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Act. 411 PRESENTACION Folios: 66FORMULARIO ÚNICO DE SOLICITUD DE PATENTE
PCT

ENTRADA EN FASE NACIONAL

23/02/2007

1	SOLICITUD DE:		
☐	Patente de Invención	☒	Patente de Modelo de Utilidad
☐	Capítulo I	☒	Capítulo II
2 SOLICITANTE (71)	Nombre: VICTOR ESTEVE Dirección: Rua Fiandeiras,929-cj.34,04545006 SAO PABLO SP- BRASIL Nacionalidad o domicilio: SAO PABLO, BRASIL Lugar de Constitución: Teléfono: Fax: E-mail:		IDENTIFICACIÓN C.C. ☐ NIT ☐ C.E. ☐ Otro ☐ Cual: _____ Número:
3 REPRESENTANTE O APODERADO	Nombre: JAIME EDUARDO DELGADO VILLEGAS Dirección: Avenida 22 No. 37 - 31 Of. 202 BOGOTA D.C., COLOMBIA Teléfono: 2444096 Fax: 2442496 E-mail:		IDENTIFICACIÓN C.C. ☒ NIT ☐ C.E. ☐ Otro ☐ Cuál Número: 19.270.955 T.P. 43.308 C.S.J. BOGOTA
4 INVENTOR (ES) (72)	Nombre: VICTOR ESTEVE Dirección: Rua Fiandeiras,929-cj.34,04545006 SAO PABLO SP- BRASIL Nacionalidad o Domicilio: BRASIL		
5	PCT '(86) Solicitud Internacional No. PCT/BR2005/000206 Fecha 29 - 09 - 05 Publicacion Internacional No. WO 2006/089383 A1 Fecha 31 -08 - 06		
6	Título (64) ENVASE DE DROGAS MEDICAS Y ARTICULOS COSMETICOS		
7	Clasificación internacional (61) <u>B 65 D 23/00</u>		
8	Prioridad	(33) País de Origen	(32) Fecha
SI ☒ NO ☐	BR	23/02/2005	MU8500295-0
9	Comprobante de pago No.		Fecha:
Instrucciones para el diligenciamiento del presente formulario, ver reverso de esta página.			

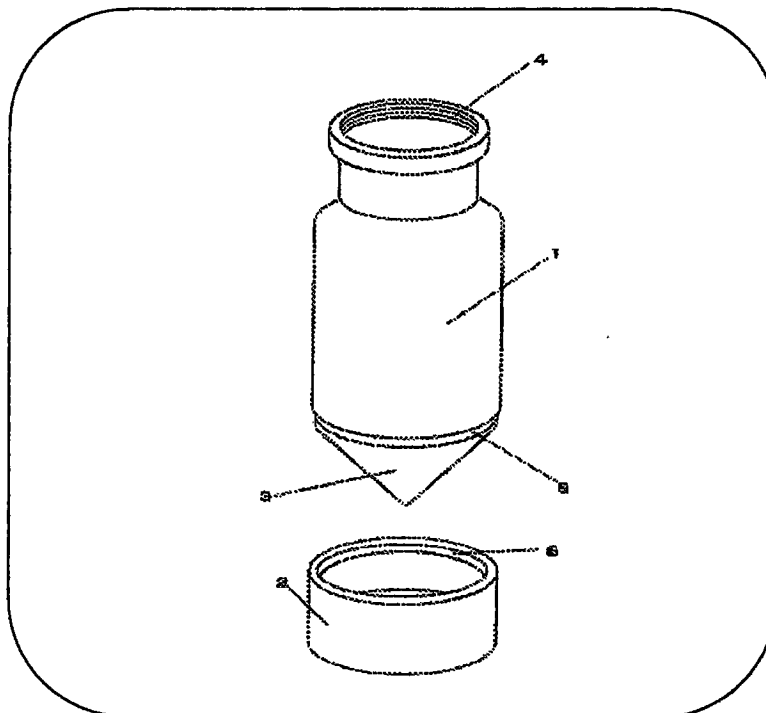
10

ANEXOS

- ☒ Comprobante de pago de la tasa de presentación de la solicitud.
- ☐ Documento que acredita la existencia y representación legal cuando el solicitante sea persona jurídica.
- ☐ Poderes, si fuere el caso.
- ☐ Documento de cesión del inventor al solicitante o a su causante.
- ☐ Declaraciones
- ☒ Copia de la solicitud internacional (Resumen, descripción, reivindicaciones, dibujos)
- ☒ Traducción de la solicitud internacional al castellano. (Resumen, descripción, reivindicaciones, dibujos)
- ☐ Copia del examen preliminar internacional efectuado por la Autoridad Internacional de Examen Preliminar (IPEA).
- ☐ Traducción del examen preliminar internacional efectuado por la IPEA.
- ☐ De ser el caso, copia del contrato de acceso.
- ☐ De ser el caso, documento que acredite la licencia o autorización de uso de conocimientos tradicionales de las comunidades indígenas.
- ☐ De ser el caso, certificado de depósito del material biológico
- ☒ Arte final 12X12 cm.
- ☐ De ser el caso, información de otras solicitudes de patente o títulos obtenidos en el extranjero por el mismo titular o su causante, relacionadas total o parcialmente con la invención de esta solicitud.
- ☐ De ser el caso, modificaciones efectuadas a la solicitud internacional, Nuevas Reivindicaciones
- ☒ Otros: Informe de Búsqueda de Antecedentes Internacional junto con la traducción

11

FIGURA CARACTERISTICA



12

Solicito la concesión de la patente,

NOMBRE: JAIME EDUARDO DELGADO VILLEGAS

FIRMA:

C.C. 19.270.955 Bogotá T.P. 43.308 C.S.J.

DESCRIPTION

CONTAINER APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING

Application of the Utility Model The constructive disposition herein refers to constructive and functional enhancements, specially developed for the utilization of the whole medical drugs or cosmetic items content placed inside their packaging. Field of application

The Utility Model herein describes a constructive disposition applied in medical drugs and cosmetic items packaging, in such a way that said packaging disposition allows the utilization of the whole content placed inside the packaging, avoiding undesired wastes as well as the perfect dosing capitation.

State of the art

As widely known in the art, it is quite ordinary the utilization of plastic packaging as a container of medical drugs and cosmetic items for the most different applications.

Depending on the kind of medical drugs and cosmetic items, the product packaging is used for dispensing said medical drugs and cosmetic items, either through a spray valve, a dropper or any other mean.

Nevertheless, the packaging must always

present the capacity of getting vertically steady, and, for such, it has to present a body frame to enable such steadiness.

Such structural elements are often held at the bottom part of the packaging, once they grant their structure, shape and strength.

This way, to conform said structural elements, the packaging ends up presenting some cuts or folds in its body, besides a flat bottom or slightly concave at its peripheral portion.

Therefore, this kind of characteristic culminates with the waste of part of the packaging content, which gets deposited at the bottom, impairing the whole content utilization. Objectives of the Model

Considering the above-mentioned circumstances, the constructive disposition herein was developed, in general manner, presenting a medical drugs and cosmetic items packaging able to make possible its whole content use, besides having the same structural and steadiness characteristics as the conventional packaging, without presenting structural cuts, grooves or folds in its body.

The constructive disposition herein presents a packaging bearing a simplified conformation, having two parts, that enables the obtaining of a container where the liquid is duly placed, and a base responsible for the packaging body steadiness, being

both parts coupled to form a composed piece.

One of the main characteristics of the Utility

Model herein, is the fact that it presents a container which its bottom portion is of concave shape, preferably in a "V" type, without structural elements in elevation like cuts or folds, allowing the whole utilization of the medical drugs and cosmetic items, which do not remain stuck within said elements, making easier the whole utilization and the perfect capitation of the last doses contained in the packaging.

Another characteristic of the Utility Model herein, is the fact that it presents a structural base that enables the vertical steadiness of the packaging, without the interference of structural elements in the container,

making possible a better use of the content and avoiding undesired leakage. Brief description of the drawings For a better understanding of the objectives of the Utility Model herein, a brief description of the attached drawings is found below, where:

Figure 1 - Represents a perspective view illustrating the packaging duly assembled;

Figure 2 - Refers to an exploded perspective view, illustrating the packaging with its parts separated;

Figure 3 - Refers to a sectional side view, illustrating the coupling among the parts that

constitute the packaging;

Figure 4 - Refers to another plane view, although, illustrating the bottom face of the container; and Figure 5 - Refers to a view like the previous one, although, illustrating the bottom face of the base.

Detailed description of the preferred embodiment According to the above described figures and their details the Utility Model "CONSTRUCTIVE DISPOSITION APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING" herein is conformed by two pieces, being one container (1) and one base (2), both specially made of plastic material, like polyethylene, polypropylene or PET (Polyethylene Terephthalate) resins.

The container (1) presents a shape practically cylindrical and its bottom presents a conic shape (3), in "V", making possible to collect the whole medical drugs or cosmetic items held inside.

The top portion of the container (1) may present different types of configuration, being presented in a preferred embodiment, with a neck (4) of screwing, fastening or press coupling type.

At the bottom portion of said container (1), it is doted with a radial guide (5) that works as a coupling element between both parts composing the

packaging.

The base (2) presents the same kind of design as the container (1), although, it is lower and its top portion is doted with a projection (6) that configures a coupling element, which shape is cooperating with the radial guide (5), provided at the container (1), in a way to make possible the coupling between the parts.

The bottom portion of said base (2), presents a convex shape (7) that is responsible for the base (2) structure, enabling its vertical steadiness.

As it is possible to realize after what had been shown and illustrated, the object herein "CONSTRUCTIVE DISPOSITION APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING", fits in perfectly the nature of the Utility Model, once it combines and modifies known elements into a new shape or different disposition of its components, enhancing its use and making more efficient its utilization.

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From the INTERNATIONAL BUREAU

PCTNOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

To:

EDMUNDO BRUNNER ASSESSORIA EM PI LTDA
Att.: Marcelo Brunner
Av. Brigadeiro Luis Antonio, 4329
01401-002 São Paulo - SP
BRÉSIL

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 02 November 2005 (02.11.2005)	
Applicant's or agent's file reference 4238	IMPORTANT NOTIFICATION
International application No. PCT/BR2005/000206	International filing date (day/month/year) 29 September 2005 (29.09.2005)
International publication date (day/month/year)	Priority date (day/month/year) 23 February 2005 (23.02.2005)
Applicant ESTEVE, Victor	

- By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- (If applicable)* The letters "NR" appearing in the right-hand column denote a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- (If applicable)* An asterisk (*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b) (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as the priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
23 February 2005 (23.02.2005)	MU8500295-0	BR	31 October 2005 (31.10.2005)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

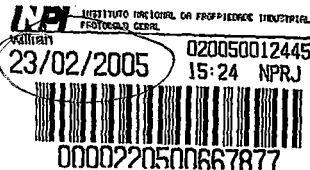
Authorized officer

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Número (21)

DEPÓSITO

Pedido de Patente ou de
Certificado de Adição



MU8500295-0

NPI)

depósito / /

mero e data de depósito)

Ao Instituto Nacional da Propriedade Industrial:

O requerente solicita a concessão de uma patente na natureza e nas condições abaixo indicadas:

1. Depositante (71):

1.1 Nome: VICTOR ESTEVE

1.2 Qualificação: ECONOMISTA

1.3 CNPJ/CPF: 125.808.698-08

1.4 Endereço completo: R. FIANDEIRAS, 929 - CJ. 34 VILA OLIMPIA SÃO PAULO SP 04545-006 BRASIL

1.5 Telefone: 11-3885.2333

FAX : 11-3887.8088

☐ continua em folha anexa

2. Natureza:

☐ 2.1 Invenção

☐ 2.1.1 Certificado de Adição

☒ 2.2 Modelo de Utilidade

Escreva, obrigatoriamente e por extenso, a Natureza desejada: MODELO DE UTILIDADE

3. Título da Invenção, do Modelo de Utilidade ou do Certificado de Adição (54):

DISPOSIÇÃO CONSTRUTIVA EM EMBALAGEM DE MEDICAMENTOS E COSMÉTICOS

☐ continua em folha anexa

4. Pedido de Divisão do pedido nº.

, de / /

5. Prioridade Interna - O depositante reivindica a seguinte prioridade:

Nº de depósito

Data de Depósito / /

(66)

6. Prioridade - O depositante reivindica a(s) seguinte(s) prioridade(s):

País ou organização de origem	Número do depósito	Data do depósito
		/ /
		/ /
		/ /

☐ continua em folha anexa

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7. Inventor (72):

() Assinale aqui se o(s) mesmo(s) requer(em) a não divulgação de seu(s) nome(s)
(art. 6º § 4º da LPI e item 1.1 do Ato Normativo nº 127/97)

7.1 Nome: VICTOR ESTEVE

7.2 Qualificação: ECONOMISTA

7.3 Endereço: R. FIANDEIRAS, 929 - CJ. 34 VILA OLIMPIA SÃO PAULO SP

7.4 CEP: 04545-006

7.5 Telefone 11-3885.2333

☐ continua em folha anexa

2

8. Declaração na forma do item 3.2 do Ato Normativo nº 127/97:

☐ em anexo

9. Declaração de divulgação anterior não prejudicial (Período de graça):
(art. 12 da LPI e item 2 do ato Normativo nº 127/97:

☐ em anexo

10. Procurador (74):

10.1 Nome e CPF/CGC: MARCELO GOMES BRUNNER

143.139.098-42

10.2 Endereço Av. Brig. Luis Antônio, 4329 São Paulo SP

10.3 CEP: 01401-002

10.4 Telefone 11 - 3885.2333

11. Documentos anexados (assinale e indique também o número de folhas):
(Deverá ser indicado o nº total de somente uma das vias de cada documento)

☒	11.1 Guia de recolhimento	1 fls.	☒	11.5 Relatório descritivo	4 fls.
☒	11.2 Procuração	1 fls.	☒	11.6 Reivindicações	1 fls.
	11.3 Documentos de prioridade	0 fls.	☒	11.7 Desenhos	4 fls.
	11.4 Doc. de contrato de trabalho	0 fls.	☒	11.8 Resumo	1 fls.
	11.9 Outros (especificar):				0 fls.
	11.10 Total de folhas anexadas:				12 fls.

12. Declaro, sob penas da Lei, que todas as informações acima prestadas são completas e verdadeiras

São Paulo 22/02/2005

Local e Data

MARCELO GOMES BRUNNER

143.139.098-42

0540

Assinatura e Carimbo

22/21

DISPOSIÇÃO CONSTRUTIVA EM EMBALAGEM DE MEDICAMENTOS E COSMÉTICOS, ou mais particularmente o presente modelo de utilidade, o qual apresenta aperfeiçoamentos funcionais e construtivos especialmente desenvolvidos para o aproveitamento total dos medicamentos e cosméticos.

Campo de aplicação:

O presente modelo descreve uma disposição construtiva em uma embalagem destinada ao uso com medicamentos e cosméticos, sendo que a embalagem permite o aproveitamento total dos mesmos, evitando seu desperdício e a perfeita captação das doses.

Estado da Técnica:

Como é de conhecimento geral, é muito comum a utilização de embalagens plásticas para o acondicionamento de medicamentos e cosméticos para diversas finalidades.

Dependendo dos tipos de medicamento e cosmético, a embalagem do produto é utilizada inclusive para administrar o próprio medicamento ou cosmético, possuindo uma válvula spray ou um conta-gotas.

Entretanto, a embalagem deve sempre apresentar a capacidade de estabilizar-se verticalmente e, para tanto, é preciso apresentar uma estrutura em seu corpo para possibilitar tal estabilização.

Estes elementos estruturais são normalmente executados na porção inferior da embalagem, pois possibilitam sua estruturação, forma e resistência.

Desta maneira, para a conformação destes elementos estruturais, a embalagem acaba apresentando alguns recortes ou frisos em seu corpo, além de um fundo reto ou levemente côncavo em suas porções periféricas. Porém, este tipo de característica culmina

com o desperdício de parte do conteúdo da embalagem que, por sua vez, se acumula no fundo, impedindo seu aproveitamento total.

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Objetivos do Modelo:

Considerando as circunstâncias acima foi desenvolvida a presente disposição construtiva que, em suas linhas gerais, apresenta uma embalagem para medicamentos e cosméticos capaz de possibilitar seu aproveitamento total além de apresentar as mesmas características estruturais e de estabilização que as embalagens convencionais, sem o uso de cortes, frisos ou rebaixos estruturais no corpo da embalagem.

A presente disposição construtiva apresenta uma embalagem de conformação simplificada, possuindo duas partes, possibilitando a conformação de um recipiente, onde o líquido é devidamente acondicionado, e uma base, responsável pela estabilização do corpo da embalagem, sendo ambas partes encaixáveis, formando uma peça composta.

Uma das principais características do presente modelo é o fato de apresentar um recipiente de acondicionamento cuja porção inferior é em forma côncava, preferencialmente em forma de "V", sem elementos estruturais em relevo como frisos ou cortes, permitindo o total aproveitamento do medicamento ou cosmético, os quais não ficam retidos no interior de tais elementos, facilitando assim, o aproveitamento total e a perfeita captação da últimas doses contidas no frasco.

Outra característica do presente modelo é o fato de apresentar uma base estrutural que possibilita a estabilização vertical da embalagem cujos elementos estruturais não interferem no recipiente de acondicionamento, possibilitando o melhor aproveitamento do medicamento e evitando eventuais vazamentos.

Para melhor compreensão do presente Modelo de Utilidade, é feita em seguida, uma descrição detalhada, fazendo-se referências aos desenhos anexos, onde a:

Figura 1 – Representa uma vista em perspectiva, ilustrando a embalagem devidamente montada;

figura 2 – Trata-se de uma vista em perspectiva explodida, ilustrando a embalagem com suas partes separadas;

figura 3 – Trata-se de uma vista lateral em corte, ilustrando o encaixe entre as partes que compõe a embalagem;

figura 4 – Trata-se de outra vista plana, porém, ilustrando a face inferior do recipiente, e a;

figura 5 – Trata-se de uma vista como a anterior, porém, ilustrando a face inferior da base.

De acordo com estas ilustrações e em seus pormenores, o presente Modelo de Utilidade, **"DISPOSIÇÃO CONSTRUTIVA EM EMBALAGEM DE MEDICAMENTOS E COSMÉTICOS"**, é conformada por duas peças, sendo um recipiente (1) e uma base (2), ambas especialmente construídas em material plástico, sendo resina de polietileno, polipropileno ou PET.

O recipiente (1) apresenta conformação praticamente cilíndrica e seu fundo apresenta formato cônico (3), em "V", possibilitando a captação total do medicamento ou cosmético acondicionado.

A porção superior do recipiente (1), pode apresentar diferentes tipos de configuração, sendo apresentada em uma execução preferida, com um gargalo (4) do tipo encaixe por pressão, recrave ou rosca.

Na porção inferior do dito recipiente (1), o mesmo é dotado de uma guia radial (5) que atua como elemento de encaixe entre as

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 05 DEC 2005

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To:

see form PCT/ISA/220

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/BR2005/000206

International filing date (day/month/year)
29.09.2005

Priority date (day/month/year)
23.02.2005

International Patent Classification (IPC) or both national classification and IPC
B65D23/00, B65D1/02

Applicant
ESTEVE, Victor

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
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Augustin, W

Telephone No. +49 89 2399-2629



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

International application No.

PCT/BR2005/000206

Re Item V

The present application does not meet the criteria of Article 33(1) PCT, because **the subject-matter of the claim does not involve an inventive step** in the sense of Article 33(3) PCT.

Document **US-A-5 344 036**, which is considered to represent the most relevant state of the art, discloses [see figs 3, 4, 7, in particular container (16) comprising conic bottom (24) and radial guide (32); base (18) comprising projection (63)] a disposition from which the subject-matter of the claim differs in that the base presents a convex shape.

Bases for similar containers comprising a convex shape are however common praxis (see **FR-A-2 759 923**, **DE-U-20 201 737** or **US-A-4 196 039**) and can be interchanged with the known base where circumstances make it desirable in particular as the convex shape of the base and the conic shape of the container are not related with one another (see also item VII).

Re Item VII

The application does not meet the requirements of Article 6 PCT, because **the claim is not clear**.

According to the claim the convex shape of the base cooperates with the conic bottom of the container.

Neither the claim nor the description of the application disclose how the convex shape of the base and the conic bottom cooperate with one another. According to the drawing of the application there exists a gap between the convex base and the conic bottom of the container (see fig. 3). A cooperation between the base and the container is therefore also not derivable from the drawings.

The meaning of the term "said base, presents a convex shape cooperating with the conic bottom" of the claim is therefore not clear.

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
31 August 2006 (31.08.2006)

PCT

(10) International Publication Number
WO 2006/089383 A1

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B65D 23/00 (2006.01) **B65D 1/02** (2006.01)

(21) International Application Number:
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MU8500295-0 23 February 2005 (23.02.2005) BR

(71) Applicant and

(72) Inventor: ESTEVE, Victor [BR/BR]; Rua Fiandeiras,
929 - cj. 34, 04545-006 São Paulo - SP (BR).

(74) Agent: EDMUNDO BRUNNER ASSESSORIA EM PI
LTDA; Att.: Marcelo Brunner, Av. Brigadeiro Luis Anjo-
nio, 4329, 01401-002 São Paulo - SP (BR).

(81) Designated States (*unless otherwise indicated, for every
kind of national protection available*): AE, AG, AL, AM,
AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN,

CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI,
GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE,
KG, KM, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, LY,
MA, MD, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO,
NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK,
SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ,
VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (*unless otherwise indicated, for every
kind of regional protection available*): ARIPO (BW, GH,
GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM,
ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),
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RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA,
GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Declaration under Rule 4.17:

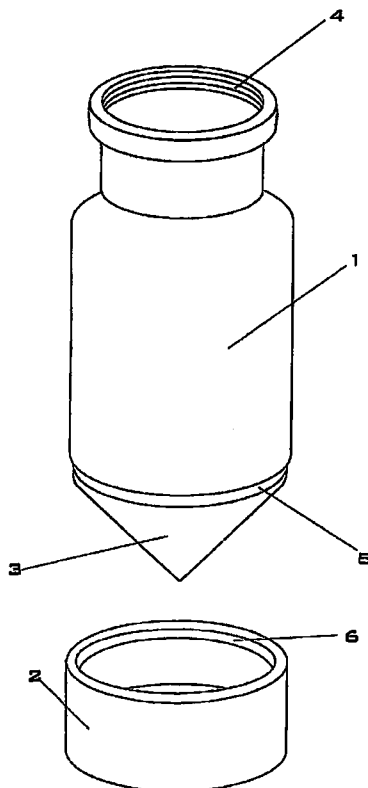
— of inventorship (Rule 4.17(iv))

Published:

— with international search report

For two-letter codes and other abbreviations, refer to the "Guid-
ance Notes on Codes and Abbreviations" appearing at the begin-
ning of each regular issue of the PCT Gazette.

(54) Title: CONTAINER APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING



(57) Abstract: Constructive disposition applied in medical drugs and cosmetic items packaging, or more particularly, the present Utility Model presents constructive and functional enhancements, specially developed for the utilization of the whole medical drugs or cosmetic items content, and for such, it is formed by two pieces, being one container (1) and one base (2), such as the container (1) presents a conformation practically cylindrical and its bottom presents a conic shape (3), in "V", enabling the utilization of the total added content and the perfect dosing capitation.

WO 2006/089383 A1

RESUMO

DISPOSIÇÃO CONSTRUTIVA EM EMBALAGEM DE
MEDICAMENTOS E COSMÉTICOS, ou mais particularmente o
presente modelo de utilidade, o qual apresenta aperfeiçoamentos
5 funcionais e construtivos especialmente desenvolvidos para o
aproveitamento total dos medicamentos e cosméticos, e, para tanto, é
conformada por duas peças, sendo um recipiente (1) e uma base (2),
sendo que o recipiente (1) apresenta conformação praticamente
cilíndrica e seu fundo apresenta formato cônico (3), em "V",
10 possibilitando o aproveitamento total do conteúdo acondicionado e a
perfeita captação das doses. A porção superior do recipiente (1), pode
apresentar diferentes tipos de configuração, sendo apresentada em
uma execução preferida, com um gargalo (4) do tipo encaixe por
pressão, recrave ou rosca. Na porção inferior do dito recipiente (1), o
15 mesmo é dotado de uma guia radial (5) que atua como elemento de
encaixe entre as duas partes componentes da embalagem, enquanto
que a base (2) apresenta o mesmo tipo de desenho do recipiente (1),
porém, é mais baixa e sua porção superior é dotada de uma projeção
(6) que configura um elemento de encaixe, cujo formato é cooperante
20 com a guia radial (5), prevista no recipiente (1), de modo a possibilitar
o encaixe entre as partes. A porção inferior da dita base (2), apresenta
feição convexo (7), que é responsável pela estruturação da base (2),
possibilitando sua estabilização vertical.

RESUMO

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feição convexo (7), que é responsável pela estruturação da base (2),
possibilitando sua estabilização vertical.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/BR2005/000206

49
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A. CLASSIFICATION OF SUBJECT MATTER B65D23/00 B65D1/02		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) B65D		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the International search (name of data base and, where practical, search terms used) EPO-Internal		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5 344 036 A (STANESCU ET AL) 6 September 1994 (1994-09-06) column 3, line 29 - column 4, line 62; figures 3,4,7	1
Y	FR 2 759 923 A (CENTRAL LABO EUROPE) 28 August 1998 (1998-08-28) page 1, line 26 - page 3, line 30; figure 2	1
Y	DE 202 01 737 U1 (MUENCH, HANS) 30 April 2003 (2003-04-30) page 4, line 29 - page 6, line 9; figures 1,4-6	1
Y	US 4 196 039 A (JAKOBSEN, KJELL M) 1 April 1980 (1980-04-01) column 6, line 29 - column 12, line 6; figures 2,3,7,13	1
☐ Further documents are listed in the continuation of box C. ☒ Patent family members are listed in annex.		
* Special categories of cited documents : "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the International filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the International filing date but later than the priority date claimed "T" later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "&" document member of the same patent family		
Date of the actual completion of the International search 28 November 2005		Date of mailing of the International search report 06/12/2005
Name and mailing address of the ISA European Patent Office, P.B. 5618 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016		Authorized officer Augustin, W

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IP SERVICES

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Search result: 1 of 1

(WO/2006/089383) CONTAINER APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING

Biblio. Data

Description

Claims

National Phase

Notices

Documents

Latest bibliographic data on file with the International Bureau

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Applicant: ESTEVE, Victor [BR/BR]; Rua Fiandeiras, 929 - cj. 34, 04545-006 São Paulo - SP (BR).

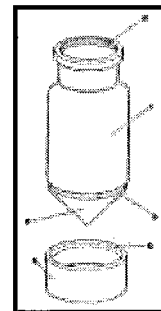
Inventor: ESTEVE, Victor [BR/BR]; Rua Fiandeiras, 929 - cj. 34, 04545-006 São Paulo - SP (BR).

Agent: EDMUNDO BRUNNER ASSESSORIA EM PI LTDA; Att.: Marcelo Brunner, Av. Brigadeiro Luis Antonio, 4329, 01401-002 São Paulo - SP (BR).

Priority Data: MU8500295-0 23.02.2005 BR

Title: CONTAINER APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING

Abstract: Constructive disposition applied in medical drugs and cosmetic items packaging, or more particularly, the present Utility Model presents constructive and functional enhancements, specially developed for the utilization of the whole medical drugs or cosmetic items content, and for such, it is formed by two pieces, being one container (1) and one base (2), such as the container (1) presents a conformation practically cylindrical and its bottom presents a conic shape (3), in 'V', enabling the utilization of the total added content and the perfect dosing capitation.



Designated States: AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, LY, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

African Regional Intellectual Property Org. (ARIPO) (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW)

Eurasian Patent Organization (EAPO) (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM)

European Patent Office (EPO) (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LT, LU, LV, MC, NL, PL, PT, RO, SE, SI, SK, TR)

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**(WO/2006/089383) CONTAINER APPLIED IN MEDICAL DRUGS AND COSMETIC
ITEMS PACKAGING**

Biblio. Data

Description

Claims

National Phase

Notices

Documents

Note: OCR Text**CONTAINER APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING**

Application of the Utility Model The constructive disposition herein refers to constructive and functional enhancements, specially developed for the utilization of the whole medical drugs or cosmetic items content placed inside their packaging. Field of application

The Utility Model herein describes a constructive disposition applied in medical drugs and cosmetic items packaging, in such a way that said packaging disposition allows the utilization of the whole content placed inside the packaging, avoiding undesired wastes as well as the perfect dosing capitation.

State of the art

As widely known in the art, it is quite ordinary the utilization of plastic packaging as a container of medical drugs and cosmetic items for the most different applications.

Depending on the kind of medical drugs and cosmetic items, the product packaging is used for dispensing said medical drugs and cosmetic items, either through a spray valve, a dropper or any other mean.

Nevertheless, the packaging must always

present the capacity of getting vertically steady, and, for such, it has to present a body frame to enable such steadiness.

Such structural elements are often held at the bottom part of the packaging, once they grant their structure, shape and strength.

This way, to conform said structural elements, the packaging ends up presenting some cuts or folds in its body, besides a flat bottom or slightly concave at its peripheral portion.

Therefore, this kind of characteristic culminates with the waste of part of the packaging content, which gets deposited at the bottom, impairing the whole content utilization. Objectives of the Model

Considering the above-mentioned circumstances, the constructive disposition herein was developed, in general manner, presenting a medical drugs and cosmetic items packaging able to make possible its whole content use, besides having the same structural and steadiness characteristics as the conventional packaging, without presenting structural cuts, grooves or folds in its body.

The constructive disposition herein presents a packaging bearing a simplified conformation, having two parts, that enables the obtaining of a container where the liquid is duly placed, and a base responsible for the packaging body steadiness, being

both parts coupled to form a composed piece.

One of the main characteristics of the Utility Model is

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One of the main characteristics of the Utility

Model herein, is the fact that it presents a container which its bottom portion is of concave shape, preferably in a "V" type, without structural elements in elevation like cuts or folds, allowing the whole utilization of the medical drugs and cosmetic items, which do not remain stuck within said elements, making easier the whole utilization and the perfect capitation of the last doses contained in the packaging.

Another characteristic of the Utility Model herein, is the fact that it presents a structural base that enables the vertical steadiness of the packaging, without the interference of structural elements in the container, making possible a better use of the content and avoiding undesired leakage. Brief description of the drawings For a better understanding of the objectives of the Utility Model herein, a brief description of the attached drawings is found below, where:

Figure 1 - Represents a perspective view illustrating the packaging duly assembled;

Figure 2 - Refers to an exploded perspective view, illustrating the packaging with its parts separated;

Figure 3 - Refers to a sectional side view, illustrating the coupling among the parts that constitute the packaging;

Figure 4 - Refers to another plane view, although, illustrating the bottom face of the container; and Figure 5 - Refers to a view like the previous one, although, illustrating the bottom face of the base.

Detailed description of the preferred embodiment According to the above described figures and their details the Utility Model "CONSTRUCTIVE DISPOSITION APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING" herein is conformed by two pieces, being one container (1) and one base (2), both specially made of plastic material, like polyethylene, polypropylene or PET (Polyethylene Terephthalate) resins.

The container (1) presents a shape practically cylindrical and its bottom presents a conic shape (3), in "V", making possible to collect the whole medical drugs or cosmetic items held inside.

The top portion of the container (1) may present different types of configuration, being presented in a preferred embodiment, with a neck (4) of screwing, fastening or press coupling type.

At the bottom portion of said container (1), it is doted with a radial guide (5) that works as a coupling element between both parts composing the

packaging.

The base (2) presents the same kind of design as the container (1), although, it is lower and its top portion is doted with a projection (6) that configures a coupling element, which shape is cooperating with the radial guide (5), provided at the container (1), in a way to make possible the coupling between the parts.

The bottom portion of said base (2), presents a convex shape (7) that is responsible for the base (2) structure, enabling its vertical steadiness.

As it is possible to realize after what had been shown and illustrated, the object herein "CONSTRUCTIVE DISPOSITION APPLIED IN MEDICAL DRUGS AND COSMETIC ITEMS PACKAGING", fits in perfectly the nature of the Utility Model, once it combines and modifies known elements into a new shape or different disposition of its components, enhancing its use and making more efficient its utilization.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 4238	FOR FURTHER ACTION See Form PCT/PEA/416	
International application No. PCT/BR2005/000206	International filing date (day/month/year) 29.09.2005	Priority date (day/month/year) 23.02.2005
International Patent Classification (IPC) or national classification and IPC INV. B65D23/00		
Applicant ESTEVE, Victor		
1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of 4 sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: a. ☐ sent to the applicant and to the International Bureau a total of sheets, as follows: ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).		
4. 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		
Date of submission of the demand 23.02.2006	Date of completion of this report 16.01.2007	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Augustin, Wolfgang Telephone No. +49 89 2399- 	

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/BR2005/000206

Re Item V

The present application does not meet the criteria of Article 33(1) PCT, because **the subject-matter of the claim does not involve an inventive step** in the sense of Article 33(3) PCT.

Document **US-A-5 344 036**, which is considered to represent the most relevant state of the art, discloses [see figs 3, 4, 7, in particular container (16) comprising conic bottom (24) and radial guide (32); base (18) comprising projection (63)] a disposition from which the subject-matter of the claim differs in that the base presents a convex shape.

Bases for similar containers comprising a convex shape are however common praxis (see **FR-A-2 759 923**, **DE-U-20 201 737** or **US-A-4 196 039**) and can be interchanged with the known base where circumstances make it desirable in particular as the convex shape of the base and the conic shape of the container are not related with one another (see also item VII).

Re Item VII

The application does not meet the requirements of Article 6 PCT, because **the claim is not clear**.

According to the claim the convex shape of the base cooperates with the conic bottom of the container.

Neither the claim nor the description of the application disclose how the convex shape of the base and the conic bottom cooperate with one another. According to the drawing of the application there exists a gap between the convex base and the conic bottom of the container (see fig. 3). A cooperation between the base and the container is therefore also not derivable from the drawings.

The meaning of the term "said base, presents a convex shape cooperating with the conic bottom" of the claim is therefore not clear.

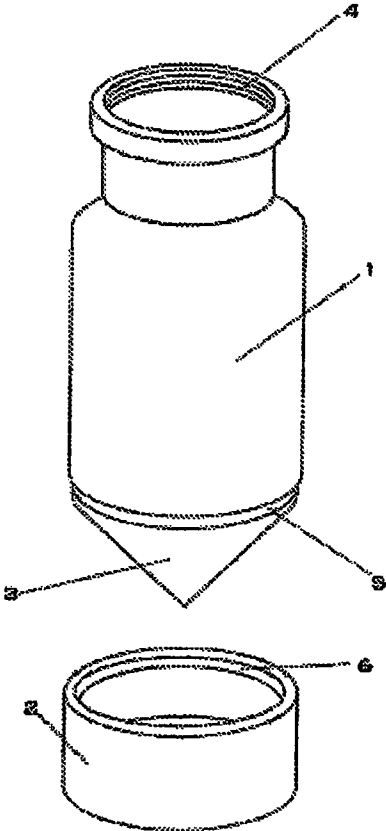
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Industria y Comercio SUPERINTENDENCIA SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO DIVISION DE NUEVAS CREACIONES EXTRACTO PARA PUBLICACION SOLICITUD DE PATENTE DE MODELO DE UTILIDAD	
(21) N° de solicitud: 22) Fecha de solicitud: (30) Prioridad (31) No. Prioridad 32) Fecha (33) País MU8500295-0 23/02/2005 BR	(51) Int Cl: (71) Solicitante(s) VICTOR ESTEVE (72) Inventor(es) VICTOR ESTEVE (74) Apoderado: JAIME EDUARDO DELGADO VILLEGAS
(85) Fecha límite inicio fase nacional: (86) Datos relativos a la presentación de la solíc. PCT Fecha de presentación de la solicitud: 29 - 09 - 05 No. de solicitud PCT/BR2005/000206	(87) Publicación internacional Fecha: 31 -08 - 06 Fecha (dd/mm/aa) N° publicación: WO 2006/089383 A1
(54) Título: ENVASE DE DROGAS MEDICAS Y ARTICULOS COSMETICOS	

Resumen - Reivindicación(es):

Envase que se compone de dos piezas, un recipiente (1) y una base (2), en el cual el recipiente presenta una conformación prácticamente cilíndrica y su fondo presenta una forma cónica (3), en "V", que presenta una guía radial (5), en su porción inferior, que constituye un elemento de acople con la base (2) que, a su vez, está dotada en su porción superior, con una proyección (6) con una forma que coopera con la guía radial (5); dicha base (2), presenta una forma convexa (7) que coopera con el fondo cónico (3) en "V", del recipiente (1).



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REPUBLICA DE COLOMBIA
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

Bogotá,
2020

Doctor(a)
DELGADO VILLEGAS JAIME EDUARDO

REFERENCIA	Radicación No.	07 92444
	Solicitud internacional	PCT/BR2005/000206
	Fecha inicio fase nacional	23/09/2007
	Trámite	12
	Evento	379
	Actuación	430
	Oficio No.	14652

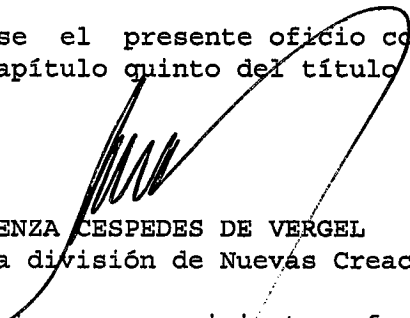
Como resultado del examen de forma, realizado con fundamento en el artículo 38 de la Decisión 486 de la Comisión de la Comunidad Andina, artículo 27 del Tratado de Cooperación en Materia de Patentes (PCT), regla 51 bis del Reglamento y Circular Única de la Superintendencia de Industria y Comercio, se le comunica que:

1. El solicitante deberá aclarar si el capítulo titulado "Afirmación" se refiere al capítulo reivindicatorio, y de ser así deberá presentarlo nuevamente con la terminología correcta.

2. La solicitud no contiene el poder debidamente otorgado, con el lleno de los requisitos exigidos por los artículos 63 y subsiguientes del Código de Procedimiento Civil. Adicionalmente, deberá presentar el documento que acredita la existencia y representación legal de la sociedad solicitante, cuando ésta fuere persona jurídica.

En cumplimiento de lo dispuesto por el artículo 39 de la Decisión 486, se le requiere para que dentro del término de un mes siguiente a la fecha de notificación del presente oficio, complete los requisitos anteriormente enunciados. En caso de no dar cumplimiento al presente requerimiento, la solicitud se considerará abandonada y perderá su prelación.

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 CESPEDES DE VERGEL
Jefe de la división de Nuevas Creaciones

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