

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIRECCION DE NUEVAS CREACIONES

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Bogotá, D.C.

Apoderado
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Abogado

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



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ASUNTO	Radicación	07 – 32940
	Trámite	003
	Evento	001
	Actuación	519
	Oficio	
	Folios	007

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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: Folios 9 a 16
- 1.2. Reivindicaciones: Folios 17 a 18
- 1.3. Dibujos: Folios 19 a 24

2. Objeto de la invención

Titulo de la solicitud: "EMPAQUE PARA PROTEGER ROPA INTERIOR."

El problema planteado en esta solicitud es empaacar, proteger y conservar los brasieres a la hora de viajar o simplemente al almacenar los brasieres de una forma práctica manteniendo su forma.

Para solucionar este problema técnico la solicitud en estudio proporciona un empaque para proteger ropa interior, diseñado para proteger su forma en caso de que deban ser guardados en lugares lo suficientemente estrechos que causan defectos en sus copas con la presión de los objetos adyacentes a estas; o simplemente para almacenarlos en el closet de una forma práctica, segura y conservando la estética.

El objeto de la presente invención se lleva acabo de acuerdo con las características de la reivindicación independiente 1. (ver folio 17).

El objeto de la solicitud definida anterior mente se encuentra en la Clasificación

3. Determinación del Estado de la Técnica

Se buscaron documentos del estado de la técnica relacionados, con fecha de publicación anterior a 2007-04-02, que pueden afectar la patentabilidad del objeto de la presente solicitud, encontrándose:

Nº	Documento	Título	Fecha de Publicación
D1	US6761291	Garment storage receptacle	Jul 13, 2004

4. De la solicitud de Patente

4.1. Reivindicaciones (artículo 30 D 486)

Se observa que las reivindicaciones 1 y 12, mencionan: **usos, ventaja, efectos o funcionamientos**, los cuales no deben hacer parte de las reivindicaciones. En las reivindicaciones de empaque para proteger ropa interior, solo debe estar: La forma, disposición, ubicación, construcción de cada una de las partes y como se acoplan entre sí. 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 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

De acuerdo con lo anterior, **se sugiere al solicitante presentar un nuevo capítulo reivindicatorio.**

5. Análisis de patentabilidad (artículo 14 D 486)

5.1. Novedad (artículo 16 D 486)

Teniendo en cuenta que el documento **US6761291** (mencionado de ahora en adelante como **D1**), que se refiere a: un **“Garment storage receptacle”** como se muestra a continuación:

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

- o Unas protuberancias acoplables internas, resistencia a la presión, forma rectangular, plegable, semiflexible, tener refuerzos estructurales y capas de material acolchado que transporta, protege y conserva la forma de la ropa interior especialmente de sostenes o brasieres. Ver **D1** Capítulo descriptivo, columnas 3 a 5; elementos 10, 30, 80 y Figuras 1 a 11.

- o La composición de los refuerzos estructurales combinan tela, cuero, polipropileno y un material acolchado. Ver **D1** Capítulo descriptivo columnas 3 a 5, elementos 10, 30, 80 y Figuras 1 a 11.
- o Con un pliegue por medio de cremalleras. Ver **D1** Capítulo descriptivo, columnas 3 a 5; elementos 180 y Figuras 1 a 11.

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 la reivindicación 1; 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	US6761291	1 a 12	Novedad

En conclusión las reivindicaciones no reúnen los requisitos de acuerdo con lo establecido en el Art. 30 de la Decisión 486, ya que no definen ni precisan las características de que se desea proteger, no se observan cuales son las características técnicas que constituyen la novedad de la invención frente a lo conocido en el estado de la técnica. Las reivindicaciones deben ser claras en lo que se quiere proteger.

En cumplimiento del artículo 85 en concordancia con el 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
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04 MAR 2010

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

CONCEPTO TÉCNICO No. 626

EXAMINADOR TÉCNICO
Código No. 84

7KL



LS006751291B2

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

(10) Patent No.: **US 6,761,291 B2**

(45) Date of Patent: Jul. 13, 2004

(54) GARMENT STORAGE RECEPTACLE

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

(21) Appl. No.: 10/293,089

(22) Filed: Nov. 13, 2002

(c) **Prior Publication Data**

US 2004/0089680 A1 May 13, 2004

(5i) Int. Cl. D06C 15/00

(52) U.S. Cl. 223/84

(58) **Field of Search** 223 84, 66

(26) **References Cited**

U.S. PATENT DOCUMENTS

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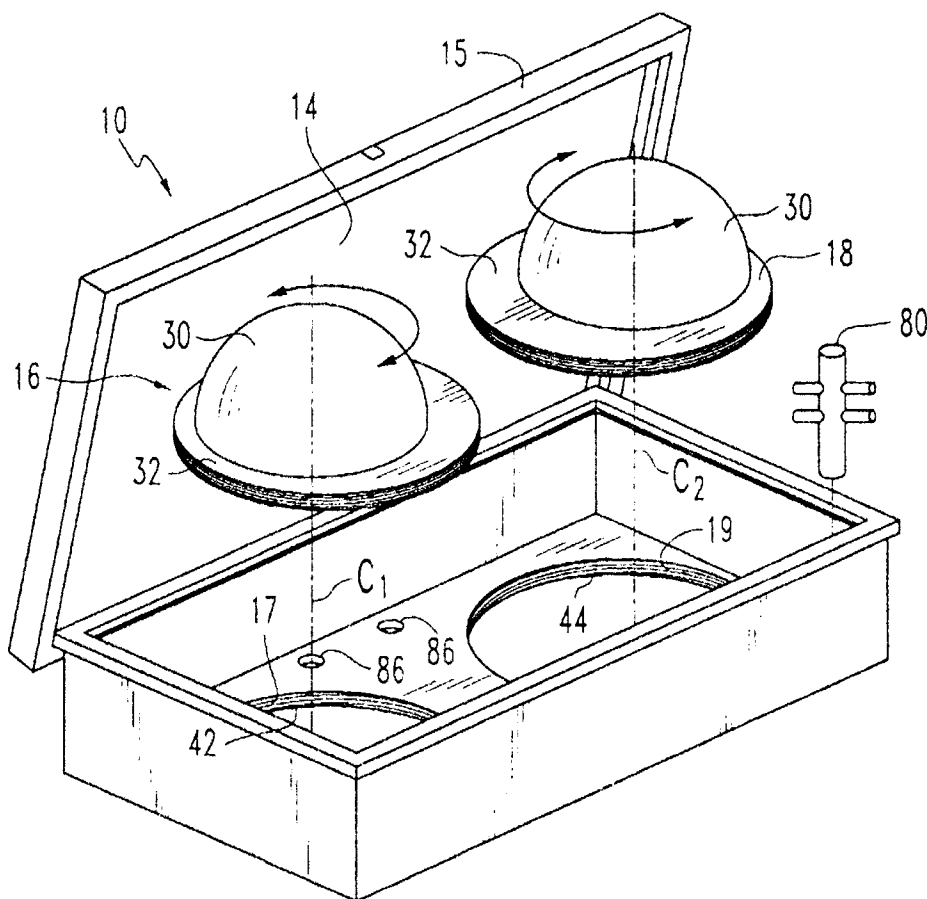
3.837.476	A	9 1974	Schwartz
5.012.531	A	5 1991	Schoonover
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Primary Examiner—John J. Calvert
Assistant Examiner—James G. Smith

(57) ABSTRACT

A receptacle for protectively storing an article of clothing such as one or more brassieres including a lower housing member, an upper housing member, and a pair of brassiere cup support members connected to the lower housing member. In its preferred form, the brassiere cup support members are rotatable relative to the lower housing member so that non-concentrically positioned domed-shaped brassiere cup contacting surfaces connected thereto can be moved toward and away from each other to correspond to the natural distance between the cups of the brassiere(s). The upper housing member defines a planar surface upon which additional garment storage receptacles or other articles can be placed.

16 Claims, 7 Drawing Sheets



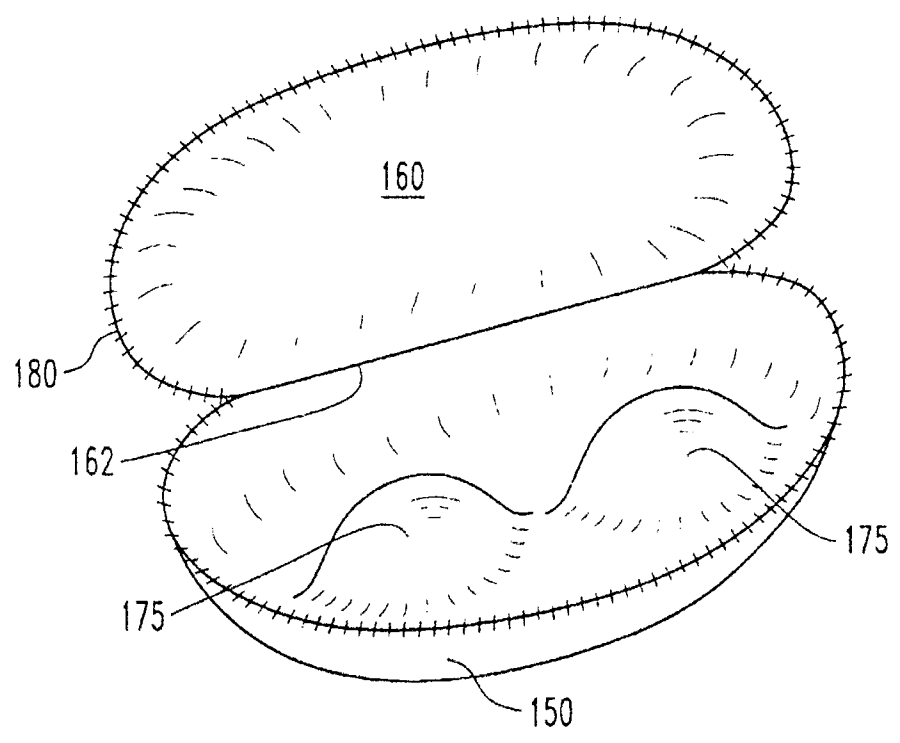


FIG. 8

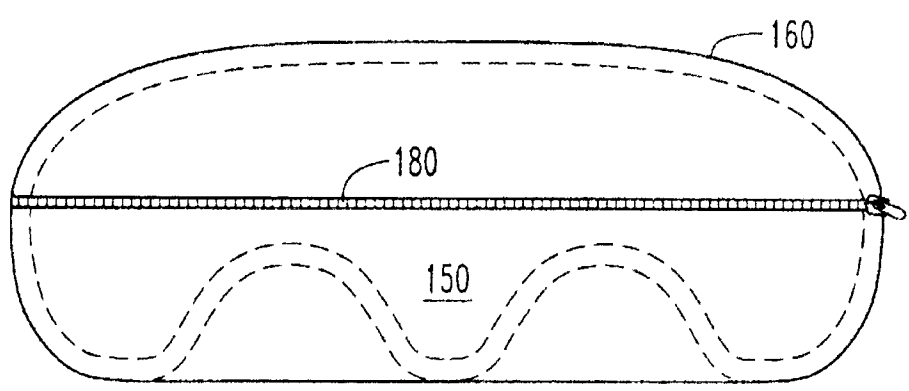


FIG. 9

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It is also an object of the invention to provide a brassiere storage receptacle which can store one or more brassieres in stacked relation within a single receptacle.

The above brief description, as well as further objects, features and advantages of the present invention, will be more fully appreciated by reference to the following detailed description viewed in connection with the associated drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a top plan view of the lower housing half and the bra cup-receiving supports rotatably mounted therein.

FIGS. 2A and 2B are cross sectional elevational views showing alternative support positions taken along lines 2-2 of FIG. 1.

FIG. 3 is a cross sectional elevational view of one bra cup support element.

FIG. 4 is a front elevational view of a brassiere strap receiving post for use with the invention.

FIG. 5 is a perspective exploded view of the invention.

FIG. 6 is a cross sectional elevational view of a first alternative embodiment of the invention.

FIG. 7 is a top plan view of the alternative embodiment showing the lower housing half and brassiere cup-receiving supports rotatably mounted therein.

FIG. 8 is a perspective view of the a second alternative embodiment of the invention.

FIG. 9 is a front elevational view of the second embodiment of the invention.

FIG. 10 is a top plan view of the second embodiment of the invention.

FIG. 11 is a cross sectional front elevational view of the second embodiment of the invention taken along lines 11-11 of FIG. 10.

DETAILED DESCRIPTION OF A PREFERRED
OTHER EMBODIMENTS

Referring now to the drawings, a first embodiment of the garment storage receptacle 10 shown in FIGS. 1-5 is comprised of a lower housing half or garment support deck 12 hingedly connected to a top or cover 14 via hinge 15, which may be a living hinge or any other structure which will permit top 14 to move reciprocally about a rear edge 13 of lower housing half 12 between an open position shown in FIG. 5 and a closed position shown in FIGS. 2A and 2B. Alternatively, top and bottom housing portions 12 and 14 may be releasably coupleable without being hinged. A pair of left and right brassiere cup support elements 16, 18 are employed. Supports 16, 18 are received within corresponding cup support receiving openings 17, 19 defined by deck 12.

In the preferred embodiment, support elements 16, 18 are rotatable with respect to deck 12. Elements 16, 18, one of which is shown in FIG. 3, are each comprised of a domed member 30 sized and shaped to simulate the shape of a brassiere cup, connected to a disc shaped base 32. Base 32 is circularly shaped as shown in FIGS. 1 and 5. Members 30 of support elements 16 and 18 are rigidly and/or integrally connected to base members 32 in a non-concentric orientation, such that rotation of bases 32 within corresponding cutouts 17, 19 of deck 12 will cause center lines C_1 and C_2 to move relative to each other, as can be seen through a comparison of FIGS. 2A and 2B. In this way, a brassiere positioned with its cups laid atop members 30 can be

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oriented in the most desired shape by spacing center lines C_1 and C_2 apart from each other by a distance which corresponds to the spacing of the cups of the brassiere (not shown).

Bases 32 are preferably provided with a constant diameter X , but the radius Y will be different to correspond to each of the different cup sizes "A", "B", "C", "D", etc. It is to be understood that the contour of members 30 may be other than spherical. The shape chosen will function suitably so long as it is rounded.

Top 14 defines a lower flared flange 15 which is adapted to nest in interfitting engagement with a peripheral edge E of deck 12. The interfitting connection therebetween may be a snap fit, interference fit, or any suitable closure arrangement which will permit a user to maintain the device 10 in its closed orientation shown in FIGS. 2A and 2B. When in its closed position as shown, lid 14, deck 12 and supports 30 define an interior volume V in which the clothing article, e.g., brassiere, is stored.

Cut outs 17, 19 define corresponding annular grooves 42, 44 in which corresponding shoulders 46, 48 of base 32 fit. The base 32 may either be threadingly connected to deck 12 or may be connected (preferably removably so as to permit interchanging of different cup size support members) via a lip (not shown) or other retention structure.

Support posts 80 with corresponding transverse support prongs 82 permit the organized placement of clothing articles within volume V. Posts 80 may, as shown in FIG. 4, utilize a dowel-like connector 81 adapted to fit into corresponding apertures 86 defined by deck 12. For example, posts 80 and support arms 82 may be used to drape bra straps thereover so that the brassiere can be maintained in a wrinkle-free condition within device 10.

As shown in FIG. 3, each center line C_1 and C_2 can be translated by rotation of support members 16, 18 by a distance D_1 minus D_2 by rotating members 16 and 18 through an arc of $\pm 80^\circ$, which is designed with respect to the invention to be suitable for accommodating essentially all brassiere constructions. In so doing, supports 16 and 18 can be moved toward and away from each other by the distance $2(D_1 - D_2)$.

Rotating supports 16 and 18 any amount less than 180° will cause the spacing between centerlines C_1 and C_2 to be increased or decreased less than the maximum distances of $2(D_1 - D_2)$.

Support members 16, 18 may come in a variety of different sizes to correspond to "A", "B", "C", "D", etc., brassiere cup sizes. Device 10 may be provided as a kit containing a variety of interchangeable, differently sized support elements 16, 18 in which the radius of curvature Y corresponds to the particular bra cup size "A", "B", "C", etc.

Lid 14 forms a generally planar surface upon which additional devices 10 or other items may be stacked.

A second embodiment of the invention is shown in FIGS. 6, 7 and 8 wherein a garment storage receptacle 100 is shown, comprised of a base or deck 112 to which is hingedly attached a top or lid 115 along a rear edge 113, and a pair of brassiere cup support elements or members 116, 118 rotatably and/or slidably connected to deck 112. In this embodiment, the brassiere is placed in face-down manner against interior surfaces of domed support members 130 of support elements 116, 118. The outward facing surfaces of brassiere cup B contact the interior surface of elements 130. One or more brassieres can be stored in this fashion.

Support members 116, 118 are rotatably received within corresponding cut outs 117, 119, respectively. Rotation of

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members 116, 118 within cutouts 117, 119 cause the center lines C₁, C₂ thereof to move toward and away from each other as described in connection with FIGS. 1 through 5.

A centrally disposed concave depression 126 may be employed in connection with lid 114 to lend to the structural rigidity of the overall device 100. Preferably, depression 126 contacts deck segment 112 as well as the bottoms of bases 132 of support members 116, 118. Obvious modifications to or variation on this rigidifying structure are contemplated to be within the scope of the invention.

Flange 121 of lid 114 is adapted to fit over edge 138 of deck 112 and remain detachably secured thereabout as discussed in connection with FIGS. 1-5.

FIGS. 8 and 9 show a second alternative embodiment of the invention. Comprising a base members 150 hingedly connected to a lid 160 via a live hinge 162, base 150 and lid 160 in this embodiment are manufactured of a resilient, semi-rigid material such as a neoprene based composite similar to that used in the overnight kits provided by most major airlines on international flights.

Base 150 defines a pair of supports 175 which function in the manner of supports 30 shown in FIGS. 1-5 but with the exception that they are fixed to base 150. A closure such as zipper 180 may be employed to attach lid 160 to base 150 when the device is closed. In this way, garments stored therein are protected during travel. This embodiment provides a light weight, yet durably garment storage receptacle in accordance with this invention.

A third embodiment of the invention is shown in FIG. 9. In this embodiment, the device is essentially a one piece semi-resilient, semi-rigid housing. A pair of lower and upper hingedly connected halves 214, 212, the lower half 212 defining a pair of brassiere cup supports 216, 218 adapted to support one or more brassieres (not shown). The housing 210 of this embodiment is preferably manufactured of a neoprene or other soft coating over or impregnated with a substrate material to retain the device. However, the device of this embodiment is ideally suitable as a travel receptacle for clothing articles such as brassieres, and as such should be light weight and somewhat flexible to facilitate fitting within a fully packed suitcase, garment bag, overnight bag, etc.

A closure mechanism such as zipper 220 maybe employed to retain lower and upper housing halves 214, 212 in releasable connection with each other when the device is closed. Other closure structures such as hook and loop fasteners, snaps, etc. are contemplated to be within the scope of the invention.

Various modifications and alterations of this invention will become apparent to those skilled in the art without departing from the scope and spirit of this invention, and it is understood that this invention is not limited to the illustrative embodiments set forth hereinbefore.

What is claimed is:

- 1. A garment storage receptacle comprising:
 - a lower housing member defining a pair of cutouts therein; an upper housing member adapted to be placed in detachably secured engagement to the lower housing member;
 - a pair of removable brassiere cup support members adapted to be removably connected within the pair of cutouts in the lower housing member.
- 2. The receptacle of claim 1, wherein the support members are rotatable with respect to the lower housing member.
- 3. The receptacle of claim 1, wherein the top housing member is hingedly connected to the lower housing member along corresponding edges thereof.

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4. The receptacle of claim 2, wherein the brassiere cup support members each include a generally domed brassiere cup contacting element and a base element, said base element and said brassiere cup contacting element defining non-concentric circular peripheries.

5. The receptacle of claim 1, further comprising at least one brassiere strap support connected to the lower housing member

6. The receptacle of claim 1, wherein the support members form convex raised projections extending from the lower housing member toward the upper housing member.

7. The receptacle of claim 1, wherein the support members form concave depressed projections extending from the lower housing member away from the upper housing member.

8. A receptacle for protectively storing one or more brassieres, comprising:

- a lower housing member defining a pair of circular cutouts therein; an upper housing member hingedly attached to the lower housing member and adapted to be moved between an open position and a closed position with respect to the lower housing member;

- a pair of brassiere cup support members rotatably connected within said cutouts; set support members including non concentrically mounted brassiere cup receiving surfaces which are movable toward and away from each other by rotation of the support members with respect to the lower housing member

9. The receptacle of claim 8, wherein the top housing member is hingedly connected to the lower housing member along corresponding edges thereof.

10. The receptacle of claim 8, further comprising at least one brassiere strap support connected to the lower housing member.

11. The receptacle of claim 8, wherein the support members form convex raised projections extending from the lower housing member toward the upper housing member.

12. The receptacle of claim 8, wherein the support members form concave depressed projections extending from the lower housing member away from the upper housing member.

13. A method for protectively storing one or more clothing articles utilizing a garment storage receptacle comprising a lower housing member defining a pair of cutouts therein; an upper housing member adapted to be placed in detachably secured engagement to the lower housing member; a pair of removable brassiere cup support members adapted to be removably connected within the pair of cutouts in the lower housing member, wherein the support members are rotatable with respect to the lower housing member, said method comprising the steps of:

- providing at least one brassiere having brassiere cups spaced apart by a predetermined distance to be stored;
- placing the at least one brassiere in the receptacle in such a way that the brassiere cups at least partially cover the support members;
- rotating the support members relative to the lower housing member so that the support members are spaced by a distance corresponding to the predetermined distance by which the bra cups are spaced.

14. A method for protectively storing one or more clothing articles utilizing a receptacle for protectively storing one or more brassieres, comprising: a lower housing member defining a pair of circular cutouts therein; an upper housing member hingedly attached to the lower housing member and adapted to be moved between an open position and a closed