

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

202086
Bogotá, D.C.,

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 07-046096- -00005-0000

Fecha: 2010-09-30 12:20:44 Dep. 2020 DIR.NUEVASCR
Tra. 12 MODELOIYII Eve: 378 FASENACIONALI
Act. 519 TRASLADOINFORME Folios: 1

Abogado (a)
MARGARITA CASTELLANOS A.

ASUNTO	Radicación	07-46096
	Trámite	011
	Evento	379
	Actuación	430
	Oficio	
	Folios	8 1 2 8 4 5

Patente de Invención	☒	Patente de Modelo de Utilidad	☐
Vía Nacional	☐		
Vía PCT (fase nacional)	☒	Cap. I	☐ Cap. II ☒
No. Sol. Internacional	PCT/EP2005/055559		
Fecha de Presentación Internal.	26-10-2005		

Como resultado del examen de fondo, realizado conforme a lo establecido por el artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le comunica:

1. Documentos estudiados

Descripción:	Folios: 31 a 38
Reivindicaciones:	Folios: 39 a 41
Dibujos:	Folios: 17 a 24
Prioridad:	Folios: 4 a 24
	29-10-2004. LU 91118

2. Objeto de la invención

- Título de la solicitud: "DISPOSITIVO DE PRESENTACIÓN DE RAMOS DE FLORES" (folio 31).
- Objeto de la invención: Según el autor existe la necesidad en los dispositivos de este tipo de mejorar la velocidad de cierre del soporte replegado así como la confiabilidad del dispositivo con el fin de obtener un bloqueo más rápido y eficaz.

El solicitante propone un elemento para la presentación de ramos de flores que posee un sistema de cierre ajustable que se forma con unas estructuras

geométricas tridimensionales macho y hembra complementarias las unas con las otras.

- El objeto de esta invención se clasifico como A47G7/06 según la Clasificación Internacional de Patentes (IPC.).

3. De la solicitud de Patente

3.1 Reivindicaciones (artículo 30 D 486)

Después de realizar el estudio completo de la solicitud, se hacen las siguientes observaciones a este capítulo:

- Con el objetivo de que este capítulo sea más claro se le sugiere al solicitante MEJORAR LA REDACCIÓN y definir mejor (si es posible utilizar otros términos) la expresión: "contra despulla", pues de esa forma resulta confusa. Adicionalmente definir de una forma más clara la expresión "sensiblemente plano" y no incluir términos como "replegable", ya que dentro de este capítulo no se aceptan ventajas, efectos ni resultados a alcanzar.

4. Determinación del Estado de la Técnica

Teniendo en cuenta que la fecha de prioridad reivindicada es 29-10-2004, se encontraron los siguientes documentos relevantes:

N.	Documento	Título	Fecha de pub.
D1	US6018908	BOUQUET PRESENTATION DEVICE	01-02-2000
D2	US8566503	PLANT WATERING AID ENCLOSURE	22-10-1996

5. Análisis de patentabilidad (artículo 14 D486)

5.1 Novedad (artículo 16 D486)

El estudio se realizo comparando elemento por elemento de la invención tal como esta definida en la reivindicación uno (1, folio 39) con el documento D1, encontrando que el mencionado documento revela la mayoría de los elementos y características de dicha reivindicación:

Reivindicación Uno (1, folio 39): Dispositivo de presentación de ramos individuales de flores que comprende: un soporte (1) sensiblemente plano, replegable.

D1: Ver: elementos 1, figura 1.

Reivindicación Uno (1, folio 39): equipado con un sistema de cierre ajustable para asegurar la conformación de este soporte en un volumen en posición de utilización, con una parte superior y una parte inferior

D1: Ver: elementos 3, 4 figura 3.

Reivindicación Uno (1, folio 39): se caracteriza en que el sistema de cierre ajustable está constituido por el encaje de estructuras geométricas tridimensionales macho y hembra complementarias las unas con las otras (3), dichas estructuras geométricas tridimensionales macho (6) poseen al menos un lado externo en contra despulla que se topa con al menos un lado interno en contra despulla de las estructuras geométricas tridimensionales hembra (7).

D1: NO CONTIENE estructuras geométricas tridimensionales.

La diferencia entre la materia reclamada de la solicitud y el documento D1, es que este NO REVELA estructuras geométricas tridimensionales macho y hembra.

De lo anterior se puede deducir que la solicitud tal como fue definida en la reivindicación independiente uno ES NUEVA y cumpliría con lo estipulado en el artículo 16 de la Decisión 486 de la Comisión de la Comunidad Andina de Naciones.

5.2 Nivel Inventivo (artículo 18 D486)

Continuando con el estudio, la reivindicación uno (1, folio 39) define para el dispositivo un cierre ajustable que está constituido por el encaje de estructuras geométricas tridimensionales macho y hembra. Esta configuración para un elemento de presentación de ramos individuales de flores fue revelada por D2 que sugiere y demuestra esta disposición (Ver en D2: elementos 20, 22, 30, 12, figuras 3-4)

Así las cosas, la solicitud se vería afectada por nivel inventivo ya que no sería difícil para un experto en la materia tomar como base el dispositivo para flores propuesto por el documento D1, dándole a este, un sistema de cierre ajustable de encaje con estructuras geométricas tridimensionales macho y hembra como el sugerido por el documento D2 logrando así, mejorar el bloqueo del sistema y la velocidad de cierre del soporte. Hecho que no constituye un resultado sorprendente e inesperado y que por el contrario se ubica en el desarrollo normal de la tecnología. El análisis anterior permitiría afirmar que la presente solicitud no cumpliría con lo estipulado en el artículo 18 de la Decisión 486 de la Comisión de la Comunidad Andina de Naciones.

6. **Conclusión:**

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

N°	Documento N°	Reivindicaciones afectadas	Requisito que afecta
D1	US6018908	1-18	NIVEL INVENTIVO
D2	US8566503	1-18	NIVEL INVENTIVO

- Se sugiere al solicitante tener en cuenta las observaciones hechas en el numeral tres (3) y REALIZAR EL CAMBIO DE MODALIDAD DE PATENTE DE INVENCION A PATENTE DE MODELO DE UTILIDAD, debido a que la presente solicitud no cumpliría con el requisito de nivel inventivo

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 (60) 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 N° 10 de 2001.


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

El anterior requerimiento fue notificado por fijación en lista, de fecha
_____ 01 OCT. 2010

CONCEPTO TÉCNICO No 3310	EXAMINADOR TÉCNICO Código No.202086
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Jasn



US006018908A

United States Patent [19]
Charrin et al.

[11] **Patent Number:** **6,018,908**
[45] **Date of Patent:** **Feb. 1, 2000**

[54] **BOUQUET PRESENTATION DEVICE**

FOREIGN PATENT DOCUMENTS

[76] Inventors: **Philippe Charrin; Andre Charrin,**
both of Les Chirouzes, F-26600
Beaumont Montoux, France

1 042 436	11/1953	France .
2 286 759	4/1976	France .
2 619 698	3/1989	France .
B-11 31 043	6/1962	Germany .
2 128 083	4/1984	United Kingdom .

[21] Appl. No.: **08/945,694**
[22] PCT Filed: **May 23, 1996**
[86] PCT No.: **PCT/FR96/00774**
§ 371 Date: **Nov. 21, 1997**
§ 102(e) Date: **Nov. 21, 1997**
[87] PCT Pub. No.: **WO96/37133**
PCT Pub. Date: **Nov. 28, 1996**

Primary Examiner—Robert P. Swiatek
Assistant Examiner—Son T. Nguyen
Attorney, Agent, or Firm—Oliff & Berridge, P.L.C.

[30] **Foreign Application Priority Data**

May 24, 1995	[FR]	France	95 06402
[51]	Int. Cl. ⁷	A01G 5/02; A47G 7/02	
[52]	U.S. Cl.	47/41.01; 206/423	
[58]	Field of Search	47/65, 66.1, 66.3, 47/72, 84, 41.11, 41.13, 901, 41.01, 41.12, 30; 206/423, 428/23, 27; 229/100, 116.1, 87.18, 87.19; 220/690	

[57] **ABSTRACT**

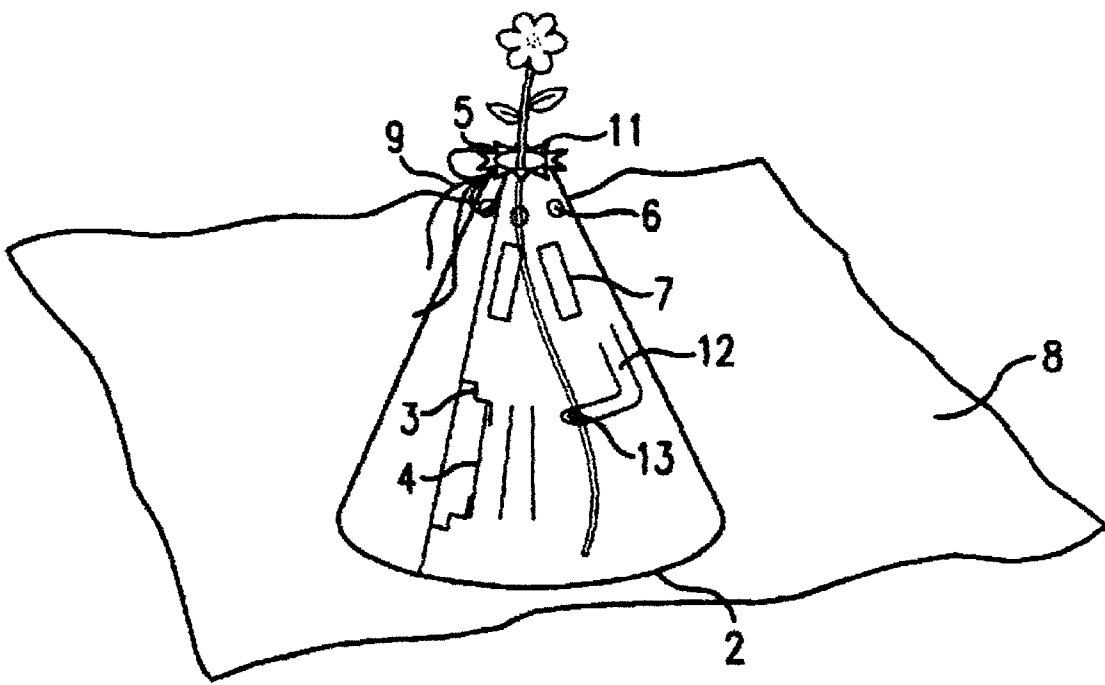
The invention provides a variable shape device, with or without a base, for presenting all types of bouquets individually, vertically and without water. The device (1) is made of water- and deformation-resistant materials, with an adjustable attachment means having a male (3) and a female portion (4). The assembled device has a tapered portion (5) with tabs (11), which adapts to every type of bouquet, and a stable base (2). The openings (6) enable the bouquet to be initially retained in the device, for individual presentation, by any fastening means inserted in the openings. A water-tight decorated sheet (8), extending towards the top (5) of the outer walls (1) and adhering to members (7), is retained by a ribbon (21) on blade members which holds together the sheet, the device and the bouquet, the sheet providing water-tightness to the device (8). Water (10) introduced into the device collects at its base (2), thus providing stability to the bouquet and converting the device into a disposable flower-pot. In the same way, a cylindrical sleeve (20) provides for the transport, by air or by road, with very little water of a bunch of 40 flowers from the producing country to a buyer country.

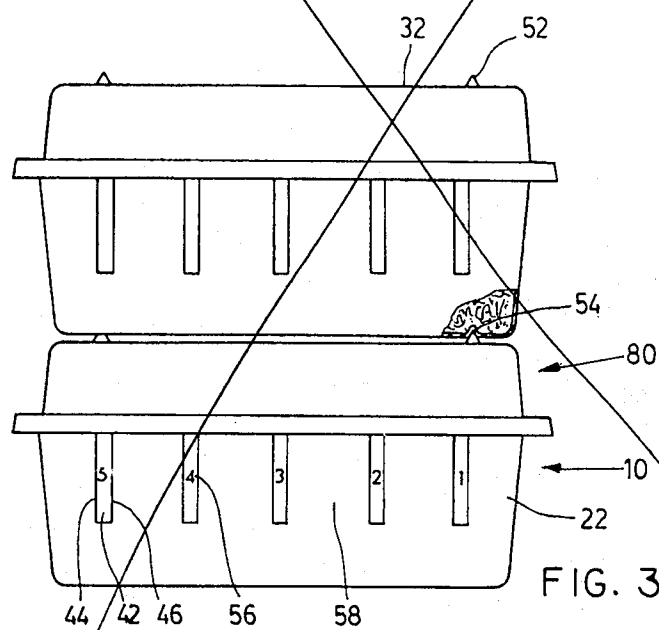
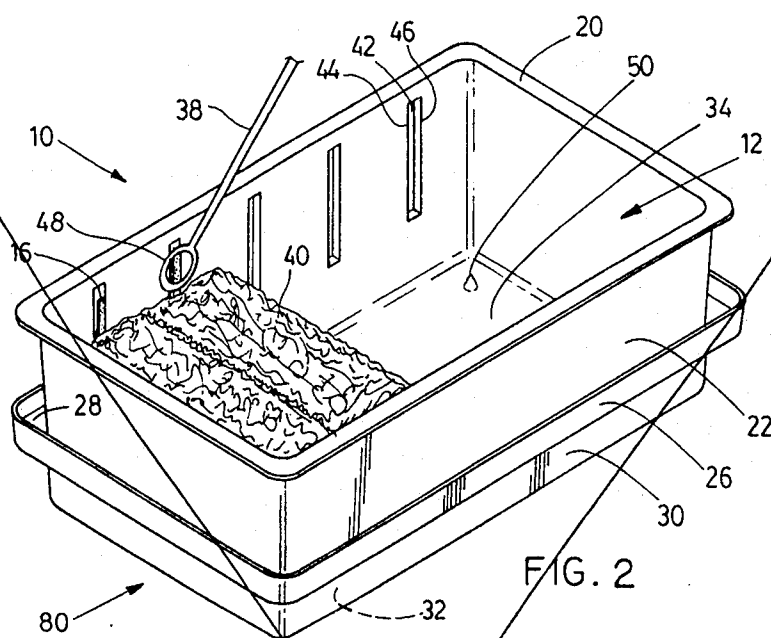
[56] **References Cited**

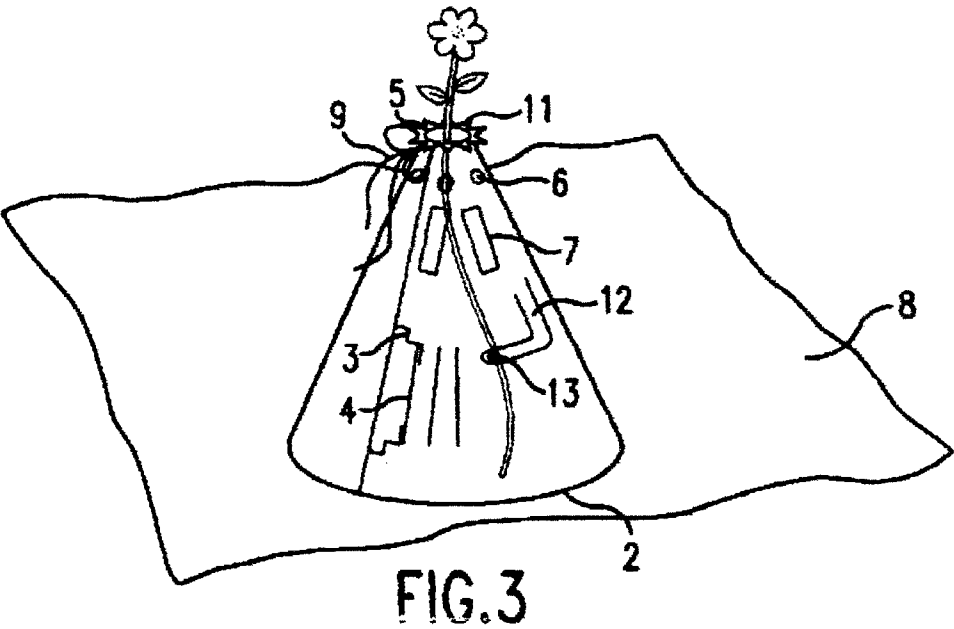
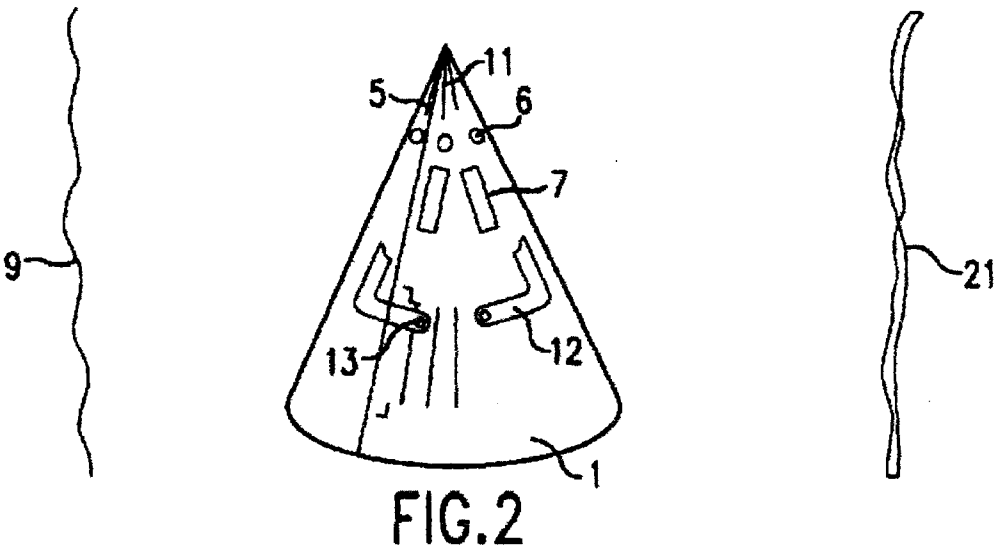
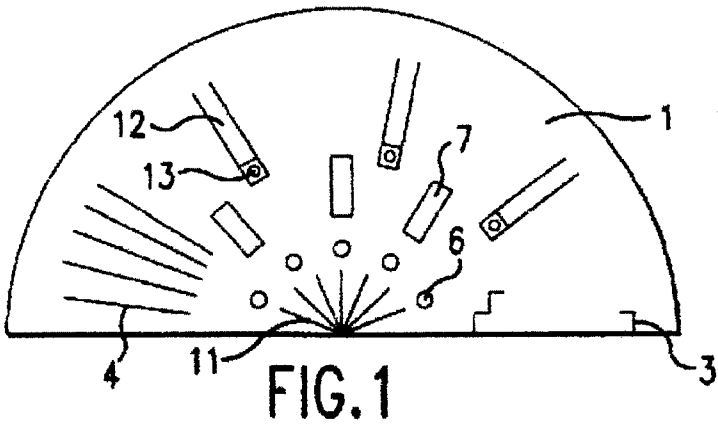
U.S. PATENT DOCUMENTS

754,248	3/1904	Simpson	47/70
2,540,707	2/1951	Beukelman	47/72
4,054,166	10/1977	Burke	206/423
5,060,798	10/1991	Braastad	206/423
5,410,856	5/1995	Weder et al.	53/397
5,615,532	4/1997	Weder et al.	53/399
5,836,447	11/1998	Garcia et al.	206/423

11 Claims, 6 Drawing Sheets







CONTAINER FOR PACKAGING AND COUNTING SURGICAL SPONGES

BACKGROUND OF THE INVENTION

The invention relates to the packaging and counting of surgical sponges specifically made with an indicator attachment, usually in the form of a tape or string.

The most common sponge used in surgical procedures is a 4 ply absorbent cotton gauze pad in a number of sizes, stitched with a X-ray detectable material and a $\frac{1}{2}$ inch wide tape formed into a 6 inch long loop. The tape is usually coloured blue for easier visibility when soaked in blood, and is securely sewn to anchor the sponge within a large body cavity by a surgical instrument. After usage, the nurses identify this type of sponge from other sponges used in surgery by its blue tape, especially while accounting for them to make sure that none have been inadvertently left within the body.

The tape sponge is usually packaged sterile in packs of five in a pouch. Alternately, it is placed with other products in a non-sterile condition inside various customized procedure packs made up by the hospital or commercial companies before being sterilized as a part of a larger whole unit. In either case, this invention serves to package, count and dispose tape sponges, though in the first instance it also functions as an independent sterile container in place of the plastic pouches generally in use.

All surgical procedures demand an accounting of the articles used in the field of surgery to prevent accidental misplacement within the body. None pose a greater problem than sponges. Operating room regulations therefore demand that they be counted at least three times by two nurses. The sponge is first discarded from the sterile field into a non-sterile bucket. A number of accessory products are then available for two nurses to count together from the bucket. The most common are ordinary plastic bags which are unsafe for this purpose, or an open plastic sheet on the floor which is very unhygienic.

The unsafe aspect of the use of a plastic bag for counting is primarily due to its inability to perform a second count on a batch of sponges, usually five, placed within one bag. If an error accidentally occurs while doing the single count into the bag, that error cannot be corrected by subsequent counts and can result in a serious miscount with harmful consequences. It therefore became necessary to devise more sophisticated products to count sponges, and these specialized sponge counting products are the commercial versions of Dorton's U.S. Pat. Nos. 3,749,237 and 4,234,086 and Cheesman/Alikhan's U.S. Pat. No. 4,422,548. Regardless, all these patents teach methods of counting, but none of them or the articles commonly used provide an original package for clean sponges. Olsen's U.S. Pat. No. 4,190,153 describes a sponge tray comprising a separate section for clean sponges and several other compartments for physically separating each soiled sponge for counting.

As stated earlier, a requirement of good accounting policies is to be able to conveniently perform multiple counts of the sponges. To do so, the prior art devised various means to separately maintain each sponge in its own visually distinct compartment to enable the nurses to count them as desired. This invention, with only a single compartment, does not separate the bulk of the sponges for counting but uses the blue tape of each sponge as the sole visual indicator of each sponge and

counts only the blue tapes inserted in a specified location, thereby permitting the use of the packaging container as a sponge counter. Since the count is done in the same containers from which the initial count of their original contents was made, the same number of sponges must be placed back into the same number of containers for a count to be correct and the sponges disposed, thereby eliminating the need of a separate product for counting or disposing.

Still further, a sponge counter should be able to confine a soiled and dirty sponge from contaminating the operating room environment by being exposed, while allowing it to be counted until the end of the operation. The present invention efficiently does this by completely enclosing the used sponges, while allowing the visible blue tapes in their locations to be counted any number of times.

Finally the containers may be conveniently stacked one on top of another in a small area. It saves valuable space in the operating room, and makes them easy to weigh on any scale or be viewed by a doctor to estimate blood loss. The containers do not have to be moved around to do a count as is the case with other commercial counters. Safety, sanitation, convenience and economy are the major considerations for a hospital in making a choice of the product to be used for counting sponges. This invention not only fulfils these important criteria of counting in a better manner through a high quality surgical package, but removes the expense and handling of another accessory to count and dispose used tape sponges.

SUMMARY OF THE INVENTION

This invention relates to a container for packaging clean surgical sponges, each attached to one indicator tape, after the removal of which, the same container is utilized to count and dispose used tape sponges. In particular, the taped sponges are confined in a single compartment to perform the multiple counts required during a surgical operation, with only the tapes inserted into specific locations being counted instead of the sponges as indicative of their number. Indeed, it is an important feature of this invention that the sponges may be repeatedly counted without being further handled, and completely confined without contamination of the operating room environment. The original packaging container is then used to safely dispose the sponges after the counts are done, eliminating the need of another product for these functions, while providing improved handling, ease of counting, convenience and economy. A more detailed explanation of the invention is provided in the following description and claims, and is illustrated in the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

These and other features and advantages of the present invention are more clearly described with the aid of the accompanying drawings, in which:

FIG. 1 is a general view of one embodiment of the container performing the function of a package containing clean surgical sponges, sterile seal and a separate cover.

FIG. 2 shows the container functioning as a counter after the clean sponges are removed, with the indicator tapes of the soiled sponges being inserted into counting locations designed as grooves.



US005566503A

United States Patent [19]
Nickson

[11] **Patent Number:** **5,566,503**
[45] **Date of Patent:** **Oct. 22, 1996**

[54] **PLANT WATERING AID ENCLOSURE**

5,020,272 6/1991 Herrema et al. 47/33

[76] **Inventor:** Jack Nickson, Warren Down,
Peasemore Newbury RG16 0JL, United
Kingdom

FOREIGN PATENT DOCUMENTS

[21] **Appl. No.:** **140,202**

111444 6/1899 German Dem. Rep. 47/76 R

[22] **PCT Filed:** **Apr. 27, 1992**

65697 11/1969 German Dem. Rep. 47/23

[86] **PCT No.:** **PCT/GB92/00775**

914797 7/1954 Germany 47/24

§ 371 Date: **Sep. 6, 1994**

2945292 5/1981 Germany 47/33

§ 102(e) Date: **Sep. 6, 1994**

234732 2/1945 Switzerland 47/300 T

[87] **PCT Pub. No.:** **WO92/19096**

336638 4/1959 Switzerland 47/24

PCT Pub. Date: Nov. 12, 1992

Primary Examiner—Terry Lee Melius
Assistant Examiner—Joanne C. Downs
Attorney, Agent, or Firm—James B. Middleton

[30] **Foreign Application Priority Data**

[57] **ABSTRACT**

Apr. 25, 1991 [GB] United Kingdom 9108864

A water-retaining enclosure is formed around a plant (10) by joining the ends (18) of a wall (12) of flexible, water-impervious material, so as to form a circle around the plant, the wall then being inserted into the ground with a desired height (16) of the wall projecting above the ground. The wall has projections (20, 30, 32, 40) at intervals on a first side (21) and recesses (22, 31, 42) on the other or second side (19) to engage at least some of said projections for sealingly securing opposite end portions of the wall together.

[51] **Int. Cl.⁶** **A01G 1/00**

[52] **U.S. Cl.** **47/33; 47/23; 47/30**

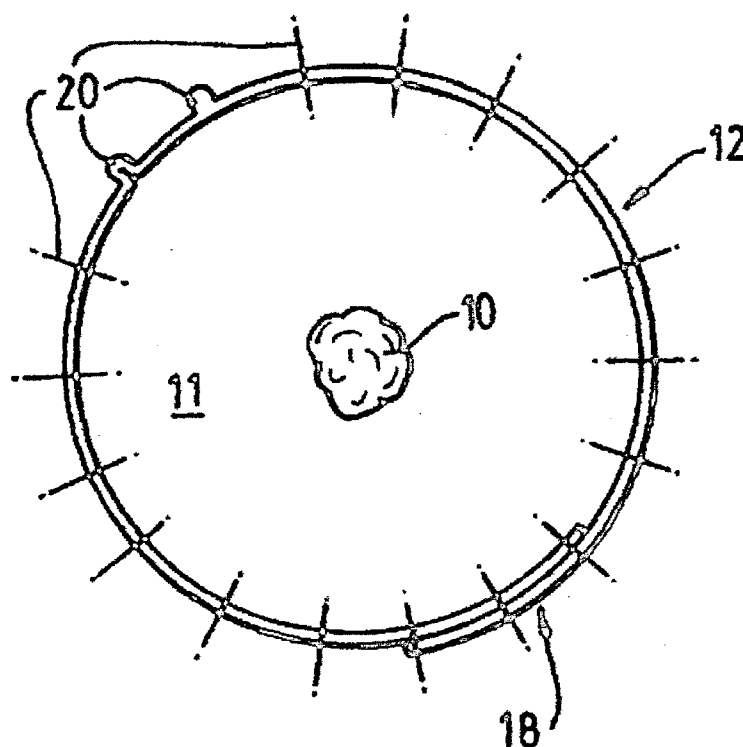
[58] **Field of Search** **47/33, 300 T, 76 R,**
47/78 F, 23, 24; 404/7; 52/102

[56] **References Cited**

U.S. PATENT DOCUMENTS

3,315,752 4/1967 Pasquini 47/33

6 Claims, 1 Drawing Sheet



United States Patent [19]
Alikhan

[11] Patent Number: 4,832,198
[45] Date of Patent: May 23, 1989

[54] CONTAINER FOR PACKAGING AND
COUNTING SURGICAL SPONGES

[76] Inventor: Raza Alikhan, 55 Bamburgh Circle,
Apartment 1407,, Scarborough,
Ontario, Canada, M1W 3V4

[21] Appl. No.: 203,136

[22] Filed: Jun. 7, 1988

[30] Foreign Application Priority Data

Jun. 15, 1987 [CA] Canada 539682

[51] Int. Cl.⁴ B65D 85/00

[52] U.S. Cl. 206/438; 206/509;
206/459; 206/362; 206/440

[58] Field of Search 206/438, 362, 440, 459

[56] References Cited

U.S. PATENT DOCUMENTS

3,749,237 7/1973 Dorton 206/438

4,190,153 2/1980 Olsen 206/438 X
4,234,086 11/1980 Dorton 206/362
4,361,231 11/1982 Patience 206/362
4,422,548 12/1983 Cheesman et al. 206/438 X
4,429,789 2/1984 Puckett, Jr. 206/438 X
4,494,653 1/1985 Praderio 206/438 X

Primary Examiner—William Price

Attorney, Agent, or Firm—Ivor M. Hughes

[57] ABSTRACT

A single compartment container for packaging clean surgical sponges, each with an attached indicator tape, wherein the improvement uses the container, after the removal for the clean sponges, as a receptacle for holding, counting, confining and disposing discarded sponges with only the tapes inserted into specified locations in the container being counted, instead of the sponges, as indicative of their number.

3 Claims, 2 Drawing Sheets

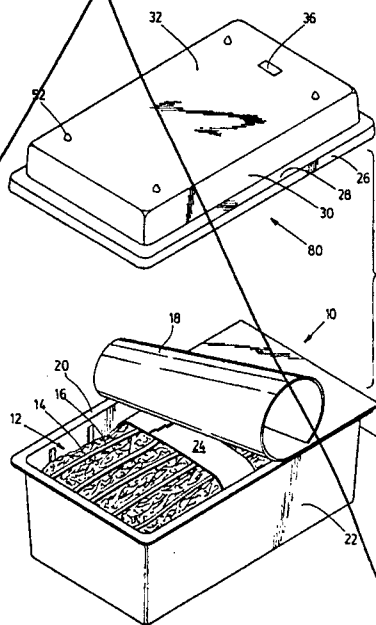


FIG. 1

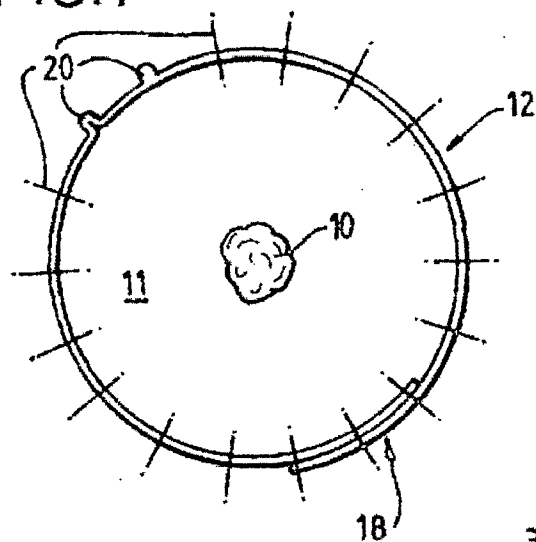


FIG. 2

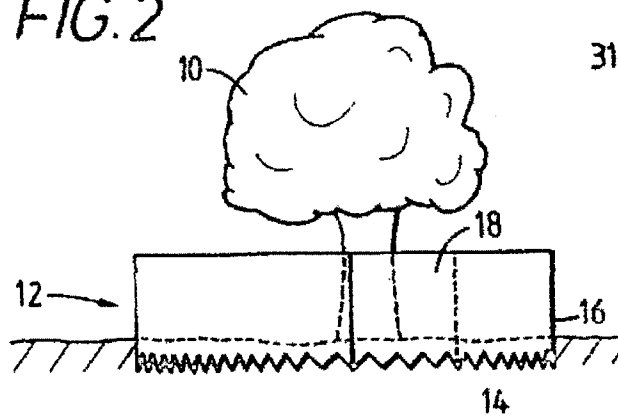


FIG. 3

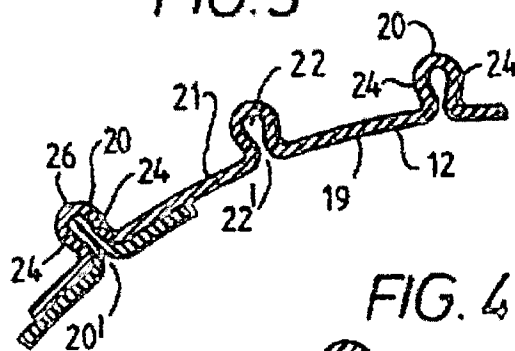


FIG. 4

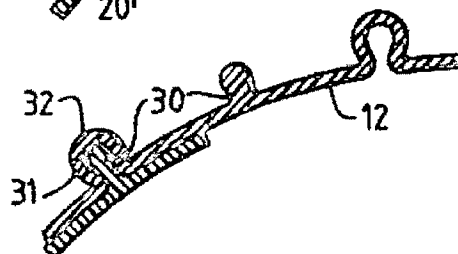
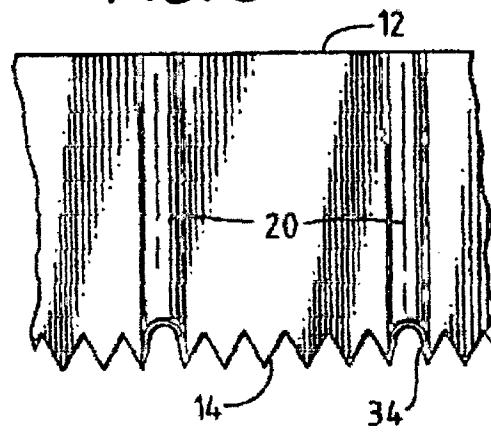


FIG. 5



U.S. Patent · May 23, 1989

Sheet 1 of 2

4,832,198

