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Señores

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISIÓN DE NUEVAS CREACIONES

E. _____ S. _____

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CENTRO DE INVESTIGACIONES Y DESARROLLO TECNOLÓGICO
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AL 444 RESERVAS

Expediente No. 07-058.650

Solicitud de Patente de Invención titulada: "TELA NO TEJIDA GRABADA"

Solicitante: KIMBERLY-CLARK WORLDWIDE, INC.

RESPUESTA AL OFICIO No. 12028 NOTIFICADO POR
FIJACION EN LISTA No. 359, DE FECHA 28 DE SEPTIEMBRE DE 2007
(EXAMEN DE FORMA)

J. IAN RAISBECK, mayor de edad y vecino de Bogotá, identificado tal como aparece al pie de mi firma, en mi carácter de apoderado de la sociedad en referencia, me permito dar respuesta al auto proferido por ese Despacho, dentro del término legal previsto en el artículo 39 de la Decisión 486, en los siguientes términos:

1. En respuesta a la primera observación del Examinador, me permito adjuntar los respectivos dibujos que acompañan el capítulo descriptivo y reivindicatorio.
2. En respuesta a la segunda observación del Examinador, me permito aclarar al despacho que la presente solicitud entra en Fase Nacional Capítulo I y no Capítulo II como inicialmente se presentó. Para tal efecto adjunto copia del Reporte Preliminar Internacional de Patentabilidad, el cual valga la pena aclarar no contiene anexos.

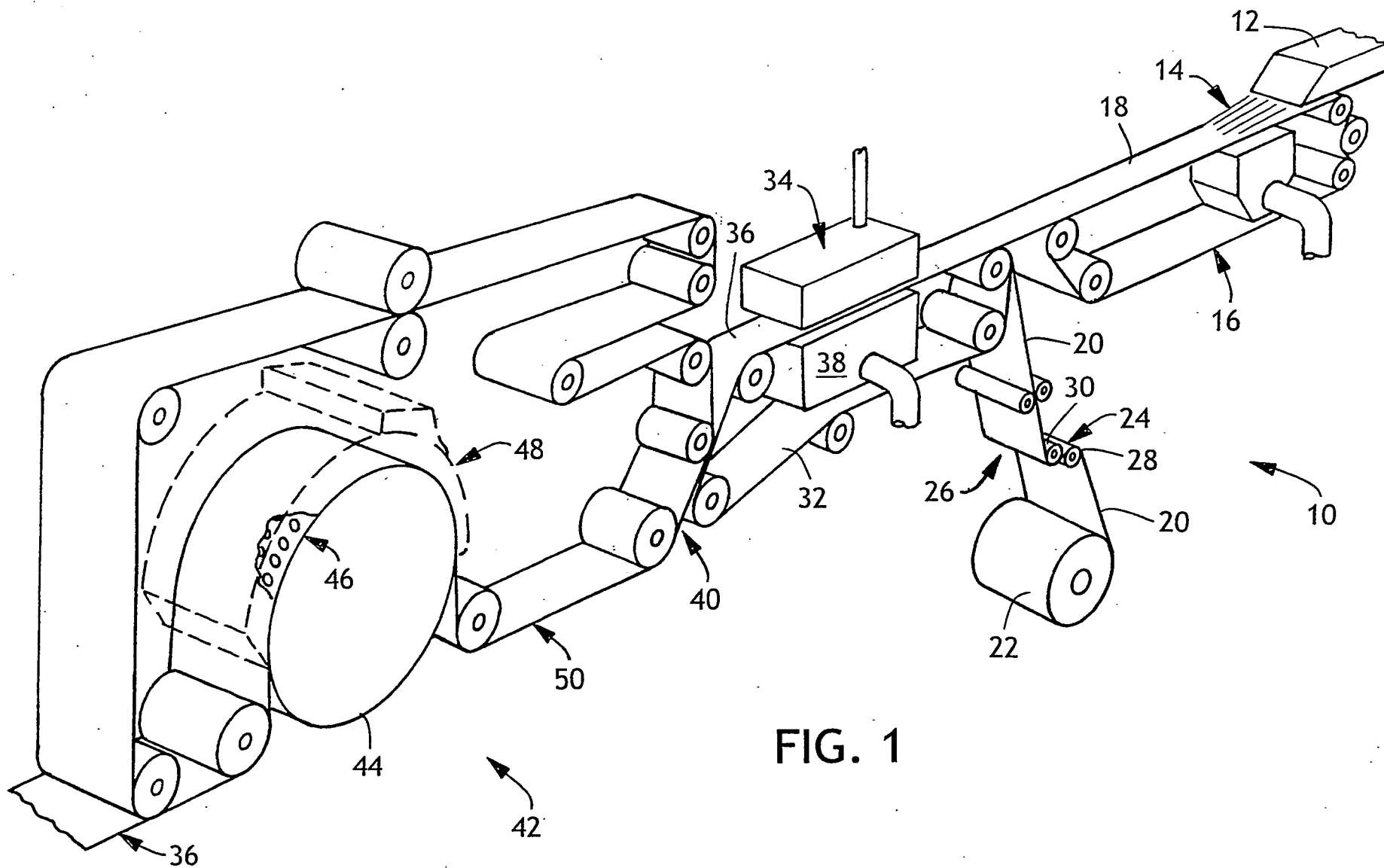
Atentamente,



J. IAN RAISBECK
CC. No. 79.376.996 de Bogotá
T.P. 135.799 CSJ

Anexos : Dibujos
 Reporte Preliminar Internacional de Patentabilidad

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B

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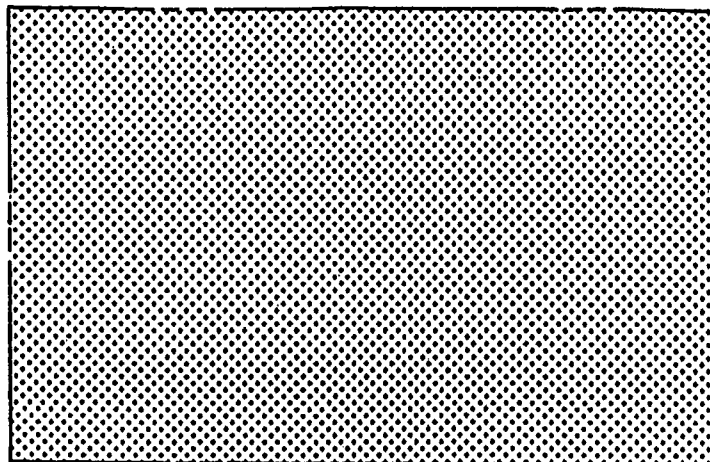


FIG. 2

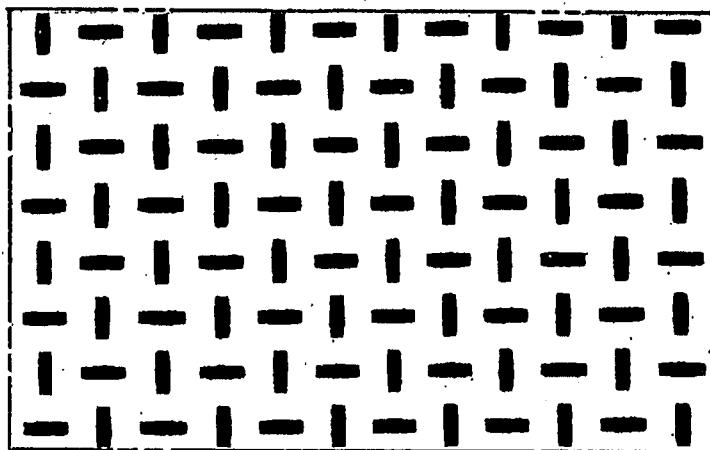


FIG. 3

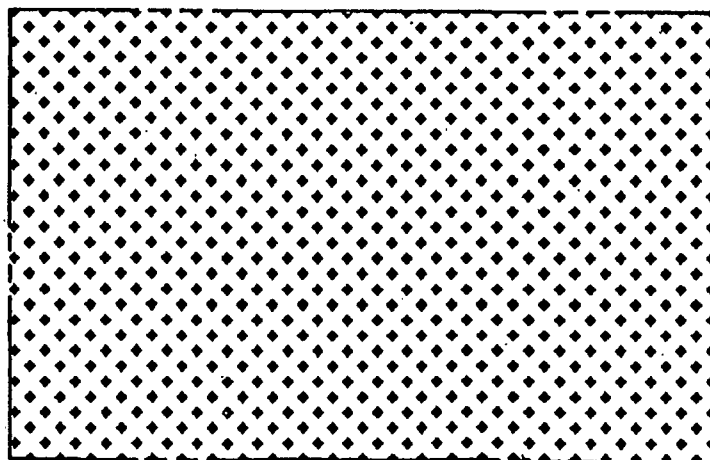


FIG. 4

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A

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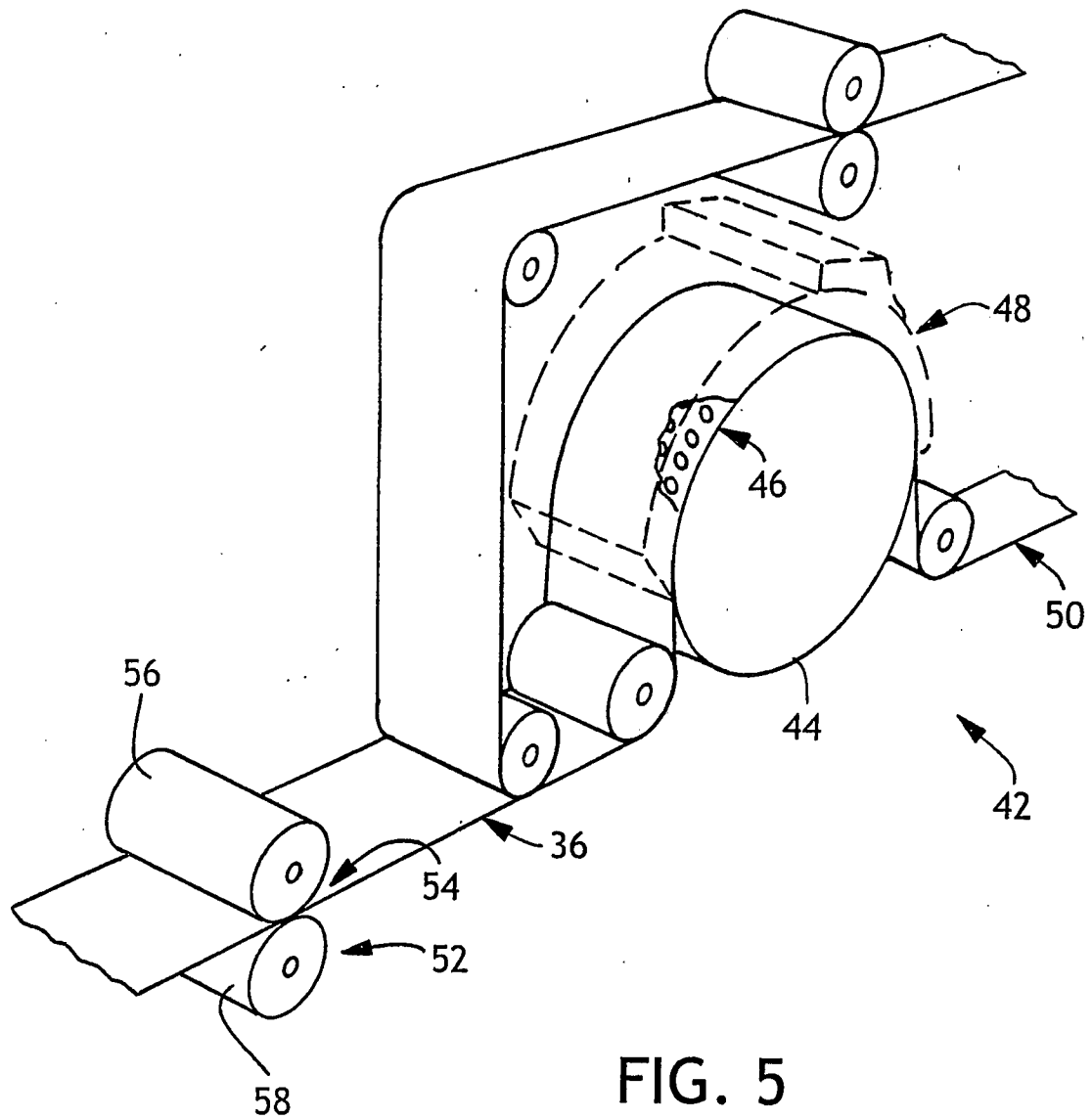


FIG. 5

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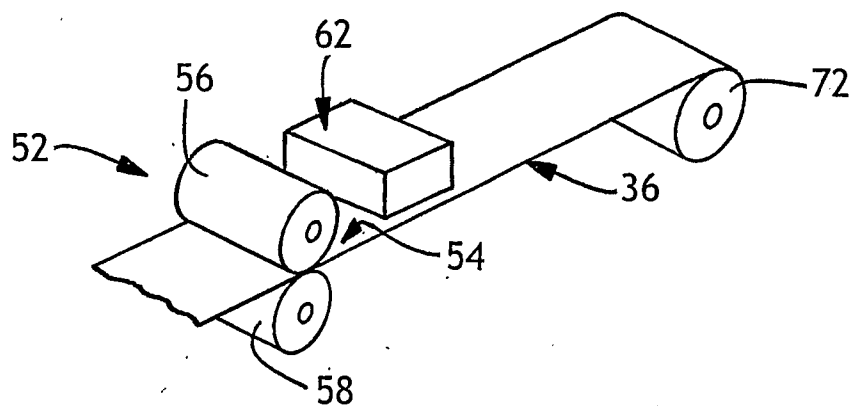


FIG. 6

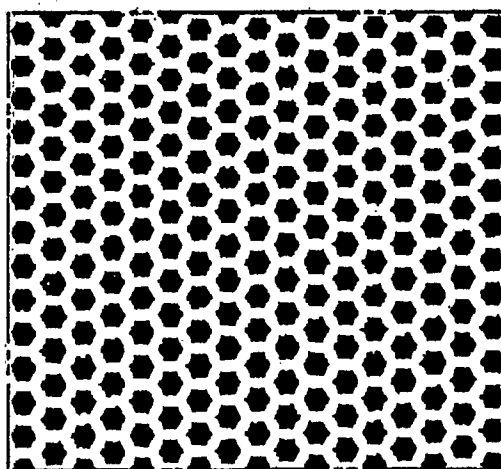


FIG. 7

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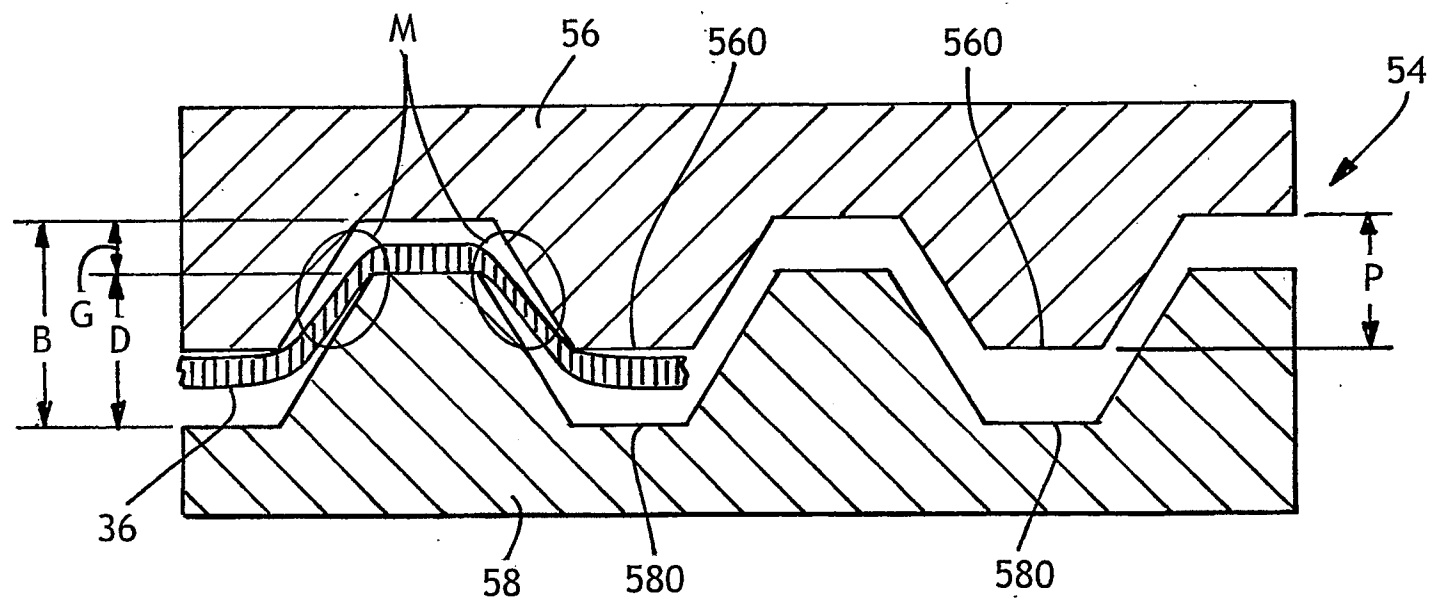


FIG. 8

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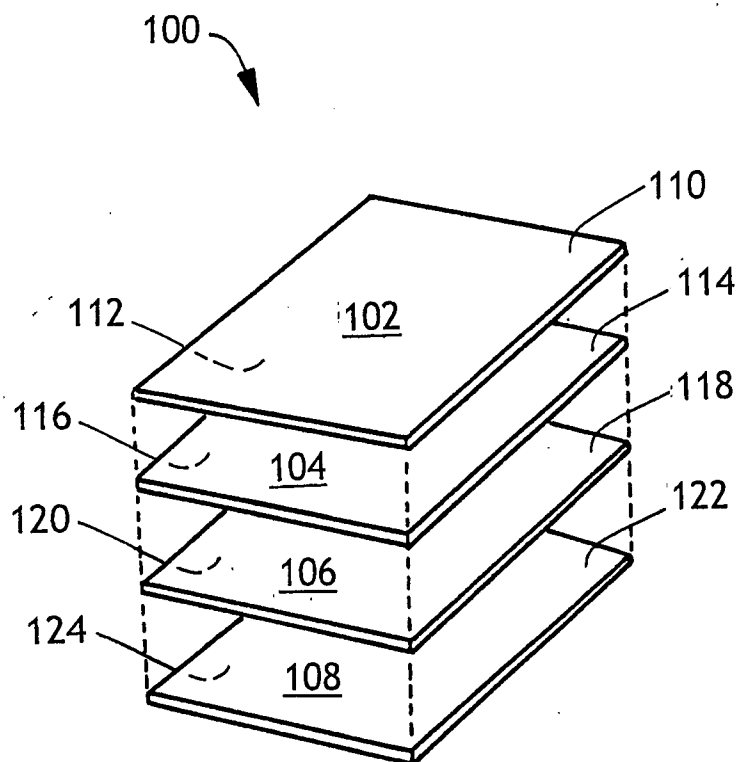


FIG. 9

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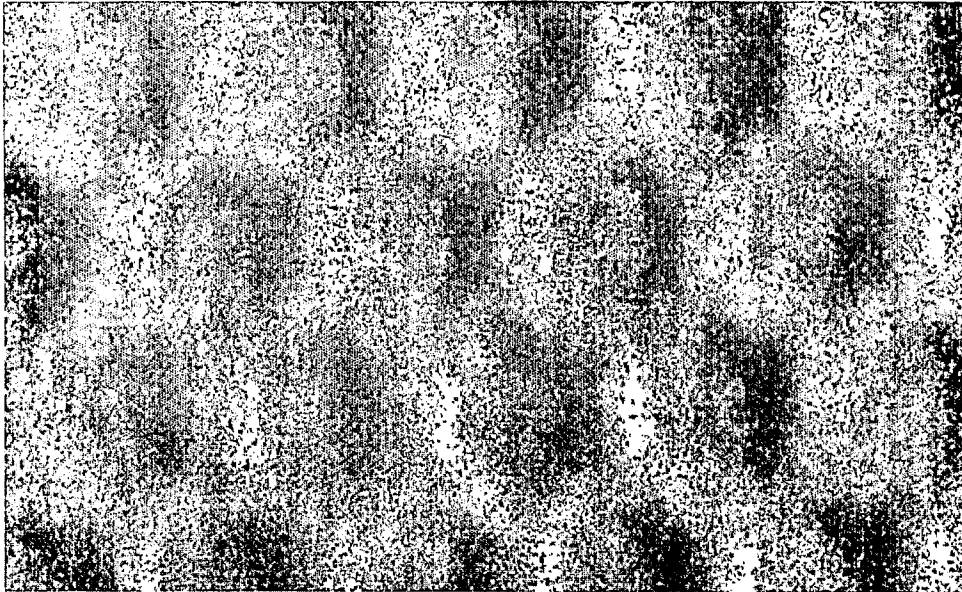


FIG. 10

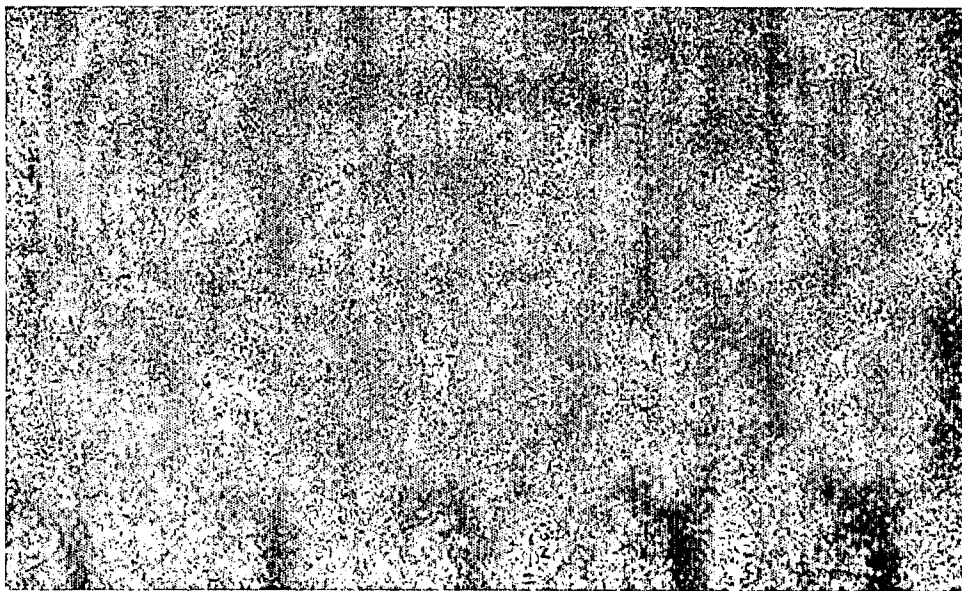


FIG. 11

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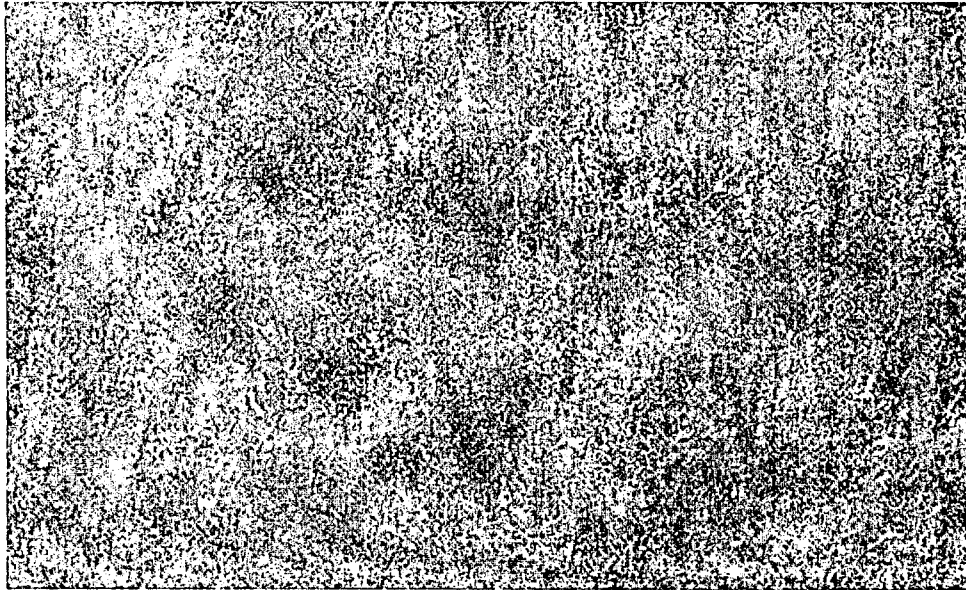


FIG. 12

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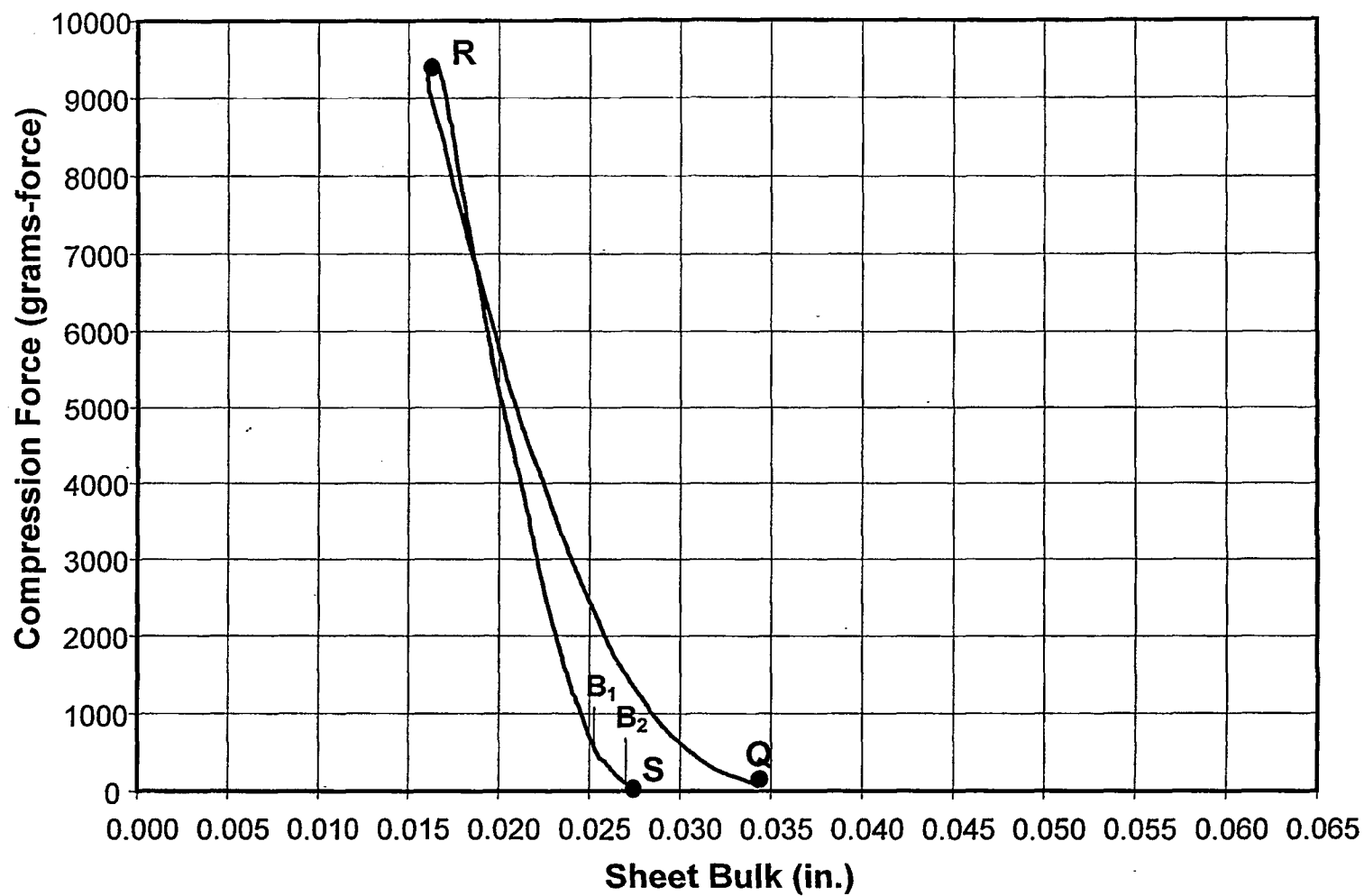


FIG. 13

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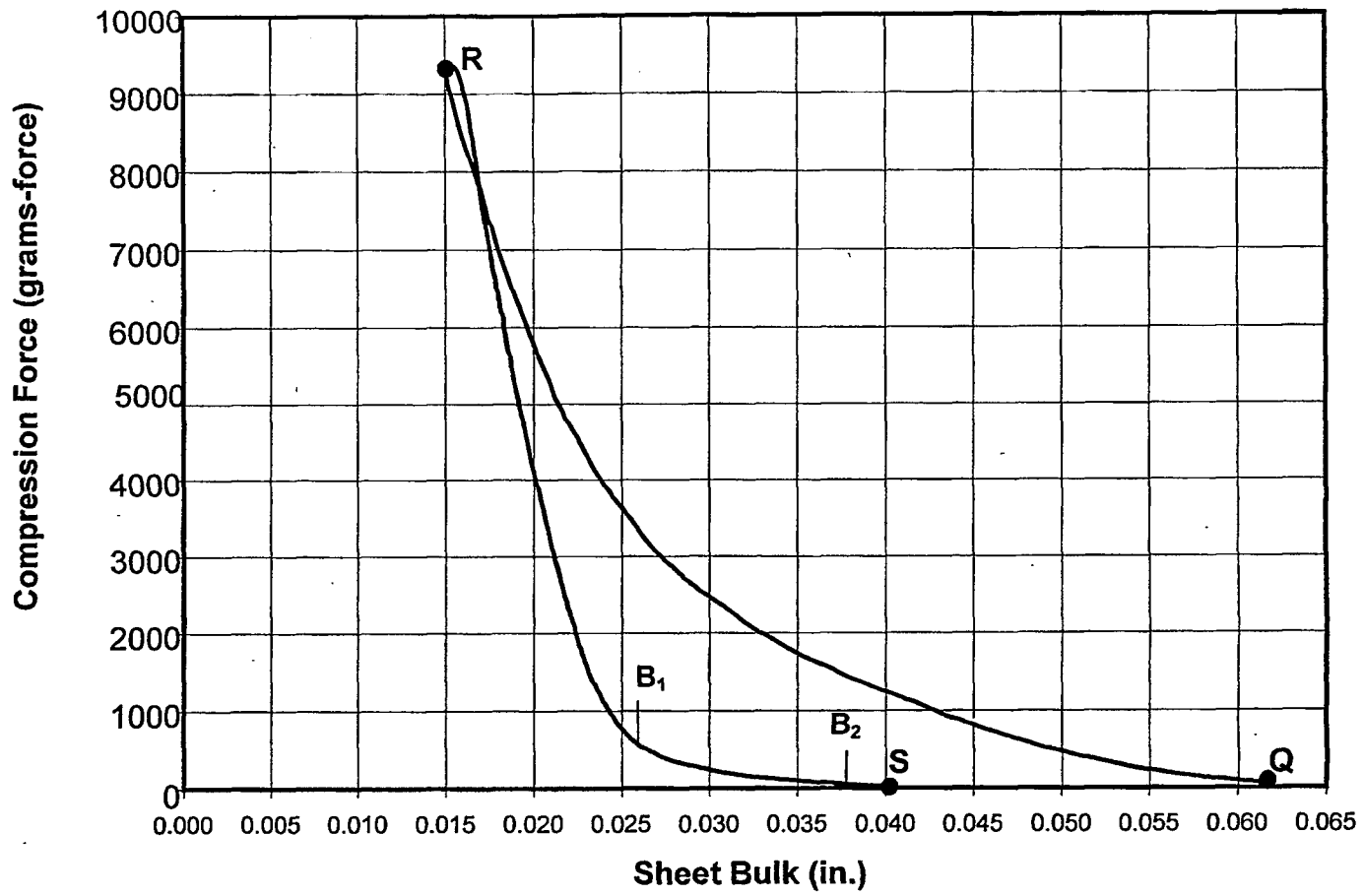


FIG. 14

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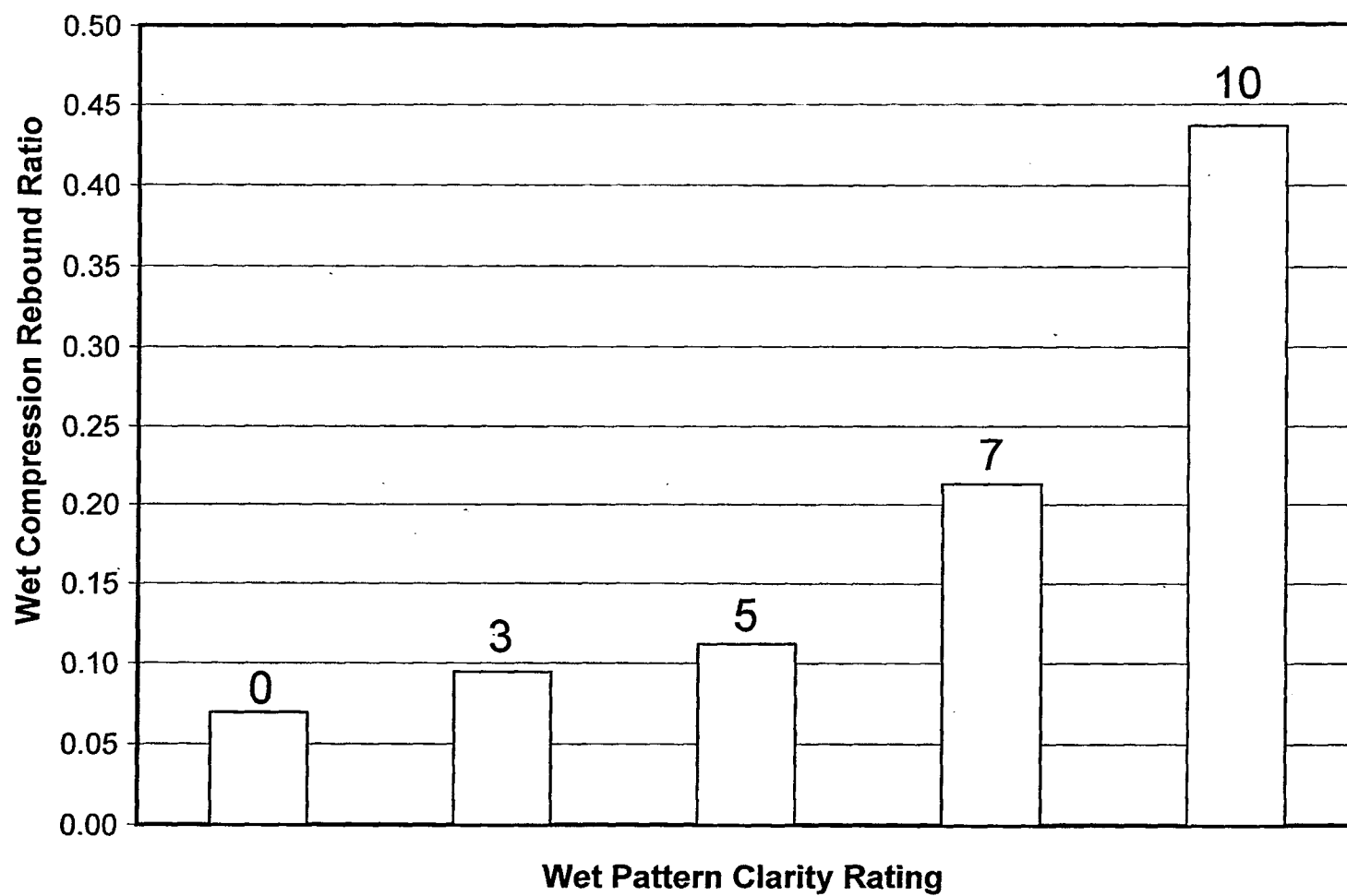


FIG. 15

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PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 21117	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2005/034658	International filing date (<i>day/month/year</i>) 28 September 2005 (28.09.2005)	Priority date (<i>day/month/year</i>) 14 December 2004 (14.12.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KIMBERLY-CLARK WORLDWIDE, INC.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | |
|--|---|
| ☒ Box No. I | Basis of the report |
| ☐ Box No. II | Priority |
| ☒ Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| ☐ Box No. IV | Lack of unity of invention |
| ☒ Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| ☒ Box No. VI | Certain documents cited |
| ☐ Box No. VII | Certain defects in the international application |
| ☒ Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 19 June 2007 (19.06.2007)
Facsimile No. +41 22 338 82 70	Authorized officer Dorothee Mülhausen
Form PCT/IB/373 (January 2004)	e-mail: pt01.pct@wipo.int

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REC'D 13 JAN 2006

WPT PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2005/034658

International filing date (day/month/year)
28.09.2005

Priority date (day/month/year)
14.12.2004

International Patent Classification (IPC) or both national classification and IPC
D04H13/00

Applicant
KIMBERLY-CLARK WORLDWIDE, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Barathe, R

Telephone No. +31 70 340-3519



WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No. 152
PCT/US2005/034658

Box No. 1 Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No. 153
PCT/US2005/034658

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 1-11

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 1-11 are so unclear that no meaningful opinion could be formed (*specify*):

see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for the whole application or for said claims Nos. 1-11

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-*bis* of the Administrative Instructions.

☒ See separate sheet for further details

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No. 154
PCT/US2005/034658 10

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	12-20
	No: Claims	
Inventive step (IS)	Yes: Claims	12-20
	No: Claims	
Industrial applicability (IA)	Yes: Claims	12-20
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VI Certain documents cited

1. Certain published documents (Rules 43bis.1 and 70.10)

and /or

2. Non-written disclosures (Rules 43bis.1 and 70.9)

see form 210

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item III.

The following parameter: wet compression rebound ratio makes it impossible to compare claim 1 and dependent claims 2-11 to the prior art (see Item VIII infra).

No meaningful opinion could be formed.

Re Item V.

1) Prior Art

D1 : US 5 389 202 A (EVERHART ET AL) 14 February 1995 (1995-02-14)

2) Novelty

2.1) independent claim 12

D1 is considered as the closest prior art document CPA.

It describes a method of making an embossed, hydraulically entangled nonwoven composite fabric.

The difference between the method of claim 12 and the method of D1 is the step of heating the composite material prior to embossing.

The subject-matter of claim 1 is therefore novel

2.2) Dependent claims 13-20

The dependent claims 13-20 are also novel (Articles 33(1) and (2) PCT).

3) Inventive step

3.1) Independent claim 12

The problem solved by the difference (cf. paragraph 2.1 supra) is to maintain the embossed texture when the material becomes wet from the liquid it absorbs.

Heating the nonwoven hydro-entangled material after drying and prior to embossing is

neither obvious for the skilled person nor suggested in the prior art to solve the problem posed.

Therefore, claim 12 is inventive (Articles 33(1) and (3) PCT).

3.2) Dependent claims 13-20

Dependent claims 13-20 are also inventive (Articles 33(1) and (3) PCT).

Re Item VIII.

1) Lack of clarity

1.1) Independent claim 1

Present claim 1 relates to a product defined (inter alia) by reference to the following unusual parameter:

wet compression rebound ratio.

The use of this unusual parameter in the present context is considered to lead to a lack of clarity because the claim does not clearly identify the products encompassed by it as the parameters cannot be clearly and reliably determined by objective procedures which are usual in the art. This makes it impossible to compare the claim to the prior art. As a result, the application does not comply with the requirement of clarity under Article 6 PCT.

1.2) claims 2-11

For the same reason, claims 2-11 referring to claim 1 also lack of clarity under Article 6 PCT.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No. 197

PCT/US2005/034658