

CAVELIER

ABOGADOS

www.caveller.com
caveller@caveller.com

EDIFICIO SISKI
CARRERA 4 No. 72 - 35
BOGOTÁ 8, COLOMBIA

58
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad: 06-099256-00002-0000
Fec: 2007-01-09 16:49:15 Dep. 2000 NUECREACIONES
Tm. 11 PATENTEYII
Eve: 376 FASENACIONALI
Act 444 RESPUESTAREQUE Folio: 8

Señora Jefe de la
DIVISION DE NUEVAS CREACIONES
Superintendencia de Industria y Comercio
E. S. D.

Trámite : 011
Evento : 378
Actuación : 444

Referencia : Expediente No. 06.099.256
Asunto : Solicitud de patente para: CILINDRO DE
CERRADURA UNIVERSAL
Solicitante : NEWFREY LLC
Fecha solicitud : 2 de octubre de 2006

1. Yo, Emilio FERRERO, obrando como apoderado del solicitante en el asunto de la referencia, doy respuesta al Oficio N° 12980, notificado por fijación en lista de fecha 10 de noviembre de 2006.

2. Mediante el Oficio N° 12980 se puso en conocimiento del solicitante el resultado del examen de forma realizado por ese Despacho, requiriéndole para completar el siguiente requisito:

2.1. Cesión del derecho a la patente del inventor al solicitante: Al respecto, solicito a ese Despacho tener en cuenta que con el Formulario Único de Solicitud de Patente PCT, Entrada en Fase Nacional, radicado el 2 de octubre de 2006, presenté copia del PCT Request en el que se aprecia que fueron efectuadas Declaraciones en virtud de la Regla 4.17 del Reglamento del PCT, las cuales deben ser tenidas en cuenta.

En efecto, en la Circular Externa No. 3 del 28 de abril de 2003, por la cual se instruye sobre la aplicación del

Tratado de Cooperación en Materia de Patentes (PCT), se establece en el numeral 5.2.15. que "El alcance de estas declaraciones se determinará según indiquen claramente una cesión de derechos del inventor al solicitante o a su causante, de conformidad con lo señalado en el literal k) del artículo 26 de la Decisión 486".

Como ese Despacho puede constatar en la copia del PCT Request que presentó nuevamente con este escrito, el inventor Eugenio MANNELLA cedió sus derechos a favor de la sociedad NEWFREY LLC. el 17 de febrero de 2004, en relación con la solicitud internacional y con la solicitud estadounidense No. 10/797,884 de la cual se reivindicó prioridad.

Por lo anterior, no es necesario presentar un nuevo documento en que consta la cesión de derechos del inventor a la sociedad solicitante.

3. Puesto que se han atendido a cabalidad las observaciones hechas por ese Despacho sobre la presente solicitud de fase nacional, atentamente solicito que se continúe su tramitación.

Bogotá,
Señora Jefe,



EMILIO FERRERO

T.P.A. N° 31.929

COLO 13698-841-004-1

JGG/JGG/ID-000036/WPC13698

Cns M-2007-00000241

5706-03

1/6

PCT REQUEST

Original (for SUBMISSION)

8	For receiving Office use only	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of receiving Office and "PCT International Application"	
0-4	Form PCT/RO/101 PCT Request Prepared Using	PCT-SAFE [EASY mode] Version 3.50 (Build 0002.169)
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	United States Patent and Trademark Office (USPTO) (RO/US)
0-7	Applicant's or agent's file reference	5706-03
I	Title of invention	UNIVERSAL LOCK CYLINDER
II	Applicant	
II-1	This person is	applicant only
II-2	Applicant for	all designated States except US
II-4	Name	NEWFREY LLC
II-5	Address	1207 Drummond Plaza Newark, Delaware 19 711 United States of America
II-6	State of nationality	US
II-7	State of residence	US
II-8	Telephone No.	410-716-3900
II-9	Facsimile No.	410-716-2610
III-1	Applicant and/or inventor	
III-1-1	This person is	applicant and inventor
III-1-2	Applicant for	US only
III-1-4	Name (LAST, First)	MANNELLA, Eugenio
III-1-5	Address	1210 Park Newport #302 Newport Beach, California 92660 United States of America
III-1-6	State of nationality	US
III-1-7	State of residence	US

61

5706-03

2/6

PCT REQUEST

Original (for SUBMISSION)

IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/ has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent
IV-1-1	Name (LAST, First)	VELTMAN, Richard J.
IV-1-2	Address	701 E. Joppa Road TW-199 Towson, MD 21286 United States of America
IV-1-3	Telephone No.	410-716-3503
IV-1-4	Facsimile No.	410-716-2610
IV-1-5	Agent's registration No.	36,957
V	DESIGNATIONS	
V-1	The filing of this request constitutes under Rule 4.9(a), the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.	
VI-1	Priority claim of earlier national application	
VI-1-1	Filing date	10 March 2004 (10.03.2004)
VI-1-2	Number	10/797,884
VI-1-3	Country	US
VI-2	Priority document request The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s):	VI-1
VII-1	International Searching Authority Chosen	United States Patent and Trademark Office (USPTO) (ISA/US)

62

5706-03

3/8

PCT REQUEST

Original (for SUBMISSION)

VIII	Declarations	Number of declarations	
VIII-1	Declaration as to the identity of the inventor	-	
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	1	
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	1	
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	-	
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	-	

5708-03

4/8

PCT REQUEST

Original (for SUBMISSION)

VIII-2-1	Declaration: Entitlement to apply for and be granted a patent Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(i)), in a case where the declaration under Rule 4.17(iv) is not appropriate: Name (LAST, First)	in relation to this international application NEWFREY LLC is entitled to apply for and be granted a patent by virtue of the following:
VIII-2-1(i) v)		an assignment from MANNELLA, Eugenio to NEWFREY LLC, dated 17 February 2004 (17.02.2004)
VIII-2-1(i) x)	This declaration is made for the purposes of:	all designations except the designation of the United States of America

5706-03

5/6

PCT REQUEST

Original (for SUBMISSION)

VIII-3-1	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(III) and 51bis.1(a)(II)) Name	in relation to this international application NEWFREY LLC is entitled to claim priority of earlier application No. 10/797,884 by virtue of the following:
VIII-3-1(i v)		an assignment from MANNELLA, Eugeni t NEWFREY LLC, dated 17 February 2004 (17.02.2004)
VIII-3-1(x)	This declaration is made for the purposes of:	all designations

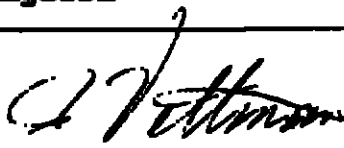
65

5706-03

6/8

PCT REQUEST

Original (for SUBMISSION)

IX	Check list	number of sheets	electronic file(s) attached
IX-1	Request (including declaration sheets)	6	✓
IX-2	Description	6	-
IX-3	Claims	3	-
IX-4	Abstract	1	✓
IX-5	Drawings	6	-
IX-7	TOTAL	22	
	Accompanying items	paper document(s) attached	electronic file(s) attached
IX-8	Fee calculation sheet	✓	-
IX-9	Original separate power of attorney	✓	-
IX-17	PCT-SAFE physical media	-	✓
IX-18	Figure of the drawings which should accompany the abstract	2	
IX-20	Language of filing of the international application	English	
X-1	Signature of applicant, agent or common representative		
X-1-1	Name	NEWFREY LLC	
X-1-2	Name of signatory	Richard J. Veltman	
X-1-3	Capacity	Senior Group Patent Counsel	

FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/US
10-6	Transmittal of search copy delayed until search fee is paid	

FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
------	--	--