

Señora Jefe
División de Nuevas Creaciones
Superintendencia de Industria y Comercio
E. S. D.

95
94
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 07-116534- -00001-0000

Fecha: 2008-06-11 15:48:13 Dep. 2020 NUECREACION
Tra. 11 PATENTEIYII Eve: 378 FASENACIONALI
Act. 538 PETICION Folios: 2

Referencia: Solicitud de Patente de Invención PCT (Fase Nacional)
Título: Capítulo I.
Un sistema intrauterino detectable ultrasónicamente y
un método para mejorar la detección del ultrasonido
Expediente No. 07-116.534
Solicitante: Bayer Schering Pharma OY
Asunto: Pago del examen de patentabilidad.

MONICA WOLF WASSERMAN, identificada con cédula de ciudadanía No. 51'711.267 de Bogotá y con Tarjeta Profesional de Abogado No. 46.034 del Consejo Superior de la Judicatura, como apoderada de la sociedad,. BAYER SCHERING PHARMA OY, Por medio de la presente me permito allegar el recibo de consignación que respalda el pago del examen de patentabilidad, Capítulo I, para la Patente de Invención PCT (Fase Nacional), identificada en la referencia, a efectos de que ese Despacho proceda a la práctica del mismo.

ANEXOS

Recibo de consignación N°. 08-46 857 por la suma de cuatrocientos veinte mil pesos m/cte (\$420.000).

NOTIFICACIONES

Recibiré notificaciones en la Secretaría de ése Despacho y en mi oficina, ubicada en la calle 83A No. 23-90 de esta ciudad.

De la Señora Jefe,


MÓNICA WOLF WASSERMAN
C.C. No. 51.'711.267 de Bogotá
T.P.A. 46.034 del C. S. de la J.

96
95

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 07-116534- -00001-0000

Fecha: 2008-06-11 15:48:13 Dep. 2020 NUECREACIONE
Tra. 11 PATENTEIYII Eve: 378 FASENACIONALI
Act. 538 PETICION Folios: 2

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

NIT : 800176089-2

RECIBO OFICIAL DE CAJA : 08 - 46,857
FECHA : JUNIO 11 DE 2008

***** CONSIGNACION *****

DEPOSITANTE	TIPO PAGO	BANCO	CUENTA	No. PAGO	FECHA PAGO	Vr. PAGO
WOLF ABOGADOS ASOCIADOS	CONSIGNACION	BANCO DE BOGOTA	062754387	2279200	11/06/2008	5,492,000.00

***** CONCEPTO *****

CONCEPTO	TOTAL CONCEPTO
1 50005-01-01 SOLICITUDES	85 EXAMEN DE PATENTABILIDAD DE INVEN
	TOTAL : \$ 420,000.00

SON: CUATROCIENTOS VEINTE MIL PESOS

RESPONSABLE : _____

RECIBO DE CAJA APLICADO AL EXPEDIENTE No. _____

DIVISIÓN DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No. 07-116534

EL EXTRACTO DE LA PRESENTE SOLICITUD DE **PATENTE DE INVENCION**
FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No **587** DE
FECHA **18 DE ENERO DE 2008** EL TÉRMINO HÁBIL SEÑALADO POR LA LEY
EXPIRA EL **16 DE ABRIL DE 2008**

NOTA: Dentro del plazo de los seis (6) meses siguientes a partir de la fecha de publicación en la gaceta de Propiedad Industrial, deberá solicitar y cancelar el examen de patentabilidad so pena de que la solicitud caiga en abandono, de acuerdo con lo establecido en el Artículo 44 de la Decisión 486/2000.

SE PRESENTARON OPOSICIONES POR PARTE DE TERCEROS.

SI _____ NO X

98
97
D1

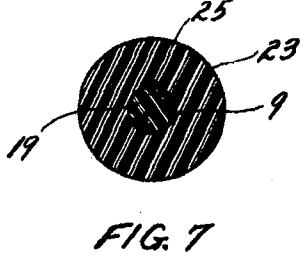
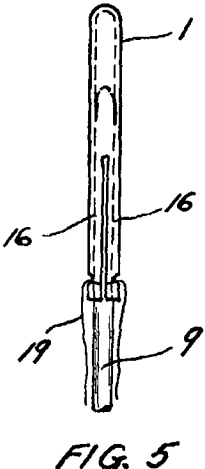
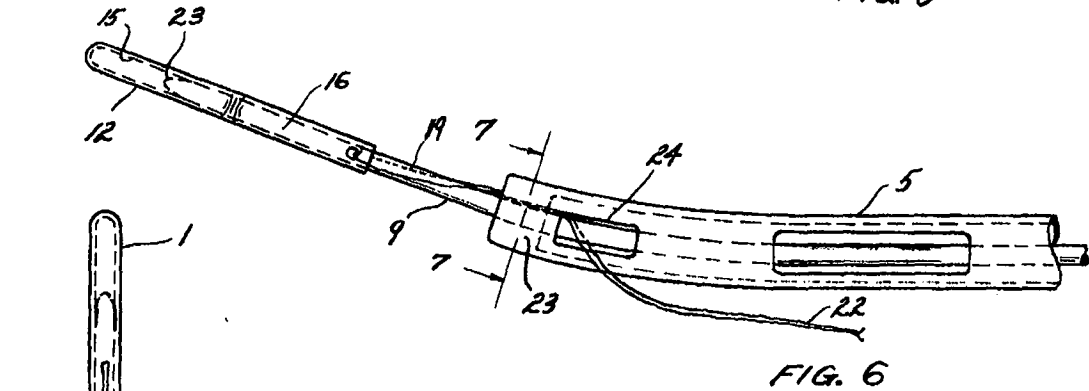
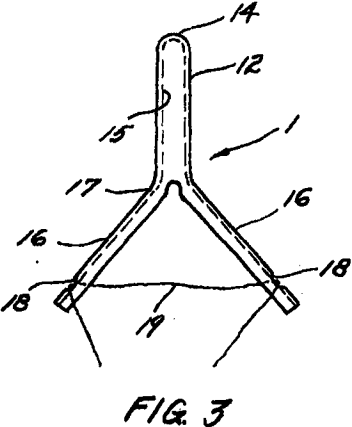
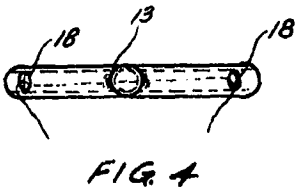
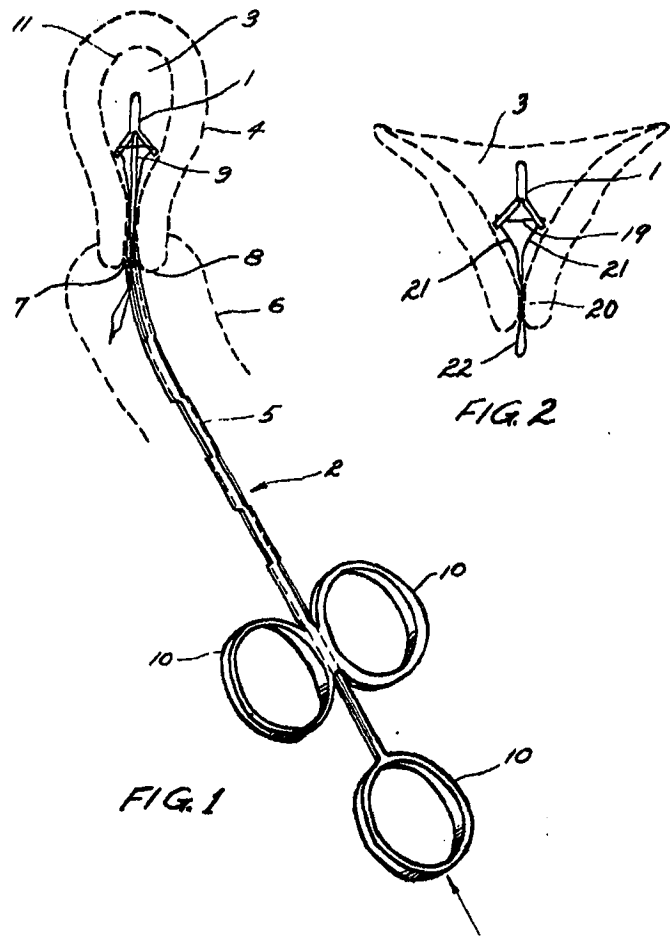
June 2, 1970

C. A. MCKNIGHT

3,515,132

INTRAUTERINE CONTRACEPTIVE DEVICE

Filed Dec. 26, 1967



INVENTOR:
CHARLES ALLEN MCKNIGHT
BY *Paul M. Dand*
ATTORNEY,

first withdrawn from the tubular member of the applicator, at least until the leading edge of the rod has been retracted from within the sleeve 23. When this is performed, the cord may be inserted through the sleeve, aligned in its groove, and held externally of the applicator through its opening 24. The rod may once again be inserted through the sleeve 23 with the strands of the cord positioned within said sleeve groove 25, thereby allowing for the rod to be advanced through the exertion of only a slight amount of force. The device may then be mounted upon the applicator rod with the rod end being inserted into the cavity 15, and as the rod is advanced further through the tubular member of the applicator, the cord 19 of the device becomes rather taut effecting a contraction of the arms 16 until they become aligned with their stem 12. The device and rod may then be advanced sufficiently to that setting which will allow the rod and mounted device to be inserted into the uterine cavity, while the applicator tubular member may never need be inserted beyond the vaginal canal. When maintained in this position, the device and frontal portion of the rod are ready for insertion at least into the cervical passage, up to a sufficient distance until the forward portion of the tubular member, such as the sleeve 23, contacts with the cervical opening 8. If the previous setting was proper, at this moment the rod and device will be located within the uterus. If the setting was insufficient, the opposite end of the rod may be grasped and slightly advanced by means of manual force, effecting a further shifting of both the rod and device deeper into the uterine cavity, until such time as the device contacts the uterine wall, or when it is determined that the device is properly located within the uterus. When such occurs, the rod may be slowly withdrawn from the applicator thereby causing the cord to gradually slacken thereby allowing the arms 16 under their inherent resiliency to expand outwardly to a position as disclosed in FIG. 3. Further withdrawal of the rod causes the ends of the arms to contact the inner walls of the uterus, and when such results, the associated binding effects a separation of the rod from its engagement within the device. Any further withdrawal of the rod has no effect upon the positioning of the device within the uterus, and a complete withdrawal of the rod, at least beyond the applicator sleeve 23, allows for both the rod and applicator to be removed from within the vaginal chamber 6. When this happens, the cord end 22 will move through the sleeve 23 until it is completely released therefrom, and when the applicator is totally removed, the cord end will remain slightly exposed out of the cervical end 8, while the device is properly implanted for functioning within the uterus. If for any reason the intrauterine contraceptive device must be removed from the uterus, any convenient instrument may be used for grasping the cord end 22, and through a slight continuous pulling force exerted thereupon, the resilient arms 15 will eventually once again contract thereby causing the device to become linear in configuration, such as it is disclosed in FIG. 5. Continual pulling upon the cord causes the device to align and be drawn through the cervical passage and eventually become freed therefrom. Thereafter, the device may be removed from the vaginal chamber, and disposed of.

It should also be stated that the end 14 of the device stem 12 may be coated with barium or any other compound that is opaque to X-ray or other form of waves so that upon investigation the location or positioning of the device within the uterus may be determined.

Numerous variations and modifications in the construction of the intrauterine contraceptive device and applicator of this invention, within the scope of the appended claims, will occur to those skilled in the art in the light of the foregoing disclosure. For example, somewhat different shaped arms or an expansive member having inherent resiliency may be devised, but so long as they func-

tion to achieve the same results as acquired through usage of the device as disclosed, they are intended to be included within, and protected by, the following claims. These are merely illustrative.

Having thus described the invention, what is claimed and desired to be secured by Letters Patent is:

1. An intrauterine contraceptive device for positioning within the uterus comprising a stem-like portion formed of its leading part thereof, said stem-like portion having a cavity formed within its interior, said stem having expansive means formed integrally rearwardly therefrom and normally biased at an angle with the longitudinal axis of the stem, said expansive means having sufficient resiliency to provide for its contraction into approximate axial alignment rearwardly of the stem during insertion or removal of the device.

2. The intrauterine contraceptive device of claim 1 wherein the expansive means comprises a pair of generally rearwardly extending straight arms.

3. The intrauterine contraceptive device of claim 1 wherein the leading edge of the stem-like portion is rounded for easing the insertion of said device into the uterus.

4. The intrauterine contraceptive device of claim 1 and further characterized by a cord attaching to the expansive means of the device proximate the location of its free ends thereof whereby a pulling force exerted upon said cord effects contraction of said expansive means thereby providing for a removal of the device from its positioning within the uterus.

5. The intrauterine contraceptive device of claim 4 wherein a portion of said cord is depended externally of the uterus when the device is positioned therein thereby rendering the cord accessible for effecting removal of the device.

6. The intrauterine contraceptive device of claim 1 and further including an applicator for use in conjunction with the insertion of said device into operative position within the uterus, said applicator comprising a tubular member, a rod located within said tubular member and disposed for shifting axially therein, support means connecting with said rod for use in inducing its shifting, the forward edge of the rod being inserted within the cavity formed within the interior of said stem-like portion of the device and functioning to provide for advancement of the device as during its insertion into the uterus.

7. The intrauterine contraceptive device of claim 6 and further characterized by a cord attaching with the expansive means of the device proximate their free ends thereof, said cord cooperating with the applicator to provide for contraction of said expansive means into contiguity with the rod as during insertion of the device into the uterus.

8. The intrauterine contraceptive device of claim 3 wherein the forward portion of the applicator is slightly curved so as to provide for alignment of the rod and device with the members into which they insert.

9. An intrauterine contraceptive device for positioning within the uterus comprising a stem-like portion formed of its leading part thereof, said stem-like portion having a cavity formed within its interior, said stem having expansive means formed integrally rearwardly therefrom and normally biased at an angle with the longitudinal axis of the stem, said expansive means having sufficient resiliency to provide for its contracting into approximate axial alignment rearwardly of the stem during insertion or removal of the device, an applicator for use in conjunction with the insertion of said device into operative position within the uterus, said applicator comprising a tubular member, a rod located within said tubular member and disposed for shifting axially therein, support means connecting with said rod for use in inducing its shifting, the forward edge of the rod being inserted within the cavity of said stem and functioning to provide for advancement of the device as during its

[54] INTRAUTERINE CONTRACEPTIVE
DEVICES WITH PLURAL PARALLEL LEG
SEGMENTS

[76] Inventor: Morton Gutnick, 8329 Fairview
Road, Elkins Park, Pa. 19117

[22] Filed: Jan. 11, 1974

[21] Appl. No.: 432,435

Related U.S. Application Data

[63] Continuation-in-part of Ser. No. 294,200, Oct. 2,
1972, abandoned.

[52] U.S. Cl. 128/130

[51] Int. Cl.² A61F 5/46

[58] Field of Search 128/127, 128, 129, 130,
128/260; 424/19, 21

References Cited

UNITED STATES PATENTS

3,374,788	3/1968	Rosenthal	128/130
3,467,089	9/1969	Hasson	128/130
3,490,456	1/1970	Kortum	128/130
3,533,406	10/1970	Tatum	128/130
3,598,115	8/1971	Home	128/130
3,656,483	4/1972	Rudel	128/130
3,659,596	5/1972	Robinson	128/130
3,710,795	1/1973	Higuchi	128/130
3,734,089	5/1973	Baud	128/130

3,779,241	12/1973	Vennard	128/129
3,805,777	4/1974	Ansan	128/130

Primary Examiner—Richard A. Gaudet

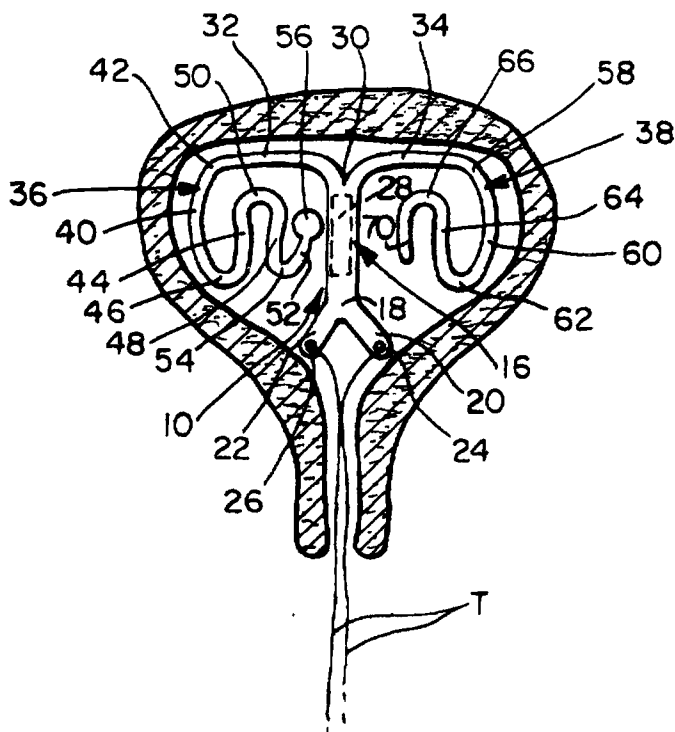
Assistant Examiner—J. C. McGowan

Attorney, Agent, or Firm—Robert S. Bramson, Esq.;
James A. Drobile, Esq.

[57] **ABSTRACT**

An intrauterine contraceptive device comprising an elongated shank having divergent convoluted portions at its distal end, the convoluted portions being generally sinusoidal in nature, the device having incorporated in the shank a permanent magnet and having a substantial portion of its surface covered with a biologically inert, silicone elastomeric material which may contain an analgaesic or anti-fertility agent which is gradually released in utero. In a preferred embodiment of the invention, the proximal end of the shank contains a pair of downwardly extending divergent, resilient legs which tend to prevent inadvertent expulsion of the device. In another preferred embodiment, the lower end of the device is formed with a small container for certain types of medication which are released gradually into the vagina over a prolonged period of time for the prevention and cure of such diseases as gonorrhea and syphilis.

30 Claims, 11 Drawing Figures



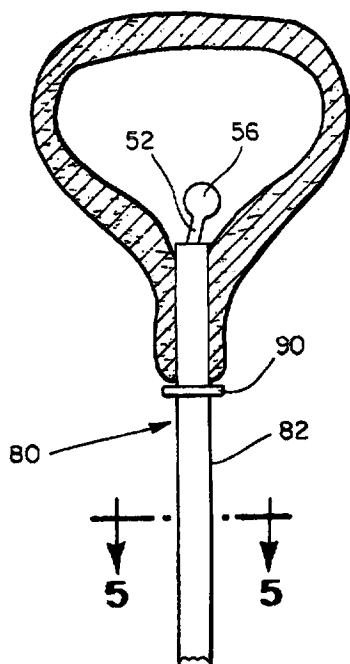


Fig. 1

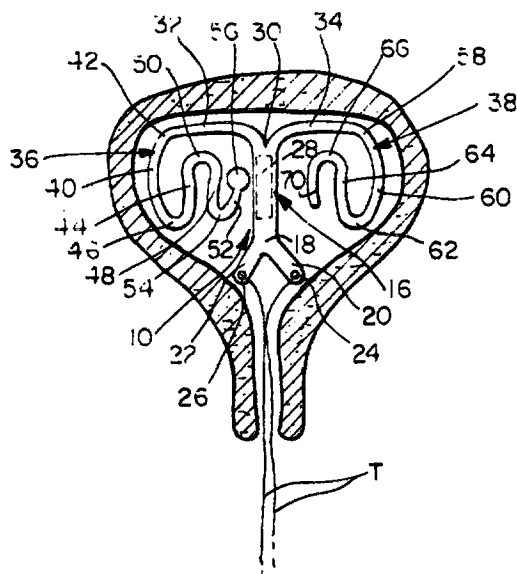


Fig. 2

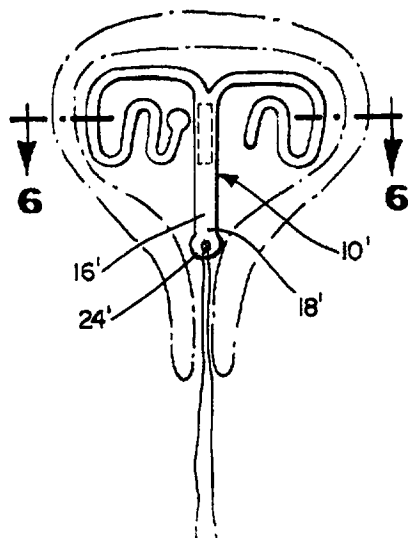


Fig. 3

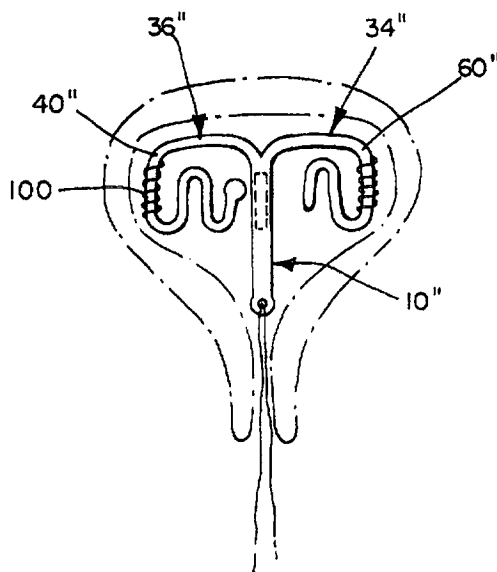


Fig. 4

the cervix into the vagina and can therefore release medication directly into the vagina. This embodiment is particularly useful for the release of certain antibiotics, such as penicillin, erythromycin or tetracycline, which will prevent or cure syphilis and gonorrhea. The material of the globule, which permits the gradual release of medication therefrom, also permits the resealable introduction of a fine hypodermic needle therein to refill the container with medication and thereby to avoid the necessity for removing the IUD and inserting a substitute IUD. The size of the globule, and the attendant rate of release of medication therefrom, can be varied to release the minimal inhibitory concentration of antibiotic necessary to inhibit the growth of the particular gonococcal strain in the country of use, it being well recognized that strains in some geographic areas being more virulent than the gonococcus strains present in other areas.

OBJECTS OF THE INVENTION

An object of this invention is to provide an intrauterine contraceptive device which is safe and effective in comparison to the prior art devices.

Another object of this invention is to provide an IUD which will spread over most of the endometrial cavity and thus lessen the changes of pregnancy.

Still another object of this invention is to provide an IUD which, once placed properly, will remain relatively fixed in its intrauterine position and will not easily be expelled inadvertently, but which can readily be removed when removal is desired.

A concomitant object of this invention is to provide an intrauterine contraceptive device whose presence and proper position in the uterus can be readily determined by the use of a ferrous, magnetic or electromagnetic sound.

Another object of the present invention is to provide an IUD which is less likely to be expelled inadvertently than prior art devices.

Yet another object of the present invention is, when possible and medically advisable, to provide an IUD construction which can be retrieved by an electromagnetic in order to save the patient an abdominal operation in cases of partial perforation of the uterus.

Still another object of this invention is to provide an IUD formed with a medically acceptable outer material to minimize uterine bleeding due to a foreign material in the uterus.

Yet another object of this invention is to provide an IUD construction which incorporates topical anaesthetics, steroids or medicaments, when medically advisable, in the material of the IUD for the slow release of pain relieving drugs or anaesthetics in utero.

It is similarly an object of this invention to provide an IUD which is of unique mechanical design, which can be worn with comfort for years, and then easily removed without discomfort to the patient.

A further object of this invention is to provide an IUD that may be pre-sterilized, that lends itself to easy insertion into the uterus with the help of a simple instrument, and that will not interfere with either menstruation or vaginal function.

An additional object of this present invention is to provide an IUD which a nulliparous patient can use effectively with no or minimal discomfort, thereby to expand the number of potential users of IUD's. Another object of this invention is to provide an IUD that will

release medication into the uterus or vagina at a controlled rate over a prolonged period of time for the prevention or treatment of diseases, such as syphilis and gonorrhea.

Yet another object of this invention is to provide an IUD that will release medication directly into the vagina and can be refilled with medication without removing the IUD from the vagina.

DESCRIPTION OF THE DRAWINGS

FIG. 1 is a front elevational view of the IUD of this invention, located in the tubular insertion device and inserted in the uterus for introduction of the IUD in utero;

FIG. 2 is a front elevational view of the preferred embodiment of the IUD of this invention, located in utero in its position of use;

FIG. 3 is a view, similar to FIG. 2, showing a second embodiment of the invention;

FIG. 4 is a view, similar to FIG. 3, showing yet another embodiment of the invention;

FIG. 5 is a cross-sectional view, taken along line 5—5 of FIG. 1;

FIG. 6 is a cross-sectional view, taken along line 6—6 of FIG. 3;

FIG. 7 is a front elevational view of the preferred embodiment of the invention, and the insertion device, as packaged prior to use;

FIG. 8 is a front elevational view, similar to FIG. 2, showing yet another embodiment of the invention where the convoluted loops are fastened directly to the shank;

FIG. 9 is a view similar to FIG. 8, but including means for the sustained release of liquid medication;

FIG. 10 is a partial cross-sectional view of yet another embodiment of the invention, similar to that of FIG. 3, but including means for the sustained release of liquid medication; and

FIG. 11 is a view similar to FIG. 10, but with an elongated shank extending through the cervix for the direct release of medication into the vagina.

DETAILED DESCRIPTION OF THE INVENTION

Viewing FIG. 2, the preferred embodiment of the intrauterine contraceptive device of this invention, which is generally designated by numeral 10, is seen to comprise a thin, elongated central stem or shank 16, of generally rectangular cross-section with rounded corners, although this shape may also be elliptical or oval. At the proximal end 18 of the shank 16, there is formed a pair of downwardly extending, divergent flexible legs, respectively designated by numerals 20 and 22. The legs are preferably integrally formed with the shank 16, and extend at angles in the range from about 3° to about 15°, and preferably about 5°, with respect to the vertical. Therefore, the angle between legs 20 and 22 is in the range from about 6° to about 15° and is preferably about 10°. At the proximal extreme of each of the two legs 20 and 22 is located an eye or nubbin, respectively designated as 24 and 26, to which filaments or tails, designated by the letter T, are fastened, as by knotting, through an aperture therethrough, fusion, or by means of a suitable medically acceptable adhesive.

Embedded within shank 16 is a permanent magnet 28, which, in the preferred embodiment, occupies at least 50% of the length of the shank 16, and preferably occupies approximately the upper two-thirds of the

United States Patent [19]
Hoff

[11] **3,935,860**
[45] **Feb. 3, 1976**

[54] **INTRAUTERINE DEVICE WITH
RESTRICTOR FOR MAINTAINING DEVICE
IN UTERINE CAVITY**

3,533,406	10/1970	Tatum.....	128/130
3,633,574	1/1972	Lerner	128/130
3,722,037	3/1973	Jaeger.....	85/80 X
3,820,535	6/1974	Marco.....	128/130

[75] Inventor: **Seymour Hoff**, San Jose, Calif.

[73] Assignee: **Alza Corporation**, Palo Alto, Calif.

[22] Filed: **Aug. 21, 1974**

[21] Appl. No.: **499,185**

FOREIGN PATENTS OR APPLICATIONS

447,562	7/1927	Germany	128/127
---------	--------	---------------	---------

Primary Examiner—Lawrence W. Trapp
Attorney, Agent, or Firm—Paul L. Sabatine; Thomas
E. Ciotti; Edward L. Mandell

[52] U.S. Cl. **128/130; 128/260**

[51] Int. Cl.² **A61F 5/46**

[58] Field of Search **128/127-131,
128/1 R, 341, 343, 260, 244, 345; 74/520,
521; 85/3 R, 3 S, 71, 80**

[56] **References Cited**

UNITED STATES PATENTS

2,072,066	2/1957	Cossentine.....	85/3 R
3,182,662	5/1965	Shirodcar.....	128/127 X
3,253,590	5/1966	Birnberg et al.....	128/127 X
3,454,004	7/1969	Leininger et al.....	128/130

[57] **ABSTRACT**

Intrauterine device with restrictor for maintaining device in uterine cavity having a transverse member and a dependent member connected to the transverse member at a locus on the dependent member with a restrictor on the dependent member for keeping the shape of the device in a resting uterus or a contracting uterus; thereby substantially eliminating the incident of involuntary expulsion from the uterus.

7 Claims, 9 Drawing Figures

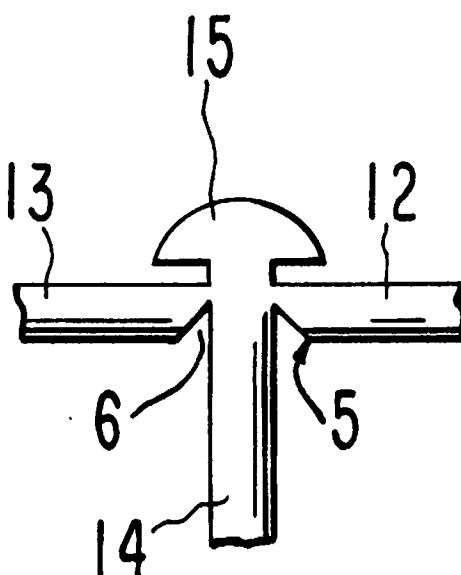


FIG. 1

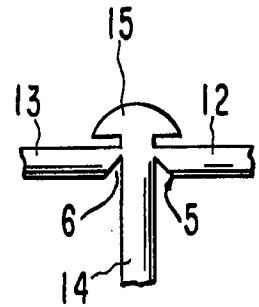
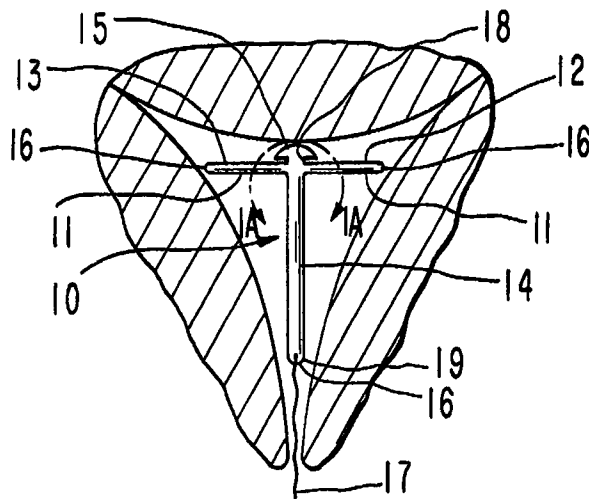


FIG. 1A

FIG. 2

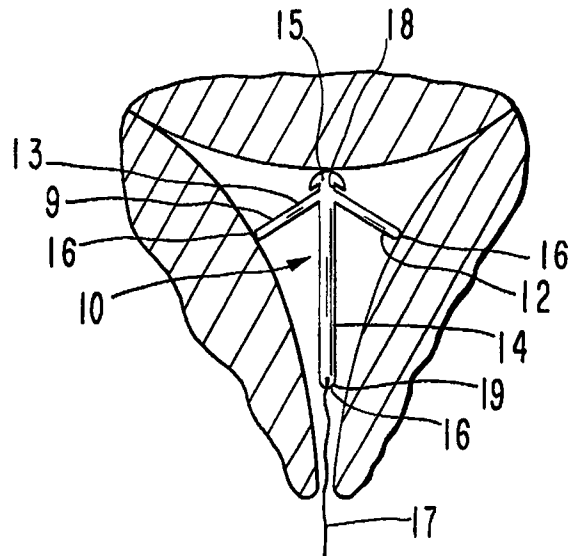
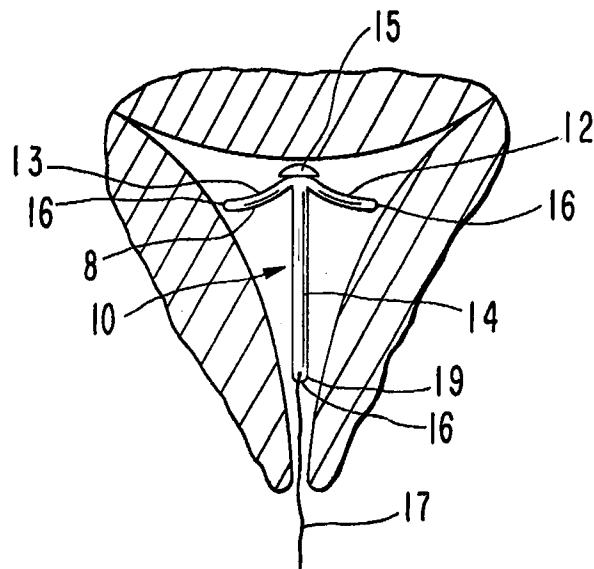
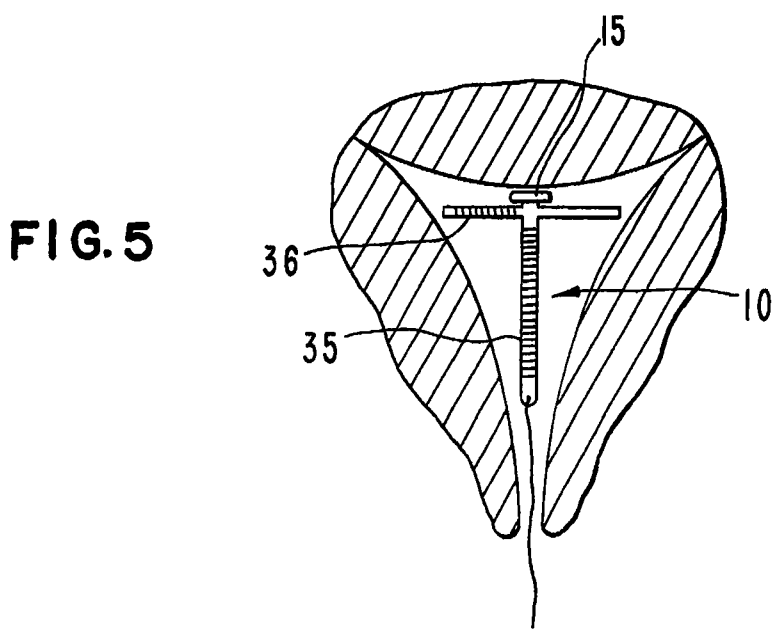
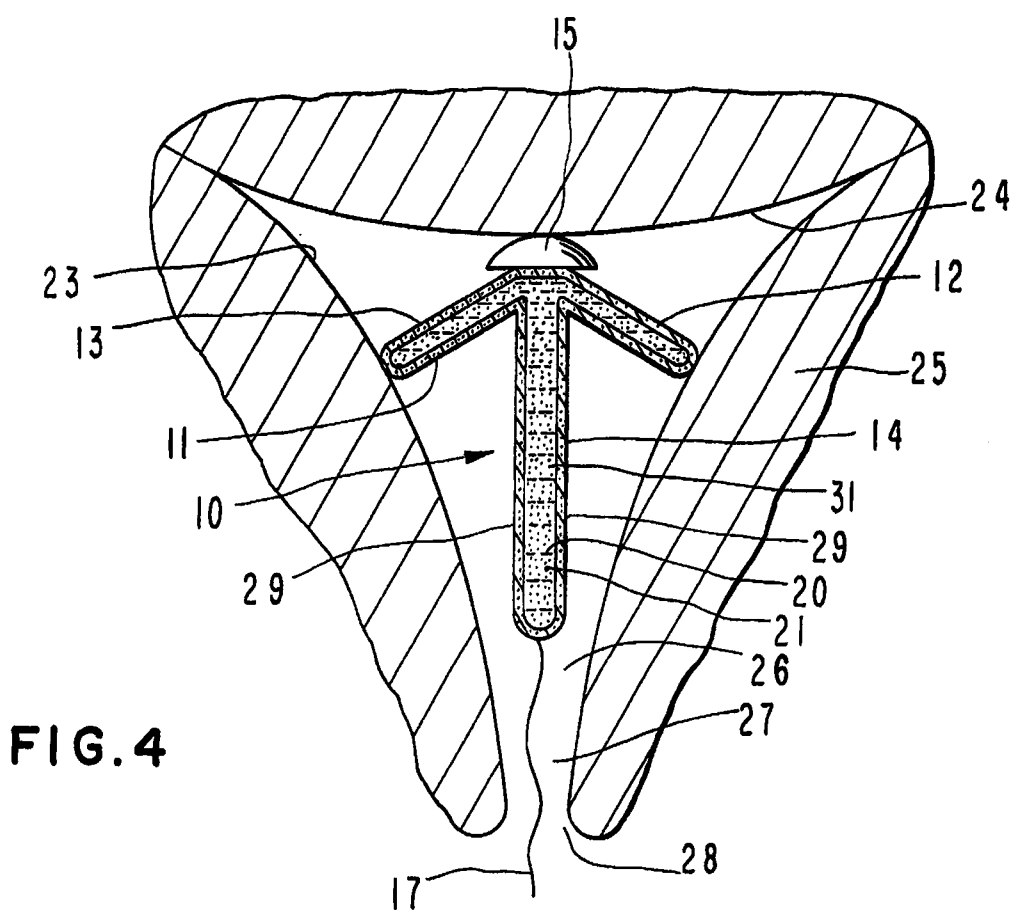


FIG. 3



105
104



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

202086
Bogotá, D.C.,

Abogado (a)
MONICA WOLF WASSERMAN

ASUNTO	Radicación	07-116534
	Trámite	011
	Evento	379
	Actuación	519
	Oficio	04051
	Folios	13

Patente de Invención ☒ Patente de Modelo de Utilidad ☐

Vía Nacional ☐

Vía PCT (fase nacional) ☒ Cap. I ☐ Cap. II ☒

No. Sol. Internacional
Fecha de Presentación Internal.

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: 15 a 31
Reivindicaciones:	Folios: 32 a 33
Dibujos:	Folios: 35 a 41
Prioridad:	Folios: 42 a 68
	05-04-2005 FINLANDIA 20050345

2. Objeto de la invención

- Título de la solicitud: "UN SISTEMA INTRAUTERINO DETECTABLE ULTRASÒNICAMENTE" (folio 15).
- Objeto de la invención:

Según el solicitante existe la necesidad de un sistema intrauterino que permita ser visualizado a través de ultrasonido para que el médico los pueda colocar de forma adecuada o detectar su posición y diagnosticar si existe algún problema.

El solicitante propone entonces un sistema intrauterino con varios elementos que se construyen de metales revestidos (plata, oro, titanio, tungsteno, bario, bismuto, platino y paladio) para optimizar la formación de imágenes ultrasónicas del sistema además de una espiral inerte sujeta al brazo vertical del cuerpo del sistema intrauterino en lugar de una espiral habitual.

- El objeto de esta invención se clasifica como A61F6/14; A61F; A61F6/00 según la Clasificación Internacional de Patentes (IPC.).

3. De la solicitud de Patente

3.1. Descripción (artículo 28 D. 486)

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

- Teniendo en cuenta que el método reclamado no se somete a estudio por considerarse un método terapéutico se sugiere al solicitante modificar el título eliminando dicho método.
- La solicitud no posee un grupo de figuras donde se muestren todos los elementos que componen el sistema, no se puede apreciar las características que hacen referencia a la ubicación de estos elementos dentro del conjunto. Por lo tanto, se sugiere al solicitante presentar un grupo de figuras debidamente referenciado donde se puedan apreciar todos los elementos y su ubicación.

3.2 Reivindicaciones (artículo 30 D 486)

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

- Se sugiere al solicitante incluir entre paréntesis () los números de referencia de cada uno de los elementos que hacen parte de la invención de acuerdo con la numeración empleada en los nuevos dibujos, con el fin de hacer más fácil y sencilla la comprensión de la materia objeto reivindicada. Adicionalmente eliminar y no incluir términos imprecisos como. "al menos", "por lo menos", "alrededor" etc.
- El método definido en las reivindicaciones seis a ocho (6-8 folios 32-33) se considera un método terapéutico. De acuerdo al artículo 20 la D.486 estos procedimientos no son patentables y se sugiere al solicitante eliminar dichas reivindicaciones.
- Teniendo en cuenta que dentro de las reivindicaciones no se aceptan ventajas, resultados y efectos a alcanzar se sugiere al solicitante eliminar las expresiones: "detectable ultrasónicamente (SIU) para inserción de largo plazo en una cavidad uterina", "medio para mejorar las imágenes", "que mejora las imágenes ultrasónicas del sistema" y "comprende al menos un medio para mejorar las imágenes". Estas expresiones no serán tenidas en cuenta dentro del examen de patentabilidad.

- Adicionalmente, no se puede caracterizar el dispositivo por los diferentes materiales utilizados en su elaboración y mucho menos por el efecto a alcanzar al ser visualizados por medio de un sistema de ultrasonido, tal como ha sido definido en las reivindicaciones independientes 1-4 y 6-8.

4. Determinación del Estado de la Técnica

Teniendo en cuenta que la fecha de prioridad reivindicada es 05-04-2005, se encontraron los siguientes documentos relevantes:

N.	Documento	Título	Fecha de pub.
D1	US3515132	INTRAUTERINE CONTRACEPTIVE DEVICE	02-06-1970
D2	US3913573	INTRAUTERINE CONTRACEPTIVE DEVICES WITH PLURAL PARALLEL LEG SEGMENTS	21-10-1975
D3	US3935860	INTRAUTERINE DEVICE WITH RESTRICTOR FOR MAINTAINING DEVICE IN UTERINE CAVITY	03-02-1976

5. Análisis de patentabilidad (artículo 14 D486)

5.1 Novedad (artículo 16 D486)

Inicialmente el estudio se realizó comparando elemento por elemento de la invención tal como esta definida en la reivindicación uno (1 folio 32) con el documento D1, encontrando que el mencionado documento REVELA TODOS los elementos y características de dicha reivindicación:

Reivindicación 1 (folio 32)	D1
1. Sistema intrauterino que comprende al menos un medio para mejorar las imágenes en donde los medios se eligen del grupo compuesto por; a) al menos una grapa, broche, anillo o vaina de metal inerte colocado fijamente en el cuerpo del sistema intrauterino.	Ver: columna 7 fila 64 a 68 elementos (2), (10), (5), (14), (12) figuras 1-3.
2. Reivindicación uno (1 folio 32): y b) una espiral metálica sujeta al brazo vertical del cuerpo del sistema intrauterino en lugar de la espiral habitual.	Ver: columna 7 fila 64 a 68 elementos (2), (10), (5), (14), (12) figuras 1-3.

De acuerdo con lo anterior, todos los elementos y características que forman parte de la reivindicación independiente uno (1 folio 32) ya fueron divulgados en D1, lo mismo que el contenido de la reivindicación 5 (folio 32), por lo cual se podría considerar que CARECEN DE NOVEDAD.

De la misma forma se realizó una comparación elemento por elemento de la invención tal como esta definida en la reivindicación uno (1 folio 32) con el documento D2, encontrando que el mencionado documento REVELA TODOS los elementos y características de dicha reivindicación:

Reivindicación 1 (folio 32)	D2
1. Sistema intrauterino que comprende al menos un medio para mejorar las imágenes en donde los medios se eligen del grupo compuesto por; a) al menos una grapa, broche, anillo o vaina de metal inerte colocado fijamente en el cuerpo del sistema intrauterino.	Ver: columna 4 fila 48 a 51, elementos (24'), (10') figura 2.
2. Y b) una espiral metálica sujeta al brazo vertical del cuerpo del sistema intrauterino en lugar de la espiral habitual.	Ver: Ver en D2: columna 4 fila 48 a 51, elementos (24'), (10') figura 2.

De acuerdo con lo anterior, todos los elementos y características que forman parte de la reivindicación independiente uno (1 folio 32) ya fueron divulgados en D2, lo mismo que el contenido de la reivindicaciones 2 y 4 (folio 32), por lo cual se podría considerar que CARECEN DE NOVEDAD.

Las reivindicaciones mencionadas no muestran lo nuevo que se pretende aportar a la técnica ni aporta diferencias a lo ya existente. El análisis anterior permitiría afirmar que no cumplirían 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)

Teniendo en cuenta las reivindicaciones uno y tres (1, 3 folio 32) que definen un sistema intrauterino que adicionalmente se caracteriza porque la grapa, broche, anillo o vaina de metal están colocados al pie del espiral. Esta configuración fue revelada por D3 que sugiere y demuestra la ubicación de estos elementos dentro del sistema (Ver en D3: elementos 16, 10, 14, 35 figuras 1-5).

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 la estructura del sistema intrauterino revelado por D2 dándole a este una ubicación diferente para la grapa, el broche, y el anillo de metal como la sugerida por D3 obteniendo así una mayor visibilidad del dispositivo y detectar mas fácilmente su ubicación. 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	US3515132	1, 5	NOVEDAD
D2	US3913573	1, 2, 4	NOVEDAD
D2	US3913573	1-4	NIVEL INVENTIVO
D3	US3935860	1-4	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.



JOSE LUIS SALAZAR LÓPEZ
Director de Nuevas Creaciones (C)

El anterior requerimiento fue notificado por fijación en lista, de fecha
74 MAR. 2011

CONCEPTO TÉCNICO No 305	EXAMINADOR TÉCNICO Código No.202086
--------------------------------	---