

CARDENAS & RODRIGUEZ

ABOGADOS

TRADEMARKS AND PATENTS

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BOGOTA D.C., COLOMBIA

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Señores

DIVISION DE NUEVAS CREACIONES

Superintendencia de Industria y Comercio.

E.

S.

D.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 06-030561- -00002-0000

Fecha: 2008-05-27 15:23:57 Dep: 2020 NUECREACIONE
No. 11 PATENTABILIDAD Lve 378 FASENACIONALI
Act 550 PLICACION Folios 3

Referencia : Solicitud de examen de patentabilidad

COD.008

Expediente : No. 06 30561

PCT : **HERRAMIENTA DE ABRAZADERA Y REPARACION**

Solicitante : TIMBERLINE TOOL & CASTING, INC.

I. **JESUS ABELARDO CARDENAS ALFARO**, mayor de edad y vecino de la ciudad de Bogotá D.C., identificado como aparece al pie de mi firma, abogado con T. P. No. 38.319, obrando como apoderado de la compañía **TIMBERLINE TOOL & CASTING, INC.**, sociedad domiciliada en Montana, Estados Unidos de América, atentamente solicito a ustedes:

II. SOLICITUD DE EXAMEN DE PATENTABILIDAD

Por medio del presente escrito y estando en término para hacerlo, se sirvan practicar **examen de patentabilidad** a la solicitud de que da cuenta la referencia, conforme a lo preceptuado en el artículo 44 de la Decisión 486 de la CAN.

III. ANEXO SOBRE RECIBO DE TASAS

Para efectos de la practica del examen de patentabilidad, allego recibo de pago por la suma de **\$210.000** correspondiente de la tasa legal que se causa para tal fin.

De la División, atentamente,

JESUS ABELARDO CARDENAS ALFARO

C.C. No. 19.427.257 de Bogotá.

T.P.A. No. 38.319

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT : 800176089-2

RECIBO OFICIAL DE CAJA : 08 - 17,073
FECHA : FEBRERO 27 DE 2008

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
No. 06-030561-00002-0000
FECHA: 27/02/2008 Dep. 2720 NULCREACIONE
PL. 11 PATENTABILIDAD DE 373 PATENACIONALI
ART. 536 RELECCION FOROS 3

***** CONSIGNACION *****

DEPOSITANTE	TIPO PAGO	BANCO	CUENTA	No. PAGO	FECHA PGO	Vr. PAGO
CARDENAS Y ASOCIADOS ABOG	CONSIGNACION	BANCO DE BOGOTA	062754387	279401	27/02/2008	210,000.00

***** CONCEPTO *****

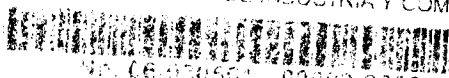
CANT.	RENTA	CONCEPTO	TOTAL CONCEPTO
1	50005-01-01	SOLICITUDES	
		114 PTC CAP-II EXAMEN DE PATENTIBILID	210,000.00
		TOTAL :	\$ 210,000.00

DIEZ MIL PESOS

RESPONSABLE

RECIBO DE CAJA APLICADO AL EXPEDIENTE No.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



NIT: 06-030561-0000000000

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT : 800176089-2

CERTIFICACION DE EXCEDENTE 17,154
FECHA: FEBRERO 27 DE 2008

***** CONSIGNACION *****

DEPOSITANTE	TIPO PAGO	BANCO	CUENTA	No. PAGO	FECHA PGO	Vr. PAGO
ORDENAS Y ADRIQUEZ ABOLCONSIGNACION		BANCO DE BOGOTA	062754387	279643	27/02/2008	210,000.00

***** CONCEPTO *****

CANT.	RECEPCION	CONCEPTO	TOTAL CONCEPTO
1	500,000.00	OTROS SERVICIOS DE PROPIEDAD I	210,000.00
		99 OTROS SERVICIOS ADMINISTRATIVOS	210,000.00
		TOTAL :	\$ 210,000.00

SON: DOWENTOS MIL PESOS

RESPONSABLE

RECIBO DE CASH APLICADO AL EXPEDIENTE No.

DIVISIÓN DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No. 06-30561

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

FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No **580** DE

FECHA **28 DE SEPTIEMBRE DE 2007** EL TÉRMINO HÁBIL SEÑALADO POR

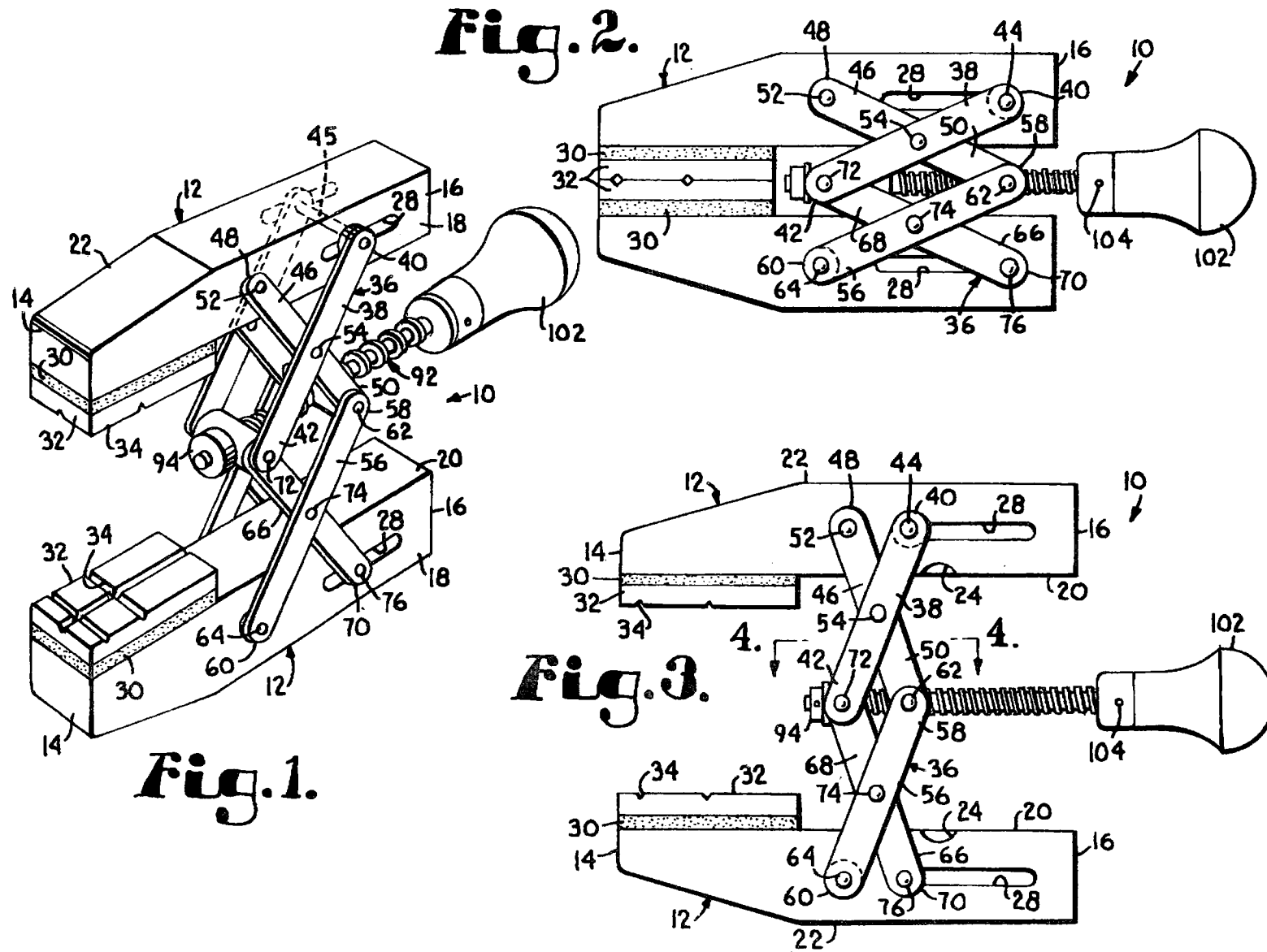
LA LEY EXPIRA EL **27 DE DICIEMBRE DE 2007**

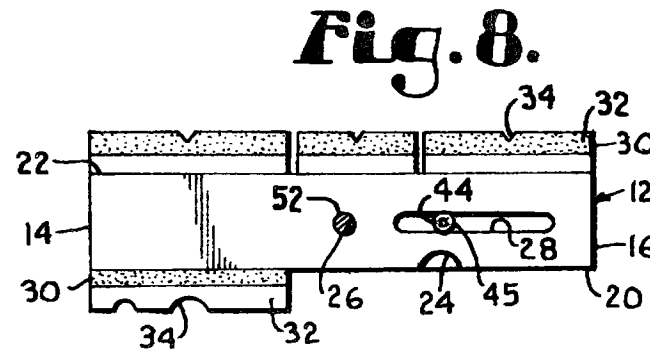
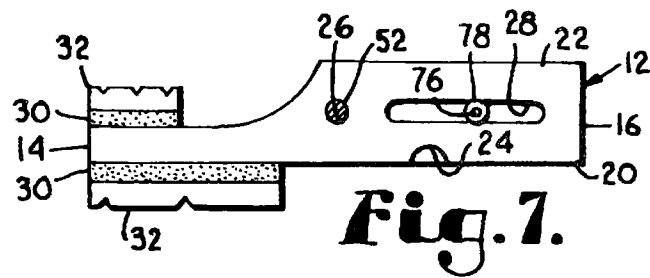
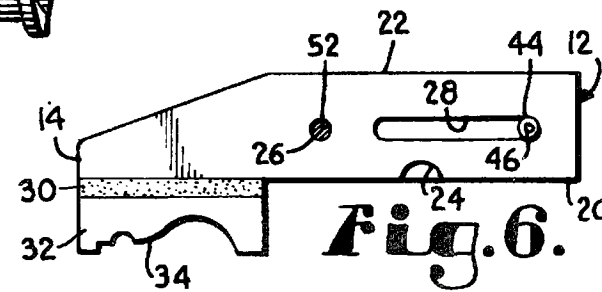
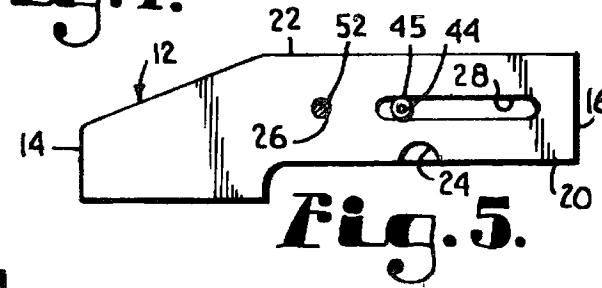
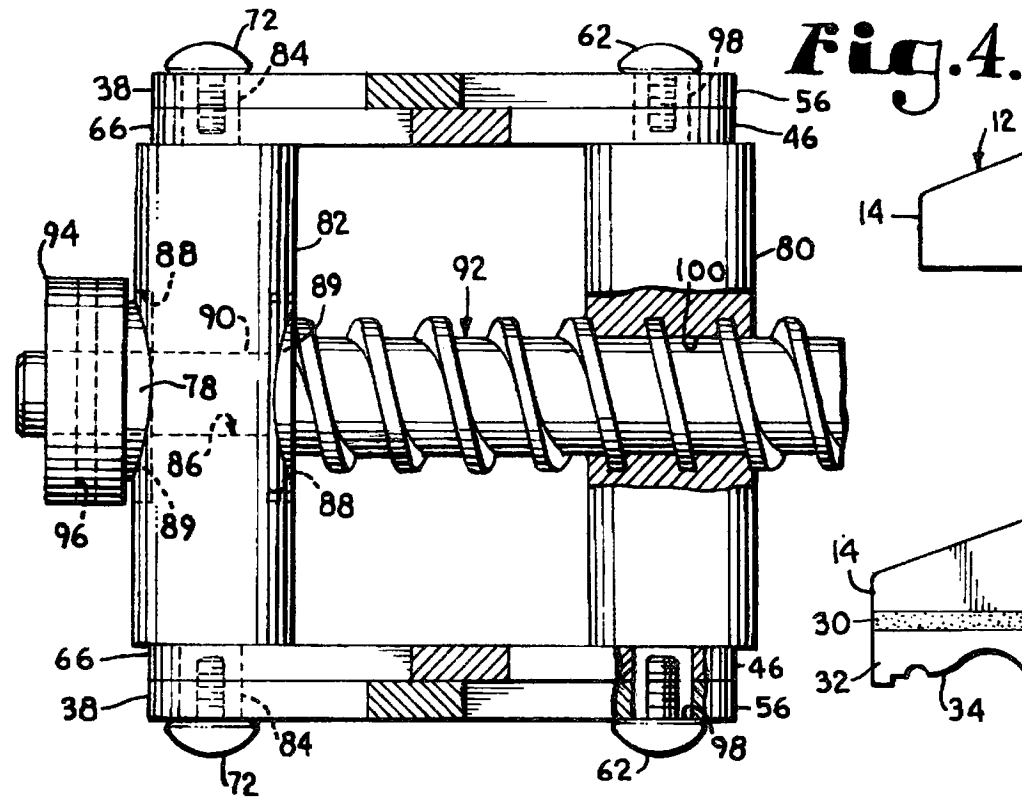
NOTA: Dentro del plazo de los seis (6) meses siguientes a partir de la fecha de publicación en la gaceta de Propiedad Industrial, deberá solicitar y cancelar el examen de patentabilidad so pena de que la solicitud caiga en abandono, de acuerdo con lo establecido en el Artículo 44 de la Decisión 486/2000.

SE PRESENTARON OPOSICIONES POR PARTE DE TERCEROS.

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FIG. 8 is a side elevation view of one embodiment of a jaw body usable with the clamp of FIG. 1.

DETAILED DESCRIPTION OF THE INVENTION

A clamp embodying the principals of this invention is broadly designated in the drawings by the reference numeral 10. With initial reference to FIG. 1, clamp 10 has a pair of clamp bodies 12 which face one another in a mirrored symmetry relationship. Each clamp body 12 has a first or forward end 14, a second or back end 16, opposite side surfaces 18, an inner surface 20 and an outer surface 22. Each clamp body 12 is preferably a solid body constructed of a lightweight and sturdy material, such as wood. Other materials such as plastics or metals may also be used if desired. As best seen in FIGS. 1-3, outer surface 22 may slope downwardly toward the forward end 14. Alternatively, outer surface 22 may be generally planer as best seen in FIG. 8. As seen in FIGS. 3 and 5-8, each clamp body 12 has a relief pocket 24 disposed in side surfaces 18. Relief pocket 24 is generally semi-circular in cross-section and allows clamp 10 to fully close as shown in FIG. 2 and as more fully described below.

As best seen in FIGS. 5-8, clamp body 12 is equipped with a through hole 26 which extends from one side surface 18 to the other. Disposed rearwardly of through hole 26 is an elongated slot 28 which also extends through clamp body 12 from one side surface 18 to the other. Through hole 26 and through slot 28 allow passage of connecting components used to couple clamp bodies 12 to one another in a movable, spaced relationship, as is more fully described below.

Attached to inner surface 20 adjacent first end 14 and extending a preselected distance towards second end 16 is a relatively thin connecting material 30. Connecting material 30 is preferably formed of a slightly resilient material and may be attached to inner surface 20 with any suitable attaching mechanism or material, such as an adhesive. Attached to connecting material 30 is a clamping panel 32, the exposed surface of which may be smooth or appropriately textured or contoured. Panel 32 is used to grip a work piece and may be equipped with a series of positioning notches 34. As shown in FIGS. 1 and 6-8, positioning notches 34 may be any of a desired configuration, depending on the work piece being clamped. Moreover, the transition from notch 34 to the surface of panel 32 may be radiused to minimize undesirable indentation markings on the work piece. Preferably, clamping panels 32 are made of wood, although other materials could be used. Surface 32 may be custom-designed or modified to be application-specific when desired. Surface 32 may therefore be designed to have a specific thermal or electrical conductivity to match the needs of the application. Connecting material 30 cooperates with clamping panel 32 to more evenly distribute the clamping pressure exerted on the work piece by clamp 10. In an alternative embodiment, shown in FIG. 5, clamp body 12 is formed with an integral clamping panel 32. In this embodiment, connecting material 30 is not used. As best seen in FIGS. 7 and 8, a connecting material 30 and a clamping panel 32 may be secured to outer surfaces 22 of the clamp bodies 12. This is especially beneficial when clamp 10 is used as an expansion device, as is more fully described below.

Clamp bodies 12 are coupled to one another in parallel relationship by a pair of double scissors linkages 36 which are coupled to clamp bodies 12 adjacent side surface 18. Each scissors linkage 36 has a first link 38 that has a first end

40 and a second end 42. First end 40 has disposed there-through a connecting rod 44, which extends through elongated slot 28 and couples one first link 38 to the other. Disposed within slot 28, and around rod 44 is a rolling bearing sleeve 45. Sleeve 45 has an internal bore which is sized to allow free but supported movement of connecting rod 44. Slot 28 is sized to allow free but supported movement of sleeve 45. As rod 44 and sleeve 45 travel within slot 28, the clamp bodies 12 will move toward or away from each other. Connecting rod 44 is coupled to each link 38, by any suitable mechanism, such as by a friction fit, c-clips or riveting.

Scissors linkage 36 further has a second link 46 which has a first end 48 and a second end 50. Second link 46 is coupled to clamp body 12 through a fixed connecting rod 52 which extends from first end 48 of one second link 46 to the first end of the other second link. Preferably, connecting rod 52 is coupled to each link 46 such as by a friction fit. Through hole 26 is sized to provide a bearing surface for rod 52 and to support connecting rod 52, while allowing it to freely rotate therewithin. First link 38 and second link 46 are pivotally coupled together at their respective midsections with a connecting pin 54 which extends only through first link 38 and second link 46. As best seen in FIG. 1, links 38 and 46 thus form an X-shape. Pin 54 allows links 38 and 46 to rotate thereon, thus allowing clamp bodies 12 to move relative to one another, as more fully described below.

Scissors linkage 36 further has a third link 56 which has a first end 58 and second end 60. First end 58 of third link 56 is pivotally connected to second end 50 of link 46 by bolt 62. Bolt 62 maintains links 46 and 56 on a turned shoulder of a threaded sleeve assembly 80, as more fully described below. Second end 60 of third link 56 is pivotally coupled to clamp body 12 through the use of a connecting rod 64 which couples one third link 56 to another and which passes through hole 26. Connecting rod 64 is coupled to each third link 56, such as by a friction fit. Hole 26 is sized to provide a bearing surface for rod 64 and to support connecting rod 64, while allowing it to freely rotate therewithin.

Scissors linkage 36 also has a fourth link 66 which has a first end 68 and a second end 70. First end 68 of fourth link 66 is pivotally coupled to second end 42 of first link 38 by a bolt 72. Bolt 72 maintains links 38 and 66 on a turned shoulder of a front bearing block 82, as is more fully described below. Third link 56 is pivotally coupled to fourth link 66 at the midsection of each link through a connecting pin 74 which extends only through third link 56 and fourth link 66. Finally, second end 70 of fourth link 66 is coupled to clamp body 12 and to the opposite fourth link 66 through a traveling connecting rod 76, which passes through elongated slot 28. Disposed within slot 28, and around rod 76, is a rolling bearing sleeve 78. Sleeve 78 has an internal bore which is sized to allow free but supported movement of rod 76. Slot 28 is sized to allow free but supported movement of sleeve 78. As sleeve 78 and rod 76 travel within slot 28, clamp bodies 12 will move toward or away from one another.

Each scissors linkage 36 is thus coupled to each clamp body 12 adjacent side surfaces 18. First link 38 and second link 46 are pivotally coupled to one another in an X-shape, and to one clamp body 12. Third link 56 and fourth link 66 are pivotally coupled to one another in an X-shape, and to the other clamp body 12. Finally, first link 38 is pivotally coupled to fourth link 66 and second link 46 is pivotally coupled to third link 56. As more fully described below, scissors linkages 36 couple clamp bodies 12 to one another, allowing them to move in a spaced, parallel orientation relative to one another.

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As best seen in FIGS. 1 and 4, a front bearing block 82 and a threaded sleeve assembly 80 are coupled to and between scissors linkages 36. Front bearing block 82 is a single piece. As best seen in FIG. 4. Each end of block 82 is turned down to create an integral shoulder 84. Upon shoulders 84 is placed second end 42 of first link 38 and the first end 68 of fourth link 66. Each shoulder 84 has an internal threaded bore and links 38 and 66 are maintained on shoulder 84 by placing bolts 72 within the bores of shoulder 84. Links 38 and 66 are thus allowed to pivot on shoulder 84. The corresponding scissors linkage 36 on the opposite side of clamp body 12 is similarly connected to block 82.

As best seen in FIG. 4, block 82 has an internal bore 86. Internal bore 86 accommodates a front, non-threaded, shouldered end 90 of a threaded rod 92. Front bearing block 82 has a pair of radially milled counter-sink surfaces 88 as best seen in FIG. 4. Counter-sinks 88 are centered on the same axis as rod 92 and accommodate a pair of bearings 89. Bearings 89 are preferably held within countersink 88 in a press-fit relationship. End 90 of rod 92 extends through bore 86 and bearings 89. Rod 92 is prevented from axial movement within block 82 via a retaining cap 94. Retaining cap 94 may be held on end 90 by suitable attaching means, such as with a roll pin. End 90 is thus equipped with a matching bore hole to accommodate the roll pin or other attaching mechanism. For this purpose, cap 94 is equipped with a bore 96. Through this attachment method, threaded rod 92 is allowed to rotate within front bearing block 82 but is prevented from moving axially within front bearing block 82.

Threaded sleeve assembly 80 is coupled to and between scissors linkages 36, and specifically to and between the intersection of second link 46 and third link 56. Sleeve assembly 80 is preferably a single piece, and has an integral shoulder 98. Each shoulder 98 has a threaded bore to accommodate bolts 62 and links 46 and 56 are maintained on shoulder 98 by placing bolts 62 within the bores of shoulder 98. Shoulders 98 allow second link 46 and third link 56 to pivotally rotate thereabout and are constrained and captivated by end bolts 62. However, end bolts 62 are secured to sleeve assembly 80 such that sleeve assembly 80 does not rotate with threaded rod 92. Sleeve assembly 80 has an internal, threaded bore 100 that is internally threaded to mate with the threads on threaded rod 92. Threaded rod 92 is therefore held within sleeve assembly 80 and bearing block 82 constrained but with appropriate clearances to rotate freely within. As best seen in FIGS. 1-3 located rearwardly of second end 16 along threaded rod 92 is a handle 102. Handle 102 is attached to threaded rod 92 with a roll pin 104. Handle 102 is somewhat bell-shaped to enhance comfort and provide for greater torque ability in use.

Rotation of handle 102 causes threaded rod 92 to rotate within and through sleeve assembly 80. While threaded rod 92 is rotating within sleeve assembly 80, end 90 of rod 92 will rotate within front bearing block 82. As threaded rod 92 rotates within sleeve assembly 80 in one direction, the distance between sleeve assembly 80 and front bearing block 82 is increased. In other words, rotation of handle 102 in one direction causes sleeve assembly 80 to be moved away from front bearing block 82. As sleeve assembly 80 moves away from front bearing block 82, the distance between the integral end shoulders 84 of front bearing block 82 and the integral end shoulders 98 of sleeve 80 increases. As the distance between these integral end shoulders increases, rod 44, sleeve 45, rod 76 and sleeve 78 move toward second end 16 within slot 28. This movement allows clamp bodies 12 to move toward one another in a closing

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fashion. Eventually, clamp bodies 12 will be in a closed relationship with clamping panels 32 in abutting relationship, as shown in FIG. 2. Relief pocket 24 accommodates connecting pins 54 and 74 so that they do not prevent clamp bodies 12 from being completely closed.

Scissors linkages 36 ensure that clamp bodies 12 move parallel to one another as they are moved closer to or farther apart from one another. As best seen in FIG. 1, clamp bodies 12 may be held in spaced relationship, parallel regardless of relative spacing, by rotating handle 102. When handle 102 is released, sleeve assembly 80 operates to hold clamp bodies 12 in spaced position. Therefore, clamp 10 may be used as a clamp by rotating handle 102 in one direction, thus moving clamp bodies 12 and clamping panels 32 towards one another and effecting a clamping force on the work piece. Connecting material 30 operates to more evenly distribute the clamping forces applied to the work piece. Positioning notches 34 may be used to better grip a particular work piece. Clamp bodies 12 and clamping panels 32 may be any of a number of different configurations, some of which are shown in FIGS. 5-8. Clamp 10 may therefore be constructed to accommodate a variety of differently shaped objects.

Conversely, clamp 10 may be used as an expansion device, or separator. For this purpose, handle 102 is rotated until clamp bodies 12 are sufficiently close together to allow clamp 10 to be placed between the two objects desired to be separated. Thereafter, handle 102 may be rotated in an opposite direction to impart a separating force on clamp bodies 12 and the two objects desired to be separated. Therefore, clamp 10 can be used as either a clamp or as a separating device through the use of handle 102 and threaded rod 92 without rearranging any clamp parts. When threaded rod 92 is located between clamp bodies 12 and perpendicular to the direction of travel of clamp bodies 12, thus allowing clamp 10 to be used as an expansion device and doing so in a manner that efficiently uses the available space.

In addition to threaded rod actuator 92 previously described other types of actuators may be appropriately used in place of rod 92. If a greater clamping force or a faster closure speed is needed than can be achieved with rod 92, a different actuator may be used. Similarly, a different actuator may be used in situations involving high frequency use or where a precise closure dimension or force is needed. Actuators usable in these situations include hydraulic or pneumatic cylinders or diaphragms, electromechanical actuating devices or electromagnetic devices.

From the foregoing, it will be seen that this invention is one well adapted to obtain all of the ends and objects hereinabove set forth, together with other advantages which are inherent to the structure. It will be understood that certain features and subcombinations are of utility and may be employed without reference to other features and subcombinations. This is contemplated by and is within the scope of the claims.

Since many possible embodiments may be made of the invention without departing from the scope thereof, it is to be understood that all matter herein set forth or shown in the accompanying drawings is to be interpreted as illustrative and not in a limiting sense.

Having thus described the invention, what is claimed is:

1. A mechanical device, comprising:

a first-clamp body having a first end, a second end, a first inner surface extending between said first end and said second end;

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

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Bogotá, D.C.

Abogado

JESUS ABELARDO CARDENAS A

Apoderado

ASUNTO

Radicación 06 – 30561
Trámite 011
Evento 379
Actuación 519
Oficio -M- 1399
Folios 007

Patente de Invención

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Patente de Modelo de Utilidad

☐

Vía Nacional

☐

Vía PCT (fase nacional)

☒

Cap. I

☐

Cap. II

☒

No. Sol. Internacional

US2004/027558

Fecha de Presentación Internacional 25/08/2004

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 48 a 56
1.2. Reivindicaciones: Folios 57 a 58
1.3. Dibujos: Folios 59 a 69
1.4. Prioridad: Folios 5 a 47 US60/498.612 2003-08-28

2. Objeto de la invención

Título de la solicitud: "HERRAMIENTA DE ABRAZADERA Y REPARACIÓN."

El problema planteado en esta solicitud se refiere a la dificultad de posicionar la herramienta alrededor del tubo dentro de un área confinada, asegurando el tubo sin expulsarlo de la herramienta, dando una configuración que ofrezca suficiente fuerza para comprimir el tubo aplicando un tratamiento al tubo.

Para solucionar este problema técnico la solicitud en estudio proporciona una Herramienta de abrazadera y reparación que agarra, asegura y sostiene un objeto en donde la herramienta comprende una parte de manija, una parte de eslabón y una

parte de trabajo, y en donde la parte de trabajo comprende un diseño de tenaza doble con dos pasadores pivote por tenaza.

El objeto de la presente invención se lleva a cabo de acuerdo con las características reivindicadas, en las reivindicaciones 1, 7, 14 y 19 (ver folios 57 a 58).

El objeto de la solicitud definida anteriormente se encuentra en la Clasificación Internacional de Patentes (IPC), B25B5/14; B25B9/00; B25B27/10; B25B27/14; F16L55/17; F16L55/18; B25B5/00; B25B9/00; B25B27/02; F16L55/16.

3. Determinación del Estado de la Técnica

Se buscaron documentos del estado de la técnica relacionados, con fecha de publicación anterior a 2003-08-28, que pueden afectar la patentabilidad del objeto de la presente solicitud, encontrándose:

Nº	Documento	Título	Fecha de Publicación
D1	US5971378	Soft squeeze clamp and expansion device	Oct 26, 1999

4. De la solicitud de Patente

4.1. Descripción (artículo 28 D. 486)

Se sugiere que el título se modifique por "HERRAMIENTA DE ABRAZADERA, SOPORTE Y AGARRE PARA REPARACIÓN DE TUBOS". Ya que este es más conciso con el objeto de la invención.

4.2. Reivindicaciones (artículo 30 D 486)

Se sugiere fusionar las reivindicaciones las reivindicaciones independientes 1, 7, 14 y 19; ya que están caracterizando el mismo objeto, esto para dar mayor claridad, sin necesidad de extenderse. También se aconseja que la reivindicación independiente, mencione todas las características conocidas en el estado de la técnica, en el preámbulo, y seguido del término "**CARACTERIZADO POR**" se muestren las características técnicas novedosas propias de la solicitud, y que la diferenciarían del estado de la técnica.

Con lo anterior se busca que la reivindicación independiente de mayor claridad y delimite mejor la invención, para reflejar el verdadero alcance de la protección.

Se recomienda que la nueva reivindicación independiente se encabece como: "*Herramienta de abrazadera, soporte y agarre para reparación de tubos*", al igual que sus dependientes.

Se aconseja en todo el capítulo reivindicatorio hacer una referencia por medio de paréntesis "()" inmediatamente después de hablar del elemento, sin hacer ningún otro tipo de alusión o mencionar la figura directamente, para facilitar su comprensión.

5. Análisis de patentabilidad (artículo 14 D 486)

5.1. Novedad (artículo 16 D 486)

Teniendo en cuenta que el documento **US5971378** (mencionado de ahora en adelante como **D1**), que se refiere a: un "**Soft squeeze clamp and expansion**

device” como se muestra a continuación:

Al comparar elemento por elemento de la invención tal como está definido en las reivindicaciones 1, 7, 14 y 19; con el documento **D1**: vemos que el dicho documento contiene todas las características técnicas:

- Una primera tenaza; Una segunda tenaza, en donde la primera tenaza y la segunda tenaza son movibles en relación con otra mientras que al menos una parte de la tenaza permanece generalmente paralela. Ver **D1** Capítulo descriptivo, columnas 7 a 6; elementos 10, 12, 34, 36 y Figuras 1 a 3.
- Un conjunto de abrazadera que tiene una abertura; Una primera tenaza acoplada al conjunto de la abrazadera con un primer eslabón, siendo al menos una parte de la primera tenaza movable dentro de la abertura; Una segunda tenaza acoplada al conjunto de abrazadera con un segundo eslabón al menos en una parte de la segunda tenaza que es movable dentro de la abertura; en donde las tenazas incluyen al menos una parte configurada para complementar la pieza de trabajo seleccionada. Ver **D1** Capítulo descriptivo, columnas 7 a 6; elementos 10, 12, 38, 46, 56, y Figuras 1 a 3.

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 1, 7, 14 y 19; 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	US5971378	1 a 21	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 10 de 2001.

ALIX CARMENZA CÉSPEDES DE VERGEL
Directora de Nuevas Creaciones (C)

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

05 FEB. 2010

CONCEPTO TÉCNICO No.392	EXAMINADOR TÉCNICO Código No. 84
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