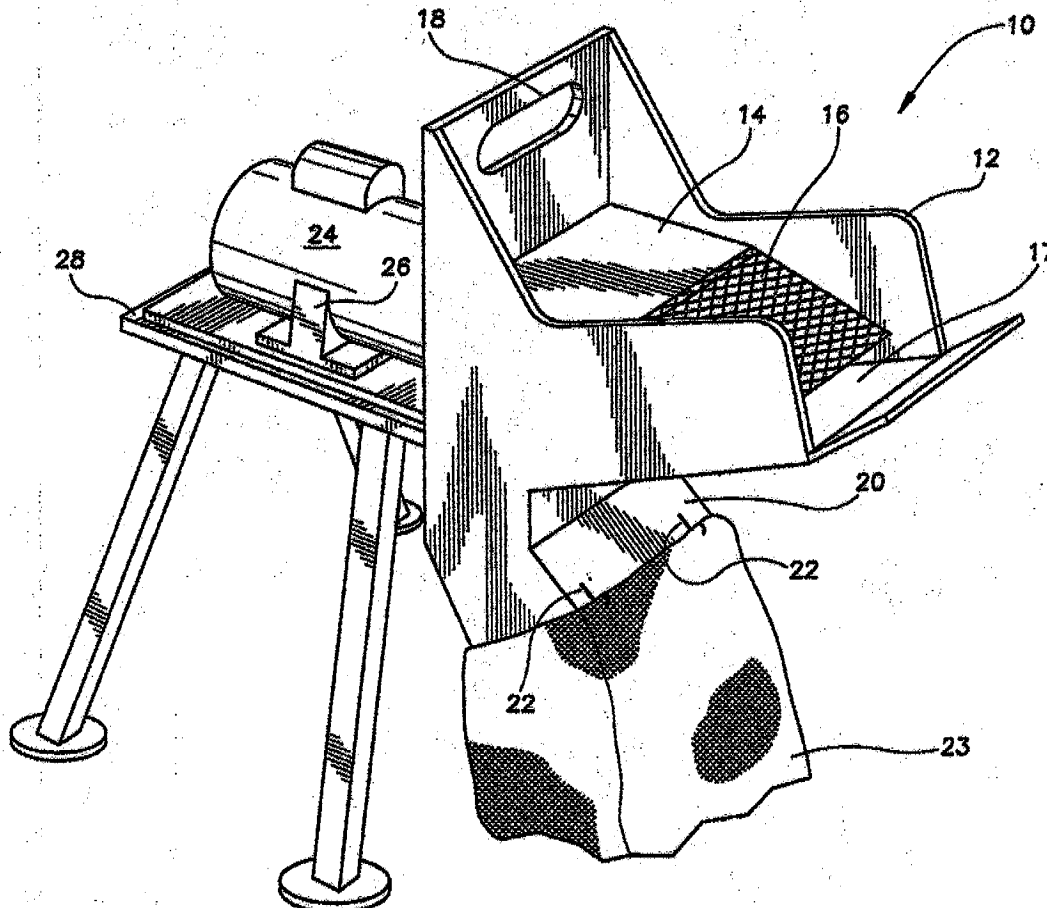
4,778,117	10/1988	Karg	241/92
4,824,034	4/1989	Baker	241/101.2
4,858,834	8/1989	Lanham	241/85
4,984,747	1/1991	Lechner	241/55
5,199,653	4/1993	Durrant et al.	241/73
5,385,308	1/1995	Gearing et al.	241/101.7

FOREIGN PATENT DOCUMENTS

1034652 8/1983 U.S.S.R. 241/292.1

Primary Examiner—Mark Rosenbaum*Assistant Examiner*—John M. Husar*Attorney, Agent, or Firm*—David L. Baker; Henry S. Miller; Rhodes & Ascolillo[57] **ABSTRACT**

A portable apparatus for mulching paper and paper products including a hopper having a gage bar limiting the thickness of the material entering the hopper, a cutting chamber where a cutter bar and a mulcher bar, operated by an electric motor, rotate and mulch the material and eject it into a chute and a bag at the end of the chute. The apparatus is easily clamped to a table.

6 Claims, 3 Drawing Sheets

PORTABLE APPARATUS FOR CREATING MULCH

BACKGROUND OF THE INVENTION

1. Field of the Invention

The invention relates generally to portable power equipment and in particular to a piece of power equipment that will create mulch from soft biodegradable products such as paper.

2. Description of the Prior Art

The field of light duty portable power equipment contains a wide variety of tools, most are special purpose as oppose to general purpose tools. The vast majority of ripping, grinding, and tearing tools are in the general area of forestry and brush working tools. For example, U.S. Pat. No. 3,069, 101 issued Dec. 18, 1962 to Wexell and U.S. Pat. No. 4,858,834 issued Aug. 22, 1989 to Lanham both show wood chippers. Lanham improves the process by making the chips thinner than other wood and brush chippers. In general, wood chippers operate with a heavy fly wheel containing several cutting edges on the face and operate at high speed using momentum of the wheel as part of the cutting force. Since the product chipped is hard, this works effectively. If this style machine was used on a soft product the machine would soon jam and the flywheel would be brought to an abrupt stop.

A general purpose machine is seen in U.S. Pat. No. 3,241,173 issued Mar. 22, 1966 to Finn. The Finn machine consists of a gasoline powered blower which converts into a vacuum fan and a system for blowing mulch. These machines are often seen behind landscaper's trucks and are distinguished from the instant invention in that they simply blow hay and straw mulch on freshly seeded areas. This machine does not create mulch, the mulch comes in bails that are opened by an operator who feeds mulch into a hopper. A type of chipper/shredder is shown in U.S. Pat. No. 5,199,653 issued Apr. 6, 1993 to Durrant et al. The patent concerns the discharge assembly without details to the chipper however, the appearance of the side inlet chute implies that it is of the heavy fly wheel type and could not handle soft material products.

A different aspect of grinding, ripping and tearing is seen in the garbage grinder feeder disclosed in U.S. Pat. No. 2,963,229 issued Dec. 6, 1960 to Rhodes. The patent discloses three point or star shaped spiders for breaking, crushing and grinding the waste product in order that it will flow from the hopper into the main grinder. The device is powered by electric motors but fails to show the structure of the instant invention.

SUMMARY OF THE INVENTION

The invention is a power equipment size tool which creates mulch that may be used on gardens and flower beds. The invention is designed primarily to mulch paper and paper products but the invention is not intended to be limited thereby as other products may likewise be effectively mulched. The invention is distinguished from the common paper shredder in that the mulch created is in pieces of large and irregular size which could be easily reassembled and defeat the purpose of security inherent in the use of the paper shredder.

The invention has a hopper with a relatively large end covered in part by a protective screen but with a gauge bar that will only allow materials of a certain thickness or less

pass. The hopper generally funnels down to the cutting chamber where the material engages the rotating cutting and mulching bars. The bars are mounted on the end of an electric motor shaft and rotate approximately 1750 revolutions per minute in the counterclockwise direction. The bars are at right angles, one bar containing six cutting blades and the other bar containing four mulching teeth. The lower edge of the hopper acts as a stationary cutting blade. A chute is positioned below the cutting chamber and directs the mulch out and away from the cutting chamber. A bag is generally connected to the output of the chute at points provided although it is not necessary for the operation of the device.

The electric motor used to drive the cutting and mulching tool may be a 110 volt A.C., single phase, 60 hertz type, with a one horse power rating. Larger motors may be used as effectively for mulching but larger motors will limit the mobility of the invention.

It is therefore an object of the invention to provide a new and improved portable apparatus for creating mulch.

It is another object of the invention to provide a new and improved portable apparatus for creating mulch that will effectively and efficiently mulch soft biodegradable material.

It is a further object of the invention to provide a new and improved apparatus for creating mulch that is light in weight and portable.

It is still another object of the invention to provide a new and improved apparatus for creating mulch that is safe and free of mechanical hazards.

It is another object of the invention to provide a new and improved apparatus for creating mulch that is low in cost and highly reliable.

It is another object of the invention to provide a new and improved apparatus for creating mulch that is of a durable and reliable construction.

These and other advantages, features and objects of the invention will become more apparent from the following description taken in connection with the illustrative embodiment in the accompanying drawings.

DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of the invention.

FIG. 2 is a side elevation view, partly in section of the invention.

FIG. 3 is a perspective view of the cutting and mulching bars of the invention.

FIG. 4 is a perspective view, partly in cross section, of the connecting union between the motor and the cutting and mulching bars.

DESCRIPTION OF A PREFERRED EMBODIMENT

Referring now to FIG. 1, the invention is shown generally at 10. The hopper 12 consists of the protective plate 14 and protective screen 16. Material entry area 17 is limited by a gauge bar mounted on the screen 16. The rear wall of the hopper contains a handle 18 for moving the apparatus from place to place. A chute 20 directs the mulch from the cutting chamber, located between the hopper and the chute, into a container, such as a burlap bag 23, which is secured by fasteners 22. An electric motor 24 is mounted in a universal fixture 26 which is secured by a conventional means to the table 28.

Concerning FIG. 2, paper is allowed to enter the hopper via the slot like entry area 17. Gage bar 19 limits the thickness of the input material to $\frac{3}{16}$ of one inch in thickness. The material slides down the hopper surface 21 until it reaches the cutting chamber 25. The cutting and mulching bars shown generally at 30 pull the material from the hopper and, using edge 32 as an additional cutting surface, cut and mulch the material blowing the finished product down the chute 20 and into the bag 23. The cutting and mulching bars are connected to the electric motor shaft 34 by connecting union 36. Universal mounting plate 26 is secured to table 28 by means of a conventional clamp 38.

FIG. 3 shows cutting bar 38 and mulcher bar 40 transversely mounted. The cutter bar contains six cutting blades 42 with cutting edge 44. The mulching bar contains four mulching teeth 46 with edges 48. In operation, the cutting blades operate within one half inch of the edge (32) of the hopper surface 21. The material is cut by the blades 42 and then mulched by the transversely mounted mulching blades 46 as the cut material, not moving as fast as the rotating cutting and mulching bars, is repeatedly cut and ripped apart as it travels around the cutting chamber before being blown into the outlet chute (20).

The cutting and mulching bars are welded and balanced prior to operation. The cutting blades and mulching teeth are formed of T-1 tungsten steel or other suitable material.

In FIG. 4, the union 36 is connected to mulcher bar 40 by welding and in turn bar 40 is connected to cutter bar 38 by welding. The motor shaft 34 is secured to the union by a key 50 which engages key way 52 and a flat 54 which receives the allen type set screw 56. The union and the shaft are secured then both longitudinally and rotationally.

The success of the invention is seen in the use of mounting the cutting and mulching means on bars rather than the more conventional wheel or disk arrangements. The bars allow the material to float in the cutting chamber and exposing it to more strokes from the bars from different angles.

It should be understood, of course, that the foregoing disclosure relates to only a preferred embodiment of the invention and that numerous modifications or alterations may be made therein without departing from the spirit and scope of the invention as set forth in the appended claims.

What is claimed is:

1. A portable apparatus for creating mulch from soft biodegradable material products comprising:

a hopper, having an input end and an output end;

a chamber in the hopper;

means for cutting and means for mulching, in the chamber, in operative association with the output of the hopper;

the means for cutting and means for mulching being cross shaped;

the means for cutting and means for mulching comprise a cutting and mulching tool, having tungsten steel blades for cutting and tungsten steel teeth for mulching;

an output chute means, attached to the hopper output end, for directing discharged cut and mulched material from the chamber;

a protective plate attached to the hopper;

a protective screen attached to the protective plate;

and gage bar, attached to the protective screen, limiting the thickness of the material entering the hopper; and

a driving means, connected to the means for cutting and means for mulching for turning the means for cutting and means for mulching.

2. An apparatus for creating mulch from soft material according to claim 1 wherein the material is limited to a thickness of $\frac{3}{16}$ inches.

3. An apparatus for creating mulch from soft material according to claim 1 wherein the driving means is an electrically powered motor.

4. An apparatus for creating mulch from soft material according to claim 3 wherein the motor driving means is connected directly to the cutting and mulching tool.

5. An apparatus for creating mulch from soft material according to claim 4 including means fixed to the said chute means for securing a mulch collection means.

6. An apparatus for creating mulch from soft material according to claim 1 wherein the blades for cutting and the teeth for mulching include a plurality of blades and a plurality of teeth located in spaced relation on arms that cross at a central point and are oriented at 90 degrees to the other and rotate about a common axis in parallel vertical planes.

* * * * *

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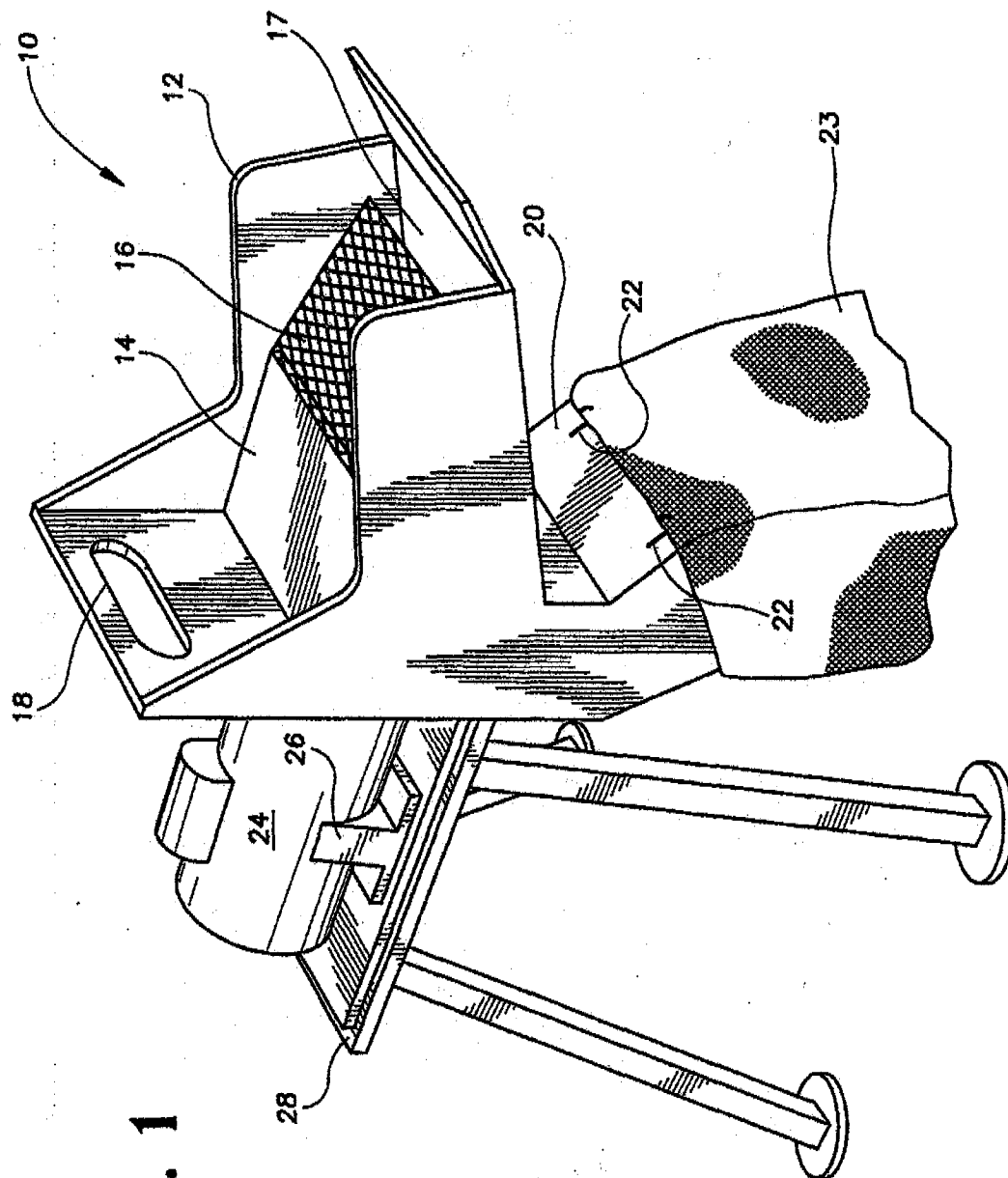


FIG. 1

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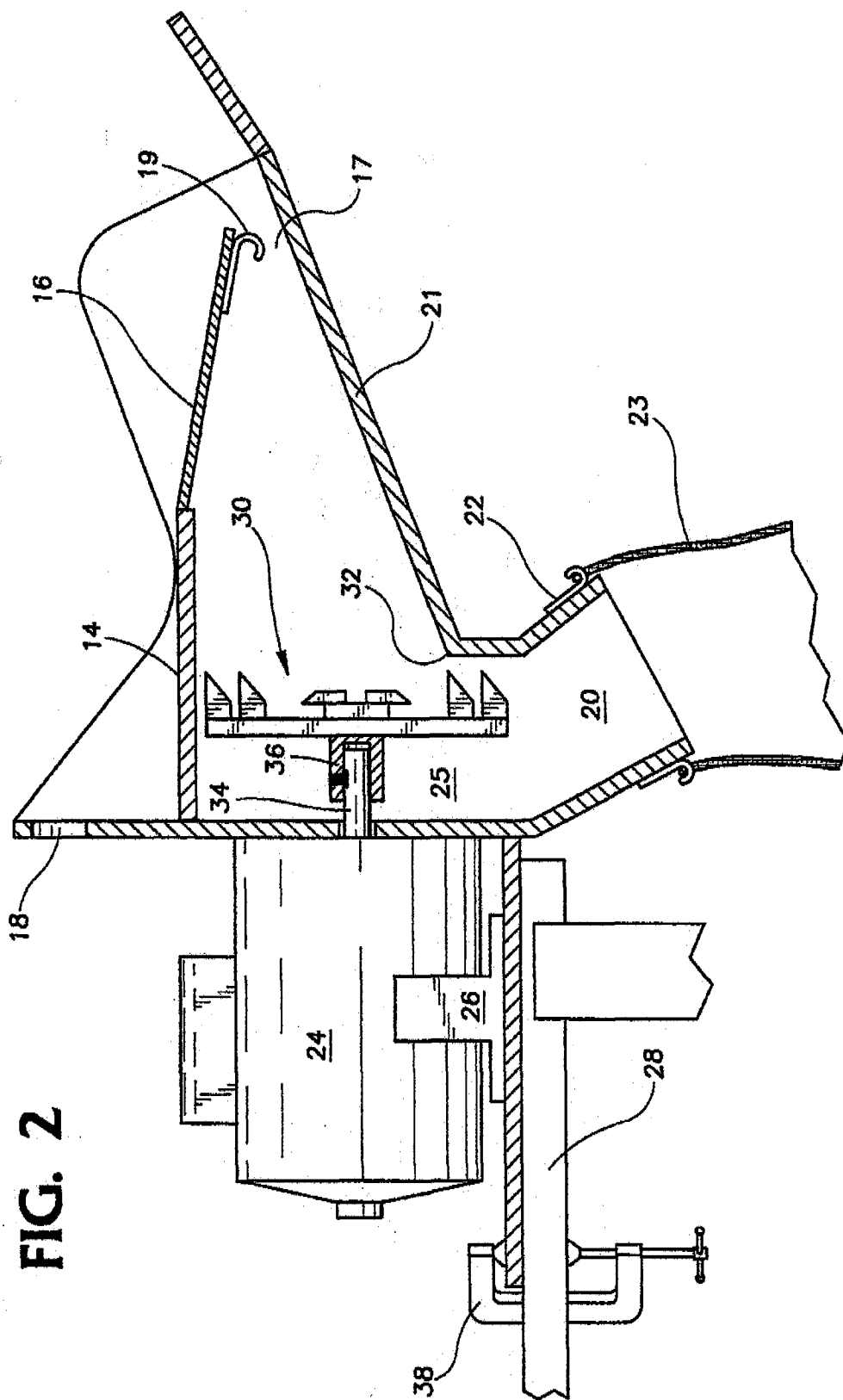


FIG. 2

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

2020
Bogotá, D.C.,

Solicitante
TITO FABIO OÑATE BONILLA

ASUNTO	Radicación	06027461
	Trámite	003
	Evento	001
	Actuación	430
	Oficio	8626
	Folios	004

Patente de Invención ☐ Patente de Modelo de Utilidad ☒

Vía Nacional ☒

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

Como resultado del examen de fondo, realizado con fundamento en el artículo 85 y en concordancia con el artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le comunica:

1. Documentos estudiados

- 1.1. Descripción: Folio: 5 como se radicó inicialmente.
Folios: 21 a 24 modificada.
- 1.2. Reivindicaciones: Folios: 25 a 26 como se radicó inicialmente.
Folio: 49 modificado.
- 1.3. Dibujos: Folios: 6 a 14 como se radicó inicialmente.
Folios: 28 a 29 modificados.

2. Objeto de la invención

Título de la solicitud: "Máquina picadora de pasto y adaptable como trituradora de residuos animales para la obtención de abonos"

El objeto de la presente solicitud de patente de modelo de utilidad se refiere a una máquina para picar y triturar pastos, residuos animales secos y algunos tubérculos.

El problema planteado en esta solicitud se debe a que en el estado de la técnica actual las máquinas utilizadas para picar pastos, caña de azúcar y granos, presentan dificultad en el intercambio y afilado de las cuchillas, ocasionando problemas en el mantenimiento y funcionamiento, así como en la obtención del

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material a producir. Se encuentran en el mercado agropecuario a altos costos, al igual que sus repuestos, de difícil consecución.

Para solucionar este problema técnico, la solicitud en estudio proporciona una máquina con dos cuchillas intercambiables, tipo guadaña, que funciona por efecto directo del giro de un motor, al cual en su parte trasera se le acopla un eje al que se le coloca un disco esmeril de afilado. Adicionalmente se conecta un eje para ampliar el uso de otra herramienta que se requiera.

El objeto de la invención definido anteriormente se clasificó de acuerdo con el IPC así: A01G 3/06.

3. Determinación del Estado de la Técnica

La fecha que se ha tenido en cuenta para determinar el Estado de la Técnica es:

Fecha de presentación de la solicitud nacional, 2006-03-21.

Teniendo en cuenta la fecha indicada, se realizó la búsqueda en el estado de la técnica de documentos relacionados con la solicitud, encontrándose los siguientes documentos más relevantes:

Nº	Documento	Título	Fecha de publicación*
D1	US 5474241	"Portable apparatus for creating mulch"	1995-12-12

4. Análisis de patentabilidad (artículo 14 D486)

4.1. Novedad (artículo 16 D486)

4.1.1. Respecto a la solicitud en estudio:

La reivindicación 1 enseña: *Máquina picadora de pasto caracterizada por que consta de tres partes, la primera se refiere al sistema electromecánico el cual consta de un motor eléctrico (1), en la punta del eje delantero porta una manzana (2) donde se fijan dos cuchillas tipo guadaña; una de refuerzo y guía (3) que puede ser sustituida por una arandela y otra de corte (4) aprisionadas por una arandela de presión (5) o refuerzo delantero, seguida de una única tuerca o tornillo de seguridad (6); con mecanismo opcional de polea (7) para instalar otros usos mecánicos en la punta del eje trasero (10).*

El segundo un cabezote protector (17) que recubre las cuchillas tipo guadaña, con rejilla de protección corrediza (19) arriba y abajo para asegurarla en la posición deseada, una cuchara de recepción (22) con movimiento arriba y abajo que la convierte en una tolva con la ayuda de la rejilla y sus platinas laterales (23); en la parte inferior una "tolva" o embudo de expulsión (25) con ganchos equidistantes (26) ubicados en sus cuatro caras para sostener un saco o bolsa que permita la recolección del producto. Cuatro patas que soportan una base superior para el motor y el cabezote con una altura promedio de 80cms.

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Figura 1 de la solicitud en estudio

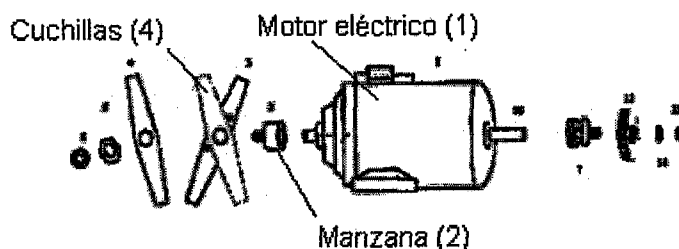
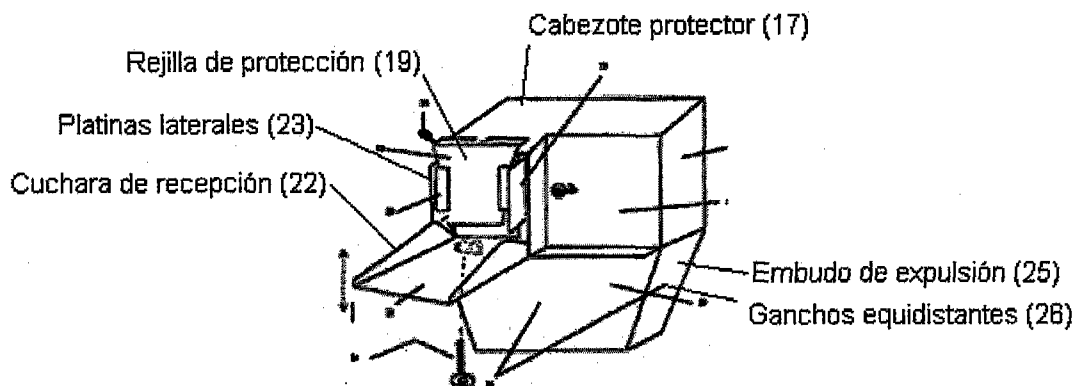


Figura 3 de la solicitud en estudio



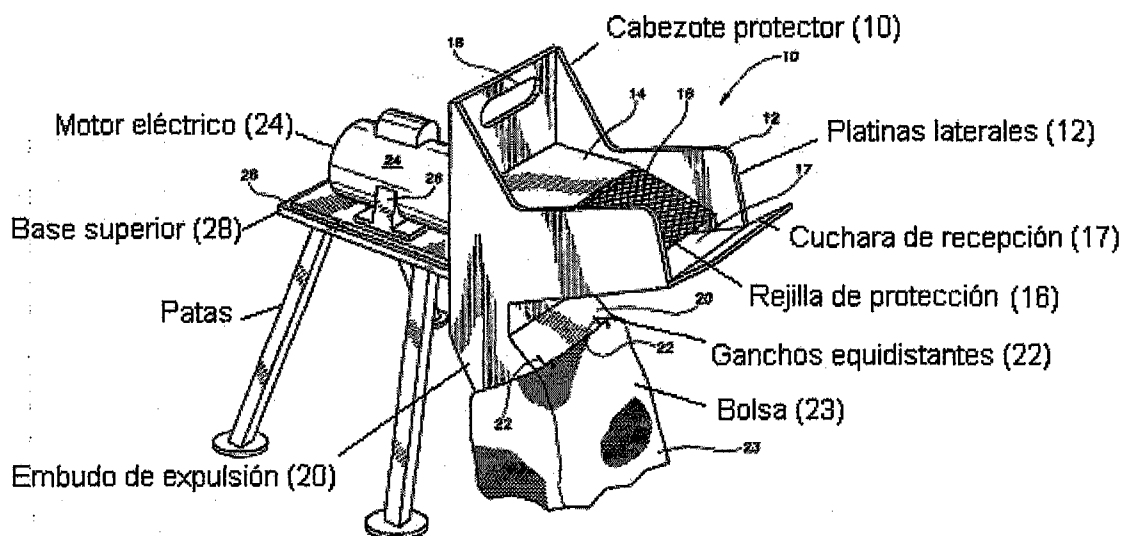
4.1.2. Respecto al estado de la Técnica:

El documento **US 5474241** (mencionado de ahora en adelante como **D1**), enseña una máquina para picar productos de fibra vegetal, la cual comprende un motor eléctrico (24) que porta en la punta de su eje delantero una manzana (36) donde se fijan las cuchillas (30).

Un cabezote protector (10) que recubre las cuchillas (30), tiene una rejilla de protección (16) y una cuchara de recepción (17) que se convierte en una tolva con la ayuda de la rejilla y las platinas laterales (12).

En la parte inferior se enseña una tolva o embudo de expulsión (20) con ganchos equidistantes (22) para sostener un saco o bolsa (23), permitiéndose la recolección del producto. Cuatro patas soportan una base superior (28) para el motor eléctrico (24) y el cabezote (10).

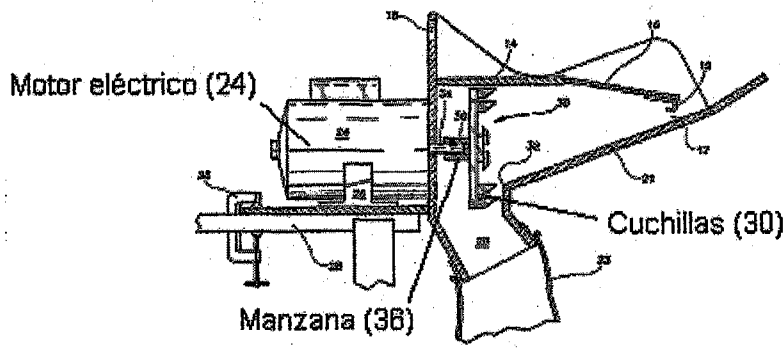
Figura 1 del documento D1 US 5474241



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Figura 2 del documento D1 US 5474241



Ver del documento D1: Columna 1, líneas 54 a 67; Columna 2 líneas 1 a 67; Columna 3, líneas 1 a 44; Figuras 1 y 2; en folios 51-55.

4.1.3. Al comparar elemento por elemento de la invención, tal como está definida en la reivindicación independiente 1, con las enseñanzas del documento D1, se observa que todas las características técnicas esenciales de dicha reivindicación, fueron anticipadas por el documento D1. Por lo tanto, la reivindicación 1, tal y como está reivindicada, y sus dependientes, podrían verse afectadas por falta de novedad.

5. Conclusión:

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

Nº	Documento Nº	Reivindicaciones afectadas	Requisito que afecta
D1	US 5474241	1-2	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 treinta 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
Jefe de División de Nuevas Creaciones

El anterior requerimiento fue notificado por fijación en lista, de fecha 30 JUL. 2009

CONCEPTO TÉCNICO No. 1752	EXAMINADOR TÉCNICO Código No. 202065
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