



No. 08-116360-00003-0000

Fecha: 2009-02-23 16:58:15 Dep. 2020 NUECREACION
Tra. 2 PATENTES Eve: 1 REGDEPOSITO
Act. 444 RESPUESTAREQUE Folios: 30

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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISIÓN DE NUEVAS CREACIONES

E. _____ S. _____ D. _____

Ref Expediente N°. 08-116.360

Solicitud de Patente de Invención titulada: "EMPAQUE DE HELADO"

Solicitante: GINO KRONFLE DI PUGLIA

Nuestra Ref.: P2008/000192

RESPUESTA AL OFICIO N°. 15727 NOTIFICADO

POR FIJACION EN LISTA No. 39, DE FECHA 11 DE DICIEMBRE DE 2008,

(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 emanado de ese Despacho, dentro del término legal previsto en el artículo 39 de la Decisión 486, en los siguientes términos:

1. En respuesta a la única observación del examinador me permito adjuntar copia autentica del poder a mi conferido por mi representada según lo previsto en los Artículos 63 y subsiguientes del Código de Procedimiento Civil.

2. Finalmente me permito aportar junto al presente memorial, copia debidamente legalizada de la escritura de protocolización del documento de prioridad US 11/928,809 de fecha 30 de Octubre de 2007, junto con su correspondiente traducción simple.

Atentamente,

J. IAN RAISBECK

C.C. N°. 79.376.996 de Bogotá

T.P. 135.799

Anexo: Copia auténtica del Poder

Copia legalizada de la escritura del documento de prioridad

Natalia Castro

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Jacqueline Chaparro
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Power of Attorney

The undersigned,

domiciled in

Gino Kronfle Di Puglia

Mapasingue Oeste 107, Avenida Primera y Calle Primera.

by means of these presents hereby grants to **Carlos R. Olarte and/or J. Ian Raisbeck and/or Juan Guillermo Moure and/or Natalia Castro** full and sufficient Power of Attorney to file, prosecute, obtain, defend and enforce any and all of the company's **Patents for Inventions, Utility Models, Layout-Designs (topographies) of Integrated Circuits, Industrial Designs, Trademarks, Advertising Slogans, Trade Names, Commercial Emblems, Geographical Indications, Protection of Trade Secrets, Obtainer's Certificates, Copyrights, Registration of Domain Names, Health Registrations, or any other intellectual property right** in the Republic of Colombia, to which end it empowers them to take all steps necessary before any administrative or judicial authority of any class for the objects stated, to file petitions, recourses, replies and oppositions, pay taxes and annuities, request testimonies, receive documents and securities, abandon applications, collect refunds, desist, settle, conciliate or negotiate. Sufficient power is hereby granted to receive notifications on behalf of the Company, to confer powers on those who are to represent the company judicially and extrajudicially, to answer in court in the matter of all claims and demands that may be presented in connection with the objects stated, giving them likewise power to substitute these presents and revoke such substitutions.

Signature/Firma:

Date/Fecha: 24/OCTUBRE/2008

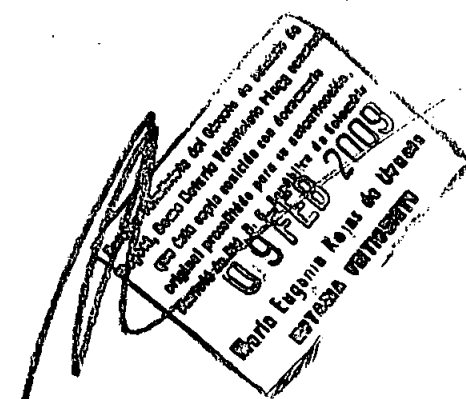
City, Country/Ciudad, País: Guayaquil, Ecuador.

Poder

El suscrito,

domiciliado en

por medio del presente otorga a **Carlos R. Olarte y/o J. Ian Raisbeck y/o Juan Guillermo Moure y/o Natalia Castro** poder especial, amplio y suficiente para presentar, tramitar, obtener, defender y hacer respetar todas y cualquiera de las **Patentes de Invención, Modelos de Utilidad, Esquemas de Trazados de Circuitos Integrados, Diseños Industriales, Marcas, Lemas Comerciales, Nombres Comerciales, Enseñas Comerciales, Denominaciones de Origen, Protección de Secretos Empresariales, Certificados de Obtentor, Derechos de Autor, Registro de Nombres de Dominio, Registros Sanitarios, o cualquier otro bien de propiedad intelectual** de la compañía en la República de Colombia, a cuyo efecto los faculta para dar todos los pasos necesarios ante cualquier autoridad administrativa o judicial de cualquier jerarquía para cumplir con lo encomendado, elevar solicitudes, recursos, respuestas y oposiciones, pagar impuestos y anualidades, solicitar testimonios, recibir documentos y valores, desistir, transigir, y percibir. Se concede poder bastante para recibir notificaciones a nombre de la compañía, otorgar poderes a quienes vayan a representar a la compañía judicial y extrajudicialmente, responder en juicio a todas las reclamaciones o demandas que por motivo de lo encomendado se presentaren, dándoles asimismo facultad para sustituir el presente y revocar dichas sustituciones.



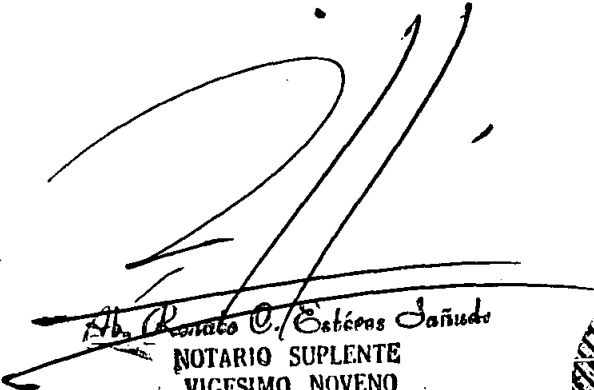
AB RENATO C. ESTEVES SAÑUDO, Notario Suplente
Vigésimo Noveno del Cantón Guayaquil
En cumplimiento a la que Dispone el
Art. 18 Numeral 3 de la ley Notarial
Certifico que la Firma que antecede
Pertenece A: Gino Francisco Kronfle

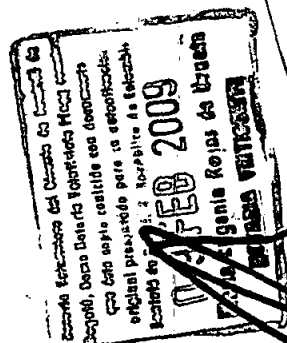
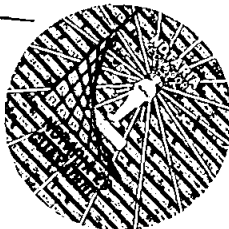
Di Puglia

Es la Misma que consta en su Cédula de

Ciudadanía No. 090206950-9

Guayaquil, de 15 ENE 2009 200


NOTARIO SUPLENTE
VIGESIMO NOVENO
DEL CANTON GUAYAQUIL



APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. País: **Ecuador**
Country:

El presente documento público
This public document

2. Ha sido suscrito por: **ESTEVES SAÑUDO RENATO**
Has been signed by:
3. Actuando en calidad de: **AB., NOTARIO SUPLENTE**
Acting in the capacity of:
4. Llevando el sello/timbre de: **NOTARIA VIGESIMA NOVENA DEL CANTON GUAYAQUIL**
Bears the seal/stamp of:

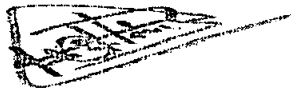
Certificado
Certified

5. En: **Guayaquil** 6. El: **21/Enero/2009**
At: Date:

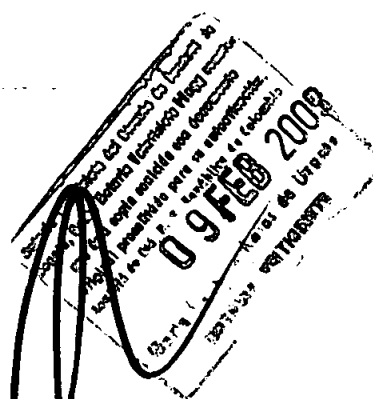
7. Por: **Fernando Chilán Rivera**
By: **CANCILLER 2**

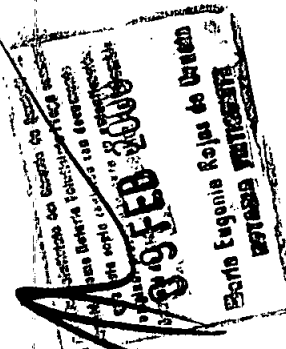
8. No.: **809808**
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CAMPO DEL INVENTO

(0001) El presente invento se refiere al empaque de comida; específicamente, a un empaque de comida que tiene propiedades térmicas adecuadas para retener temperaturas más frías dentro del empaque por un período de tiempo más largo.

ANTECEDENTES DEL INVENTO

(0002) Avances tecnológicos en la preservación de comida han permitido a los consumidores extender la calidad, vida e integridad física de alimentos. Tales tecnologías también han incrementado la habilidad de los consumidores a controlar cuándo ellos consumen alimentos en vez de limitar tal control a la expiración natural de los alimentos. El área que ha sido privada de los avances tecnológicos es el área del empaque de alimentos. Los avances en el empaque de alimentos han sido agresivos, sin embargo el empaque moderno ha proveído avances limitados en el área de novedades congeladas como helados.

(0003) Novedades (chucherías) congeladas como bombóns, chupetes, helados sánduches, etc. deben ser disfrutados inmediatamente, una vez sacados del congelador. Temperaturas calientes causan que el helado se derrita, se riegue y disminuya rápidamente en su integridad física. En el presente, el empaque del helado no ha proveído propiedades térmicas que permitan la retención de temperaturas frías una vez fuera del congelador calibrado para períodos de tiempo más largo. Se desea que un empaque de helado preserve estas novedades congeladas por un período de tiempo más largo una vez que ha sido expuesto al entorno ambiental. También es deseado un empaque de helados que permita a los vendedores vender helado de una forma única. El uso del presente invento puede servir para incrementar las ventas de helados debido a la retención de temperaturas más bajas por el empaque y la influencia de tales temperaturas más bajas en la integridad física del helado por un período de tiempo más largo que el que actualmente está disponible.

BREVE RESUMEN DEL INVENTO

(0004) El presente invento es un empaque de helado que tiene propiedades térmicas. El empaque es adecuado para retener temperaturas más frías dentro del empaque por un período largo de tiempo y mantener la integridad física del helado una vez expuesto al entorno ambiental. El empaque puede estar formado como una funda laminada flexible. La funda está compuesta de capas de varias formas de poliolefina. Las poliolefinas pueden ser transparentes o metalizadas y pueden también ser orientadas. El presente invento además ofrece un método para vender productos de helado usando

este empaque. El empaque retiene temperaturas frías por período más largo de tiempo una vez fuera del congelador. Como resultado el helado almacenado en el presente empaque retiene propiedades organolépticas e integridad física por un período de tiempo después de su exposición al entorno ambiental. Particularmente, el empaque de laminado flexible es útil para conservar y vender helados así como bombóns.

BREVE DESCRIPCIÓN DEL DIBUJO

(0005) La figura 1 es un gráfico que muestra los resultados de un test de descongelamiento comparativo desarrollado con el empaque, de acuerdo al ejemplo 1 del presente invento, comparado con el empaque de acuerdo al ejemplo comparativo 2 y ejemplo comparativo 3.

DESCRIPCIÓN DETALLADA DEL INVENTO

(0006) El presente invento está destinado a empaques térmicos adecuados para conservar novedades (chucherías) congeladas. Una vez expuesto a temperatura ambiente, el empaque del presente invento retiene temperaturas más frías en su interior por un período de tiempo más largo cuando se compara con otros empaques que se utilizan para almacenar helados. Al conservar temperaturas internas por un período de tiempo más largo, se mantiene la integridad física del helado por un período de tiempo más largo que el usual. El presente invento está además destinado a ser un método de empaque y venta de novelerías congeladas.

(0007) El empaque del presente invento es un empaque laminado hecho de pluralidad de capas, que contienen material polimérico y material polimérico metalizado. El término material polimérico se refiere a películas hechas de un polímero sintético duradero. La película de polimérico puede contener materiales como poliolefina, poliestireno, poliamidas, poliéster, policarbonatos, alcohol polivinilo, poliuretano, poliacrilates incluyendo copolímeros de olefinas como etileno y propileno, ionómeros y mezcla de ellos. Preferentemente, la película de polímero contiene poliolefina. Por ejemplo, las poliolefinas pueden incluir, pero no están limitadas, al polipropileno isotáctico, polipropileno sindiotáctico, polipropileno isotáctico catalizado metalocena, polipropileno sindiotáctico catalizado metalocena, polipropileno (pp) como polipropileno orientado, copolímero etileno – propileno aleatorio, copolímero butano – propileno aleatorio, polietileno de alta densidad, polietileno de baja densidad, polietileno lineal de baja densidad y mezclas de ellos.

(0008) La Poliolefina utilizada en el presente invento contiene polipropileno particularmente polipropileno orientado sea o uniaxial o biaxial. La película orientada es estirada por tecnologías convencionales como un proceso de soplado o tenter frame (marco basculante). Estirando la película en una dirección trae como resultado una película orientada uniaxialmente, mientras que estirando la película en dos direcciones, normalmente direcciones

perpendiculares, trae como resultado una película orientada biaxialmente. La preparación de polipropileno orientado se la consigue de acuerdo a los métodos conocidos en esta técnica y no está dentro del alcance del presente invento. El polipropileno biaxialmente orientado (BOPP) es la lámina utilizada preferentemente. El BOPP utilizado aquí puede ser un polipropileno isotáctico. El grado al cual es estirada la película depende hasta cierto punto al uso final que se le va a dar.

(0009) La metalización de la película de polímero es desarrollada usando técnicas conocidas en el medio. Por ejemplo, la metalización puede ser ejecutada vaporizando un metal en una cámara de vacío bajo un muy alto vacío (un proceso de deposición de vacío) en el cual el metal es evaporado hasta a la capa de la película en la cámara, bajo condiciones de alto vacío. Metales adecuados para metalización incluyen al níquel, cobre, plata, oro, titanio, vanadio, cromo, magnesio, hierro, cobalto, zinc, aluminio, paladio, siendo el preferido aluminio. La película cubierta al vacío que se utiliza en el presente invento es específicamente una película de polímero metalizado, orientado biaxialmente, preferentemente polipropileno metalizado orientado biaxialmente y que contiene aluminio.

(0010) La metalización de una película BOPP por deposición en vacío de una capa muy fina de aluminio provee excelentes propiedades de barrera de luz, oxígeno y vapor de agua. BOPP metalizado tiene muchas cualidades observadas como fortaleza, claridad, superficie brillante, y propiedades de barrera que impiden un impacto negativo de la luz, humedad y oxígeno. Las propiedades mejoradas de barrera reducen el deterioro y posibilitan un incremento de la vida de percha del producto. La capa metalizada puede ser preparada de acuerdo a un método conocido en la técnica. Su preparación no está dentro del alcance de este invento.

(0011) Las capas del empaque del presente invento incluyen al menos una capa exterior, una capa central y una interior. La capa central tiene un lado superior y un fondo, donde la capa exterior es adyacente al lado superior de la capa central y la capa interior es adyacente al fondo de la capa central. Todas las capas son comprimidas juntas para formar un laminado.

(0012) Las capas están compuestas de una polefina, particularmente un polipropileno, más específico un polipropileno orientado biaxialmente. La capa exterior contiene preferentemente un polipropileno orientado biaxialmente transparente, la capa central contiene preferentemente un polipropileno orientado biaxialmente metalizado y la capa interior contiene preferentemente un polipropileno orientado biaxialmente transparente. El polipropileno orientado biaxialmente metalizado de la capa central es preferentemente metalizado con aluminio.

(0013) El espesor de cada capa está entre 40 y 10 micrones, específicamente entre 30 a 15 micrones. Preferentemente, cada capa es de 17 micrones de

espesor y pesa 15,5 gramos por metro cuadrado. El empaque del presente invento tiene un espesor total entre 80 y 20 micrones, específicamente, entre 60 y 30 micrones, más específicamente el empaque tiene un espesor de 51 micrones y pesa 36,5 gramos por metro cuadrado.

(0014) La película del empaque del presente invento cumple con las regulaciones de la FDA para aplicaciones de contacto con alimentos. El empaque está diseñado de tal forma que la capa externa muestra impresa la calidad del alimento como indicación del producto, por ejemplo un logo de ventas, una patente, y una descripción de los ingredientes. La capa interior está en contacto con el contenido del empaque. Correspondientemente el laminado del empaque del presente invento puede tomar cualquier forma incluyendo una funda, bolsa o envoltura. El empaque del presente invento puede ser exhibido colgando el empaque térmico desde un armador o poniéndolo en una percha. El empaque puede ser vendido individualmente o como un todo cuando es empacado en una caja. Adicionalmente el empaque térmico puede usar un adhesivo o cualquier método conocido en el medio para cerrar los filos o abrir el empaque cerrado. Las dimensiones de la muestra de la funda contienen un ancho de alrededor de 4 ¾ de pulgada (120mm +/- 2mm) y teniendo una longitud de 7 1/16 de pulgada (180mm +/- 3mm).

(0015) En una preferencia personalizada, el empaque del presente invento está diseñado como una bolsa para conservar y vender helado. En particular la personalización de la bolsa provee una forma única por la cual los vendedores venden helado tales como los bon bons. Los bombones son helado de forma cilíndrica cubierta de chocolate y tienen un diámetro entre los 25 a 30 mm. Las bolsas que contienen los bombones son almacenadas en temperaturas de congelador hasta que sean vendidas o individualmente o como un todo en una caja embalada. En cualquier caso una vez que el empaque es sacado de temperaturas de congelador, el empaque disipará la temperatura fría desde el interior de éste a una velocidad más lenta, o dicho diferente, retiene temperaturas más frías dentro del empaque por un período de tiempo más largo si se comparan con otros empaques. Como resultado de retener temperaturas más frías dentro del empaque por un período de tiempo largo, la integridad física de los bombones es mantenida por un período de tiempo equivalente después de haber sido expuesta a temperaturas ambientales.

(0016) Las propiedades térmicas del empaque del presente invento de proveer mejor retención de temperatura y disipación menor de aire frío cuando se compara con otros empaques, han sido encontradas inesperadamente por el aplicante. El ejemplo y los ejemplos comparativos explican el presente invento más particularmente, pero estos no lo limitan.

(0017) EJEMPLOS

(0018) Para el propósito de ilustración del presente invento fueron ejecutados test para evaluar qué tan bien el empaque del helado retiene temperaturas en su interior después de haber sido expuesto a temperaturas ambientales. Los datos obtenidos fueron comparados con los otros empaques de helados. Todo empaque de prueba tuvo la forma de una bolsa y contenía la misma cantidad de bon bons. La temperatura interna de cada empaque fue registrada en el tiempo, promediada y comparada en un gráfico. En las siguientes pruebas, los bon bons fueron primero igualados a una temperatura y luego descongelados por 30 minutos en un entorno ambiental. Las temperaturas dentro de cada empaque fueron monitoreadas usando sistemas individuales de monitoreo como equipos de registro de temperatura. Un equipo de registro de temperatura es un registrador T fabricado por 3M. El registrador T es usado a menudo en la industria de alimentos para monitorear embarques sensitivos a la temperatura. El registrador T es un equipo electrónico minutarizado capaz de grabar y almacenar temperaturas sobre un período de tiempo entre -20 y 60 grados centígrados.

(0019) EJEMPLO 1

(0020) Seis bolsas del presente invento fueron almacenadas en un túnel de endurecimiento a una temperatura de -42 grados centígrados por una hora para posibilitar la igualdad de la temperatura. Sistemas individuales de monitoreo de temperatura, registradores T, fueron introducidos en cada bolsa luego de lo cual estas fueron cerradas y re empackadas en cajas conteniendo 24 bolsas cada una. La cada fue almacenada en un frigorífico a -25 grados centígrados por 12 horas. Luego la caja fue sacada y las bolsas de prueba fueron extraídas de la caja. Las bolsas fueron dejadas para que se descongelen por 30 minutos en un entorno ambiental controlable de 20 grados centígrados ± 2 grados. Después del tiempo de descongelación de 30 minutos, los registradores T fueron retirados de las bolsas y la información guardada en ellos fue descargada, promediada y diagramada. Los resultados son mostrados en el gráfico de la figura 1.

(0021) EJEMPLO COMPARATIVO 2

(0022) El ejemplo 1 fue repetido con la diferencia de que fue utilizado un segundo material de empaque. El segundo material de empaque contiene una funda de polipropileno orientada biaxialmente y de color perlado. La funda contenía dos capas de material de calidad alimenticia. Una capa es polipropileno orientado biaxialmente y color perlado y tenía un espesor de 30 micrones y pesaba 21 gramos por metro cuadrado. La segunda capa es un polipropileno orientado biaxialmente transparente con un espesor de 25 micrones y un peso de 22 gramos por metros cuadrados. El empaque del ejemplo 2 tenía un peso total de 43,8 gramos por metro cuadrado y un espesor total de 55 micrones. Los resultados son mostrados en el gráfico de la figura 1.

(0023) EJEMPLO COMPARATIVO 3

(0024) El ejemplo 1 fue repetido con la diferencia de que fue utilizado un tercer material de empaque. El tercer material de empaque contenía una capa de polipropileno orientado biaxialmente transparente de calidad alimenticia. El empaque tenía 25 micrones de espesor y pesaba 22.8 gramos por metro cuadrado. Los resultados son mostrados en el gráfico de la figura 1.

(0025) El tiempo 0 fue calibrado a menos 17 grados centígrados +/- menos 0,2 grados centígrados lo cual fue dos minutos en el proceso de descongelamiento. Ejemplos comparativos 2 y 3 ganaron calor a una velocidad más acelerada comparada con el empaque del presente invento, ejemplo 1. Por ejemplo, una diferencia de temperatura de alrededor de 4 grados centígrados es mostrada a los 15 minutos y 8 grados centígrados a los 45 minutos entre el ejemplo 1 y los ejemplos comparativos 2 y 3.

(0026) El empaque del ejemplo 1 mostró una diferencia de 33 % de mejores propiedades térmicas a los 15 minutos y 52 % a los 30 minutos comparado con el empaque de los ejemplos comparativos 2 y 3. El empaque del ejemplo 1 mostró retención de baja temperatura por un período de tiempo más largo que los ejemplos comparativos. Con una retención de temperatura fría más larga en el transcurso del tiempo, el helado almacenado en el empaque del presente invento tiene mejores propiedades físicas, químicas y organolépticas.

REIVINDICACIONES

1. Un empaque laminado térmico adecuado para retener temperaturas frías en su interior y mantener integridad del producto contiene: una capa externa, siendo dicha capa externa un polipropileno orientado biaxialmente; y una capa central, siendo dicha capa central un polipropileno metalizado, teniendo dicha capa central un lado superior y un fondo, siendo el lado superior de dicha capa central adyacente a la capa externa.
2. El empaque de helado de la reivindicación 1 adicionalmente contiene una capa interior, siendo dicha capa interior un polipropileno, siendo dicha capa interior adyacente al fondo la mencionada capa central.
3. El empaque de la reivindicación 2, donde el polipropileno de la mencionada capa interior es polipropileno biaxial orientado.
4. El empaque de la reivindicación 1, donde dicho polipropileno metalizado es polipropileno orientado biaxialmente conteniendo aluminio.

5. El empaque de la reivindicación 1, donde dicha capa exterior tiene 17 micrones de espesor, siendo que la capa central tiene 17 micrones de espesor, proveyendo así, un espesor combinado de dicha capa exterior e interior de 34 micrones.
6. El empaque de la reivindicación 2, donde dicha capa interior tiene un espesor de 17 micrones.
7. El empaque de la reivindicación 2 tiene un espesor de 51 micrones.
8. Un empaque de helado que retiene temperaturas frías dentro del mismo por un período de tiempo contiene: una capa exterior, dicha capa es un polipropileno; una capa central, dicha capa central es un polipropileno metalizado orientado biaxialmente, dicha capa central tiene un lado superior y un fondo, dicho lado superior de la mencionada capa central es adyacente a la capa exterior; y una capa interior, siendo dicha capa interior un polipropileno, siendo dicha capa interior adyacente al fondo de la mencionada capa central.
9. El empaque de la reivindicación 8, en donde dicha capa exterior está formada de un polipropileno transparente orientado biaxialmente y dicha capa interior está formada de un polipropileno transparente orientado biaxialmente.
10. El empaque de la reivindicación 8, en donde el mencionado polipropileno metalizado orientado biaxialmente contiene aluminio.
11. El empaque de la reivindicación 8, en donde la mencionada capa exterior tiene un espesor de 17 micrones, la mencionada capa central tiene un espesor de 17 micrones y la mencionada capa interior tiene 172 micrones.
12. El empaque de la reivindicación 8 tiene un espesor de 51 micrones.
13. Un método para vender productos de helado comprende; el proveer un empaque térmico para conservar el helado, un empaque térmico capaz de retener temperaturas dentro del mismo por un período largo de tiempo, el empaque que contiene una capa exterior, siendo dicha capa exterior un polipropileno, una capa central, siendo dicha capa central un polipropileno metalizado orientado biaxialmente, teniendo dicha capa central un lado superior y un fondo, siendo el mencionado lado superior de dicha capa central adyacente a la capa exterior y a la capa interior, siendo dicha capa interior un polipropileno, siendo dicha capa interior adyacente al fondo de la mencionada capa central; insertando el mencionado producto de helado en el empaque;

sellando el empaque que contiene el helado; y exhibiendo dicho empaque que contiene helado para la compra del cliente.

14. El método del número 13 en donde la mencionada capa exterior es un polipropileno transparente orientado biaxialmente, la capa central es un polipropileno metalizado orientado biaxialmente que contiene aluminio, y la capa interior es un polipropileno.
15. El método del número 14 en donde dicho polipropileno de la mencionada capa interior es un polipropileno transparente orientado biaxialmente.
16. El método del número 13 en donde el mencionado helado son bonbons.
17. El método del número 13 en donde el mencionado empaque tiene un espesor de alrededor de 51 micrones.
18. El método del número 13 en donde la capa exterior tienen un espesor de 17 micrones, la mencionada capa central tiene un espesor de 17 micrones y la mencionada capa interior tiene un espesor de 17 micrones.
19. El método del número 13 en donde el empaque es exhibido individualmente para la venta.
20. El método del número 13 en donde el empaque es exhibido como una unidad empacada en cartón para la venta.

RESUMEN DE LA INVENCION

El empaque de helado del presente invento es un empaque laminado térmico capaz de retener temperaturas más frías dentro del mismo por un mayor período de tiempo.

La utilización del empaque del presente invento, le permite al helado retener las mejores propiedades físicas, químicas y organolépticas. El empaque se compone de capas de olefinas, tales como un polipropileno incluyendo un polipropileno orientado biaxialmente. Una de las capas contiene un polipropileno metalizado orientado biaxialmente que contiene aluminio. El presente invento también provee un método de vender helado usando el empaque del presente invento.

12

REPUBLICA DEL ECUADOR
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SEGUNDA

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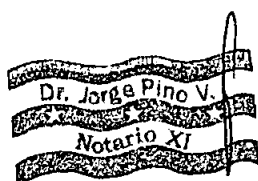
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OFICINA DE PATENTES Y MARCAS DEL DEPARTAMENTO DE COMERCIO
DE LOS ESTADOS UNIDOS (UNITED STATES DEPARTMENT OF
COMERCE) . -

Dr. Jorge Pino Vernaza

Guayaquil, 30 de Diciembre del 2008. N O T A R I O



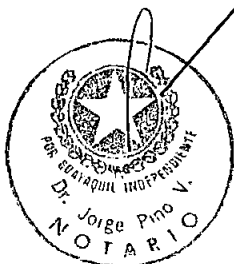
DR. JORGE PINO VERNAZA



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CUANTIA: INDETERMINADA.-----





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6. the thirteenth of October, 2008

7. by Assistant Authentication Officer, United States Department of State

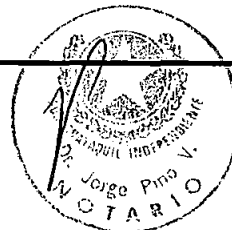
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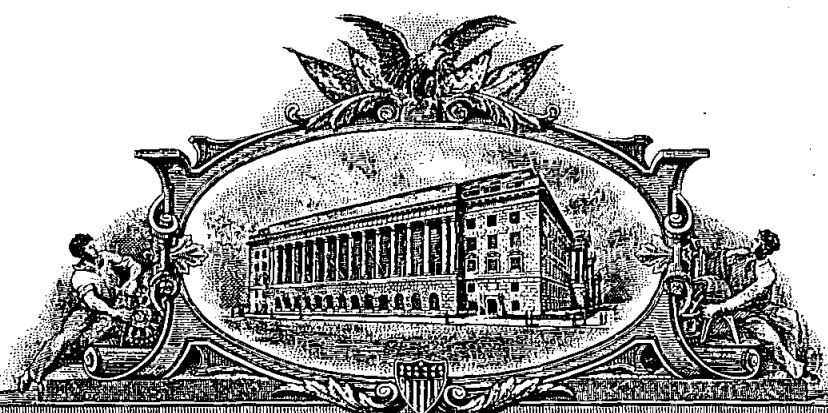
10. Signature:

Fernesia T. Crawford

Fernesia T. Crawford



1718929



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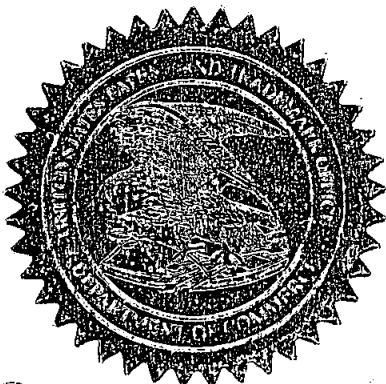
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APPLICATION 11/928,809

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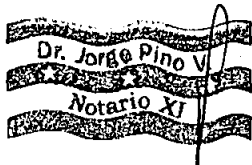
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6



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE RECD	ATTY DOCKET NO	TOT CLAIMS	IND CLAIMS
11/928,809	10/30/2007	1794	435	SOL11.002	20	3

CONFIRMATION NO. 7863

63973
KEITH D. NOWAK
CARTER LEDYARD & MILBURN LLP
2 WALL STREET
NEW YORK, NY 10005

FILING RECEIPT



OC000000026903320

Date Mailed: 11/29/2007

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.**

Applicant(s)

Gino Kronfle, Guayas, ECUADOR;

Power of Attorney: The patent practitioners associated with Customer Number 63973

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 11/26/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 11/928,809**

Projected Publication Date: 04/30/2009

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****



Title

ICE CREAM PACKAGING

Preliminary Class

428

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Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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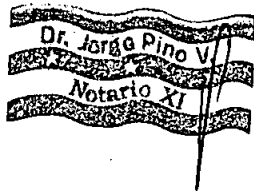
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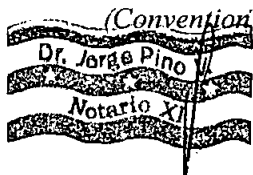
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6. the thirteenth of October, 2008

7. by Assistant Authentication Officer, United States Department of State

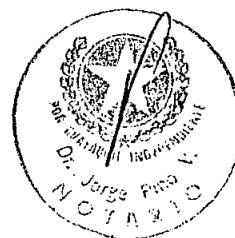
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Fernesia T. Crawford

Fernesia T. Crawford



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APPLICATION NUMBER: 11/928,809

FILING DATE: October 30, 2007

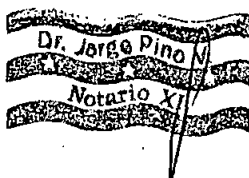
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PTO/SB/05 (07-07)

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	SOL11.002
First Inventor	Gino Kronfle
Title	ICE CREAM PACKAGING
Express Mail Label No.	n/a EFS filing

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ **Fee Transmittal Form** (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ **Applicant claims small entity status.**
See 37 CFR 1.27.
3. ☒ **Specification** [Total Pages 11]
Both the claims and abstract must start on a new page
(For information on the preferred arrangement, see MPEP 608.01(a))
4. ☒ **Drawing(s)** (35 U.S.C. 113) [Total Sheets 1]
5. **Oath or Declaration** [Total Sheets 1]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ A copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ **Application Data Sheet.** See 37 CFR 1.76
7. ☐ **CD-ROM or CD-R** in duplicate, large table or
Computer Program (Appendix)
☐ Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission**
(if applicable, items a. - c. are required)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ADDRESS TO:Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450**ACCOMPANYING APPLICATION PARTS**

9. ☐ **Assignment Papers** (cover sheet & document(s))
Name of Assignee _____
10. ☐ **37 CFR 3.73(b) Statement** ☒ **Power of Attorney**
(when there is an assignee)
11. ☐ **English Translation Document** (if applicable)
12. ☐ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
☐ Copies of citations attached
13. ☐ **Preliminary Amendment**
14. ☐ **Return Receipt Postcard** (MPEP 503)
(Should be specifically itemized)
15. ☐ **Certified Copy of Priority Document(s)**
(if foreign priority is claimed)
16. ☐ **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or equivalent.
17. ☐ **Other:** _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner: _____ Art Unit: _____

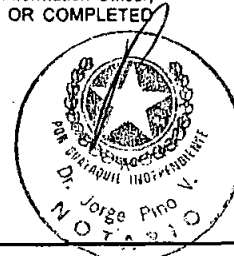
19. CORRESPONDENCE ADDRESS☒ The address associated with Customer Number: 63973 OR ☐ Correspondence address below

Name					
Address					
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Signature			Date	2007-10-30	
Name (Print/Type)	Keith D. Nowak		Registration No. (Attorney/Agent)	27367	

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	ICE CREAM PACKAGING
-----------------------	---------------------

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or
☐ Application No. _____ filed on _____
☐ As amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

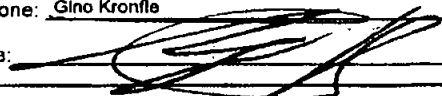
I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

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FULL NAME OF INVENTOR(S)	
Inventor one: <u>Gino Kronfle</u>	Date: <u>Oct. 10 - 07</u>
Signature: 	Citizen of: <u>Ecuador</u>
Inventor two: _____	Date: _____
Signature: _____	Citizen of: _____
☐ Additional Inventors or a legal representative are being named on _____ additional form(s) attached hereto.	

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EFS ID:

Notario XN

2395612

Application Number:

11928809

International Application Number:

Confirmation Number:

7863

Title of Invention:

ICE CREAM PACKAGING

First Named Inventor/Applicant Name:

Gino Kronfle

Customer Number:

63973

Filer:

Keith D. Nowak/Claudia Chavez

Filer Authorized By:

Keith D. Nowak

Attorney Docket Number:

SOL11.002

Receipt Date:

30-OCT-2007

Filing Date:

Time Stamp:

16:43:03

Application Type:

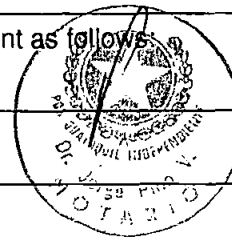
Utility under 35 USC 111(a)

Payment information:

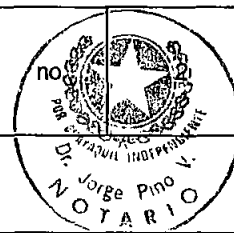
Submitted with Payment	yes
Payment was successfully received in RAM	\$435
RAM confirmation Number	2675
Deposit Account	502499

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File Listing:



Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Specification	SOL11002Specification.pdf	40712 a8a87112cc6776548ef1b5ae1794278c5 6092739	no	7
Warnings:					
Information:					
2	Claims	SOL11002Claims.pdf	14981 1e31c3c1435835699ebda51ea5ec511 02d1a9418	no	3
Warnings:					
Information:					
3	Abstract	SOL11002Abstract.pdf	8684 461d00a030023ebb6e0dd4a8da40e48 72104b75	no	1
Warnings:					
Information:					
4	Drawings-only black and white line drawings	SOL11002Figure.pdf	8524 7233cc4cf145c19d945786955174866b d1e73107	no	1
Warnings:					
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5	Application Data Sheet	SOL11002ads.pdf	1411548 f3ba5bec9cb0e54d4efe477e2b3ab85b 1d747a1	no	4
Warnings:					
Information:					
6	Transmittal of New Application	SOL11002Transmittal.pdf	59025 cb80578bb82296c0ab1f994077659c126 305d8c0	no	1
Warnings:					
Information:					
7	Oath or Declaration filed	SOL11002Declaration.pdf	60796 1813531337c4c2868ee6654e988cc7e 0955ad05	no	1
Warnings:					
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8	Power of Attorney	SOL11002Power.pdf	44230 87bd5f38aa500241d8e7db8b5fab32b3f c505833	no	1
Warnings:					
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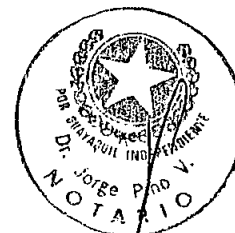
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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	SOL11.002
		Application Number	
Title of Invention	ICE CREAM PACKAGING		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

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☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
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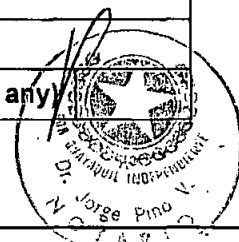
Applicant 1					Remove
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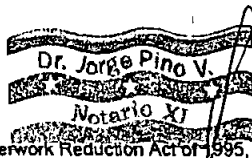
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Application Information:

Title of the Invention	ICE CREAM PACKAGING		
Attorney Docket Number	SOL11.002	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	1	Suggested Figure for Publication (if any)	





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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	SOL11.002
		Application Number	
Title of Invention	ICE CREAM PACKAGING		

Publication Information:

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☐ C. 122(b) and certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

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Prior Application Status		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
Additional Domestic Benefit/National Stage Data may be generated within this form selecting the Add button.			

Foreign Priority Information:

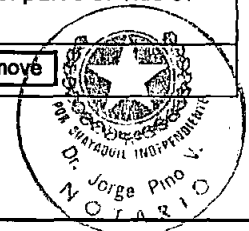
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Application Number	Country ⁱ	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	SOL11.002
		Application Number	
Title of Invention	ICE CREAM PACKAGING		

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Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature	/Keith D. Nowak/			Date (YYYY-MM-DD)	2007-10-30
First Name	Keith D.	Last Name	Nowak	Registration Number	27367

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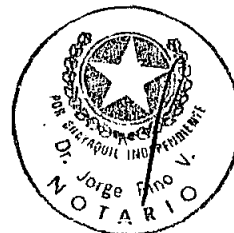
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TITLE OF THE INVENTION

ICE CREAM PACKAGING

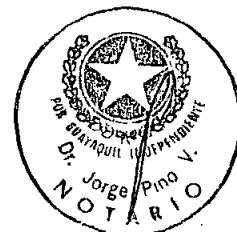
FIELD OF THE INVENTION

[0001] The present invention relates to food packaging; specifically, to a food packaging having thermal properties suitable for retaining cooler temperatures within the packaging for extended periods of time.

BACKGROUND OF THE INVENTION

[0002] Technological advancements in the area of food preservation have allowed consumers to extend the quality, life, and physical integrity of foods. Such technologies have also increased the ability of consumers to control when they consume food instead of forfeiting such control to the natural expiration of foods. One area that has been privy to technological advancements is the area of food packaging. Developments in food packaging have been aggressive, however modern packaging has provided limited advancements in the area of frozen novelties such as ice creams.

[0003] Frozen novelties such as bon bons, popsicles, ice cream sandwiches, etc. must be enjoyed immediately, once out of the freezer. Warm temperatures cause ice cream to melt, drip, and decrease in physical integrity rapidly. At present, ice cream packaging has not provided thermal properties that allow the retention of cool temperatures once outside a freezer setting for extended periods of time. An ice cream packaging is desired that preserves frozen novelties for an extended period of time once exposed to ambient environments. An ice cream packaging is also desired that would enable vendors to sell ice cream in a unique manner. Use of the present invention can serve to increase ice cream sales due to the retention of lower temperatures by the packaging and the influence of such lower temperatures on the ice cream's physical integrity for a longer period of time than is currently available.





BRIEF SUMMARY OF THE INVENTION

[0004] The present invention is an ice cream packaging having thermal properties. The packaging is suitable for retaining cooler temperatures within the packaging for an extended period of time and maintaining the ice cream's physical integrity once exposed to the ambient environment. The packaging can be formed as a flexible laminate bag. The bag is comprised of layers of varied forms of polyolefins. The polyolefins can be transparent or metallized and may also be oriented. The present invention further envisions a method for vending ice cream products using the packaging of the present invention. The packaging retains cool temperatures for an extended period of time once outside the freezer. As a result, ice cream stored in the present packaging retains organoleptic properties and physical integrity for a period of time after exposure to ambient environment. Particularly, the flexible laminate packaging is useful for retaining and vending ice creams such as bon bons.

BRIEF DESCRIPTION OF THE DRAWING

[0005] FIG. 1 is a graph showing the results of a comparative thawing test conducted on the packaging according to Example 1 of the present invention in comparison with the packaging according to Comparative Example 2 and Comparative Example 3.

DETAILED DESCRIPTION OF THE INVENTION

[0006] The present invention is directed to a thermal packaging suitable for retaining frozen novelties. Once exposed to ambient temperatures, the packaging of the present invention retains cooler temperatures within the packaging for an extended period of time when compared to other packaging used to store ice cream. By retaining internal temperatures for an extended time period, the physical integrity of the ice cream is also maintained for a period of time that is longer than usual. The present invention is further directed to a method for packaging and vending such frozen novelties.

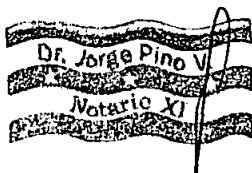


[0007] The packaging of the present invention is a laminate packaging made out of a plurality of layers. The various layers comprise polymeric material and metallized polymeric material. The term polymeric material refers to films made of durable synthetic polymers. The polymeric film may comprise materials such as polyolefins, polystyrenes, polyamides, polyesters, polycarbonates, polyvinyl alcohol, polyurethanes, polyacrylates including copolymers of olefins such as ethylene and propylene, ionomers, and mixtures thereof. Preferably, the polymer film comprises polyolefins. For example, polyolefins may include but are not limited to isotactic polypropylene, syndiotactic polypropylene, metallocene catalyzed isotactic polypropylene, metallocene catalyzed syndiotactic polypropylene, polypropylene (PP) such as oriented polypropylene, ethylene-propylene random copolymer, butene-propylene random copolymer, high density polyethylene, low density polyethylene, linear low density polyethylene and blends thereof.

[0008] Polyolefins of use in the present invention comprise polypropylene particularly oriented polypropylene being either uniaxially or biaxially oriented. The oriented film is stretched by conventional techniques such as tenter frame or a blown process. Stretching the film in one direction results in a uniaxially oriented film, while stretching the film in two directions, usually perpendicular directions, results in a biaxially oriented film. The preparation of oriented polypropylene is accomplished according to methods known in the art and is not within the scope of the present invention. The most preferred film used here is a biaxially oriented polypropylene (BOPP). The BOPP used here may be an isotactic polypropylene. The degree to which the film is stretched depends to some extent on the ultimate use for which the film is intended.

[0009] Metallization of the polymeric film layer is accomplished using techniques known in the art. For example, metallization may be accomplished by vaporizing a metal in a vacuum chamber under very high vacuum (a vacuum deposition process) in which the metal is evaporated to the film layer in a chamber maintained under conditions of high vacuum. Suitable metals for metallization include nickel, copper, silver, gold, titanium, vanadium, chromium, manganese, iron, cobalt, zinc, aluminum, or palladium, the preferred being aluminum. The





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vacuum coated film of use in the present invention is specifically a metallized, biaxially oriented polymeric film, preferably metallized biaxially oriented polypropylene containing aluminum.

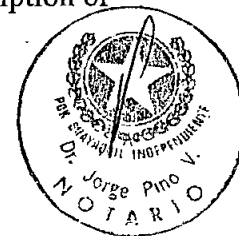
[0010] Metallization of BOPP film by vacuum deposition of a very thin layer of aluminum provides excellent light, oxygen, and water vapor barrier properties. Metallized BOPP has many noted qualities such as strength, clarity, surface gloss, and barrier properties that hinder negative impact from light, moisture, and oxygen. Increased barrier properties reduce deterioration and enables increased shelf life of the product. The metallized layer may be prepared according to any method known in the art. Such preparation is not within the scope of this invention.

[0011] The layers of the packaging of the present invention include at least an outer layer, a core layer, and an inner layer. The core layer has a top side and a bottom side, wherein the outer layer is adjacent the top side of said core layer and the inner layer is adjacent the bottom side of the core layer. All layers are compressed together to form a laminate.

[0012] The layers are composed of an olefin, particularly a polypropylene, more specifically biaxially oriented polypropylene. The outer layer preferably comprises a transparent biaxially oriented polypropylene, the core layer preferably metallized biaxially oriented polypropylene, and the inner layer preferably transparent biaxially oriented polypropylene. The metallized biaxially oriented polypropylene of the core layer is preferably metallized with aluminum.

[0013] The thickness of each layer is about 40 microns to about 10 microns, specifically about 30 microns to about 15 microns. Preferably, each layer is 17 microns thick and weighs 15.5 gr/m². The packaging of the present invention has a total thickness of about 80 microns to about 20 microns, specifically, about 60 microns to about 30 microns, more specifically the packaging is 51 microns thick and weighs 36.5 gr/m².

[0014] The packaging film of the present invention complies with FDA regulations for food contact applications. The packaging is designed so the outer layer bears food grade printed indicia indicative of the product, for instance, a sales logo, a trademark, and a description of



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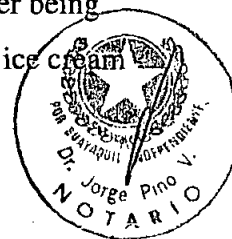
ingredients. The inner layer contacts the contents of the packaging. Accordingly, the laminate packaging of the present invention may take any form including a bag, a pouch, or a wrap. The packaging of the present invention may be displayed by hanging the thermal packaging from a hanger or standing it on a shelf. The packaging may be sold individually or as a unit when packaged in a box. Additionally the thermal packaging of the present invention may use an adhesive or any method known in the art for closing edges and other openings of the packaging closed. Exemplary dimensions of the bag include a width being about 4 3/4" (120 mm +/- 2mm) and having a length of 7 1/16" (180 mm +/- 3 mm).

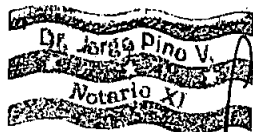
[0015] In a preferred embodiment, the packaging of the present invention is designed as a pouch for retaining and vending ice cream. In particular, the pouch embodiment provides a unique way by which vendors sell ice cream such as bon bons. Bon bons are cylindrical shaped ice cream covered in chocolate having a diameter ranging between 25 to 30 mm. The pouch retaining bon bons are stored in freezer like temperatures until sold either individually or as a packaged box unit. In either case, once the packaging is taken out of freezer-like temperatures, the packaging will dissipate cool temperatures from within the packaging at a slower rate or, stated differently, retain cooler temperatures within the packaging for a longer period of time when compared to other packaging. As a result of retaining cooler temperatures within the packaging for an extended period of time, the physical integrity of the bon bons are maintained for an equivalent period of time after being exposed to ambient temperatures.

[0016] The thermal properties of the packaging of the present invention have been unexpectedly found by the Applicant to provide better temperature retention and lower cold air dissipation when compared to other packaging. The example and comparative examples explain the present invention more particularly, but they do not limit the present invention.

[0017] EXAMPLES

[0018] For the purpose of illustrating the present invention, tests were performed to evaluate how well the ice cream packaging retained temperatures within the packaging after being exposed to ambient temperatures. The data obtained was then compared to other ice cream





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packaging. Each test packaging was formed as a pouch and retained about the same number of bon bons. The internal temperature of each packaging s was recorded over time, averaged, and compared on a graph. In the following tests, the bon bons were first equalized to a temperature and then thawed for 30 minutes in an ambient environment. Temperatures within each packaging were monitored using individual temperature monitoring systems such as temperature logging devices. One such temperature logging device is a T-logger manufactured by 3MTM. The T-logger is often used in the food industry to monitor temperature sensitive shipments. The T-logger is a miniaturized electronic device able to record and store temperatures over a period of time between temperatures ranging between -20 and 60 °C.

[0019] EXAMPLE 1

[0020] Six pouches of the present invention were stored in a hardening tunnel at a temperature of -42°C for one hour in order to equalize temperature. Individual temperature monitoring systems, T-loggers, were introduced into each pouch after which each pouch was closed and repackaged in boxes containing 24 pouches each. The box was stored in a frozen storage room at -25°C for 12 hours. Afterwards, the box was retrieved and the test pouches were extracted from the box. The pouches were left to thaw for 30 minutes in a controlled ambient environment of 20 +/- 2°C. After the thaw time of 30 minutes, the T-loggers were removed from the pouches and the data stored in the T-logger was discharged, averaged, and plotted. The results are shown in the graph of Fig. 1.

[0021] COMPARATIVE EXAMPLE 2

[0022] Example 1 was repeated except that a second packaging material was used. The second packaging material comprised a bi axially oriented pearl colored polypropylene bag. The bag comprised two layers of food grade material. One layer is a bi axially oriented pearl colored polypropylene having a thickness of 30 microns and a weight of 21 gr/m². The second layer is a bi axially oriented transparent polypropylene being 25 microns thick and weighing 22.8 gr/m². The packaging of Example 2 had a total weight of 43.8 gr/m² and total thickness of 55 microns. The results are shown in the graph of Fig. 1.

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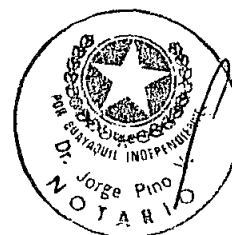


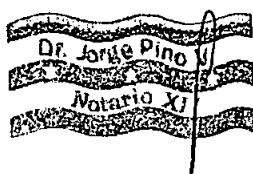
[0023] COMPARATIVE EXAMPLE 3

[0024] Example 1 was repeated except that a third packaging material was used. The third packaging material comprised one layer of food grade, bi axially oriented transparent polypropylene. The packaging was 25 microns thickness and weighed 22.8 gr/m^2 . The results are shown in the graph of Fig. 1.

[0025] Time zero was set at $-17^{\circ}\text{C} \pm -0.2^{\circ}\text{C}$ which was two minutes into the thawing process. Comparative examples 2 and 3 gained heat at a much accelerated rate as compared to the packaging of the present invention, example 1. For instance, a temperature differential of about 4°C is exhibited at 15 minutes and 8°C at 45 minutes between example 1 and comparative examples 2 and 3.

[0026] The packaging of Example 1 showed a differential of 33% better thermal properties at 15 minutes and 52% at 30 minutes as compared to the packaging of comparative Examples 2 and 3. The packaging of Example 1 shows retention of low temperatures for a longer period of time than the comparative examples. With a longer retention of cool temperatures over time, the ice cream stored in the packaging of the present invention has better physical, chemical, and organoleptic properties.





CLAIMS

1. A thermal laminate packaging suitable for retaining cool temperatures within the packaging and maintaining product integrity comprising:
 - an outer layer, said outer layer being a bi axially oriented polypropylene; and
 - a core layer, said core layer being a metallized polypropylene, said core layer having a top side and a bottom side, said top side of said core layer being adjacent the outer layer.
2. The ice cream packaging of claim 1 further comprising an inner layer, said inner layer being a polypropylene, said inner layer being adjacent the bottom side of said core layer.
3. The packaging of claim 2, wherein the polypropylene of said inner layer is bi axially oriented polypropylene.
4. The packaging of claim 1, wherein said metallized polypropylene is bi axially oriented polypropylene containing aluminum.
5. The packaging of claim 1, wherein said outer layer is 17 microns thick, said core layer is 17 microns thick, thus providing a combined thickness of said outer layer and said inner layer of 34 microns.
6. The packaging of claim 2, wherein said inner layer has a thickness of 17 microns.
7. The packaging of claim 2 having a thickness of 51 microns.
8. An ice cream packaging retaining cool temperatures within the packaging for a period of time comprising:
 - an outer layer, said outer layer being a polypropylene;
 - a core layer, said core layer being a metallized bi axially oriented polypropylene, said core layer having a top side and a bottom side, said top side of said core layer being adjacent to the outer layer; and

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an inner layer, said inner layer being a polypropylene, said inner layer being adjacent to the bottom side of said core layer.

9. The packaging of claim 8, wherein said outer layer is formed of a transparent bi axially oriented polypropylene and said inner layer is formed of a transparent bi axially oriented polypropylene.

10. The packaging of claim 8, wherein said metallized bi axially oriented polypropylene contains aluminum.

11. The packaging of claim 8, wherein said outer layer has a thickness of 17 microns, said core layer has a thickness of 17 microns, and said inner layer has a thickness of 17 microns.

12. The packaging of claim 8 having a thickness of 51 microns.

13. A method of vending an ice cream products comprising;

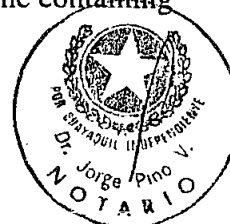
providing a thermal packaging for retaining ice cream, the thermal packaging capable of retaining temperatures within the packaging for an extended period of time, the packaging comprising an outer layer, said outer layer being a polypropylene, a core layer, said core layer being a metallized bi axially oriented polypropylene, said core layer having a top side and a bottom side, said top side of said core layer being adjacent to the outer layer, and an inner layer, said inner layer being a polypropylene, said inner layer being adjacent to the bottom side of said core layer;

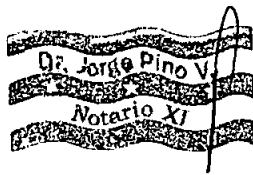
inserting said ice cream product in the packaging;

sealing the packaging retaining the ice cream; and

displaying said packaging containing the ice cream for customer purchasing.

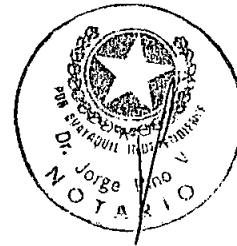
14. The method of 13 wherein said outer layer is transparent bi axially oriented polypropylene, the core layer is metallized bi axially oriented polypropylene containing aluminum, and the inner layer is a polypropylene.





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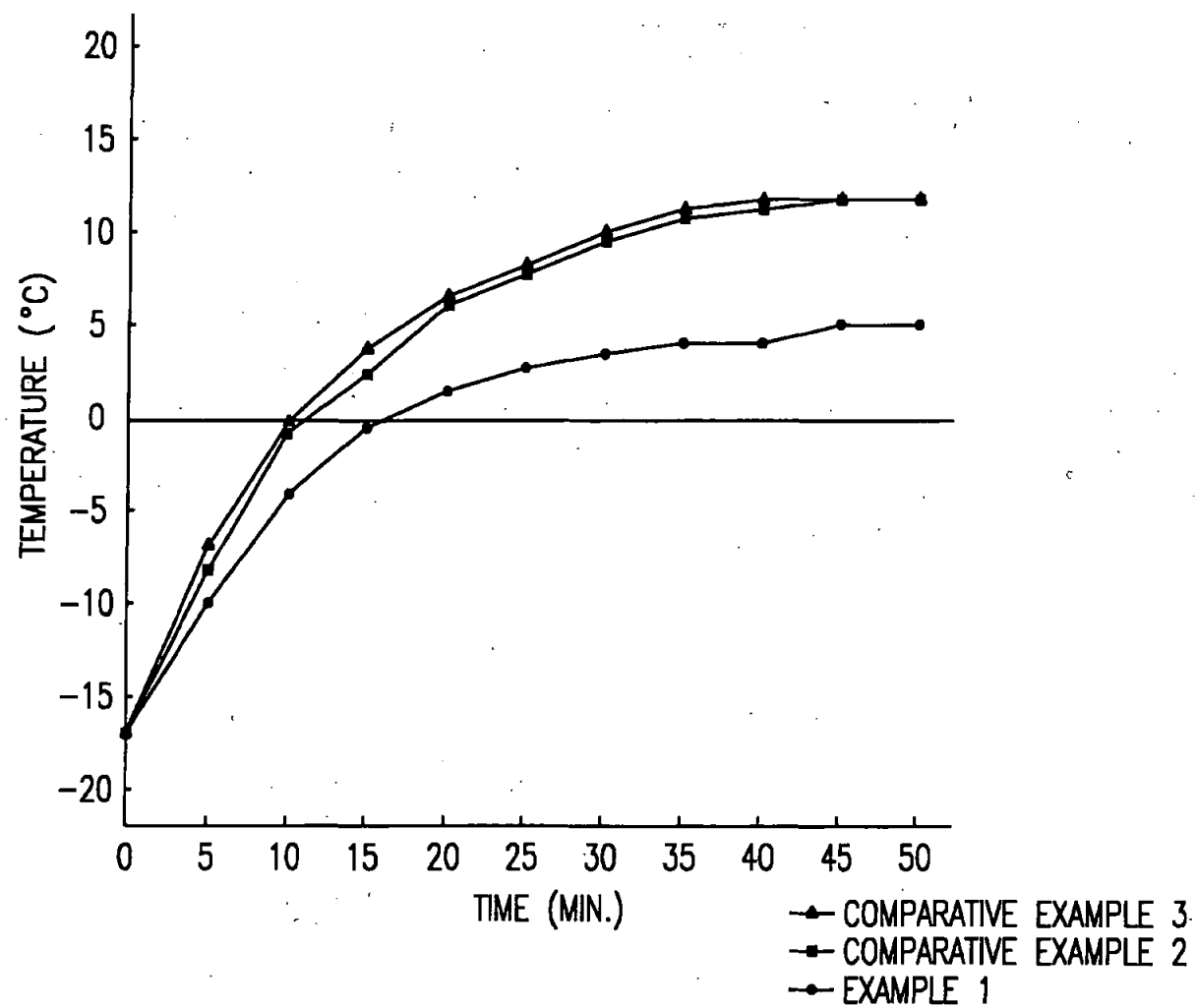
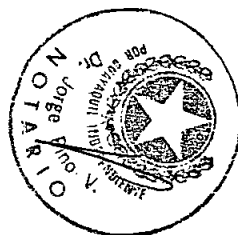
15. The method of 14 wherein said polypropylene of said inner layer is transparent bi axially oriented polypropylene.
16. The method of 13 wherein said ice cream are bon bons.
17. The method of 13 wherein said packaging is about 51 microns thick.
18. The method of 13 wherein said outer layer has a thickness of 17 microns, said core layer has a thickness of 17 microns, and said inner layer has a thickness of 17 microns.
19. The method of 13 wherein the packaging is displayed individually for sale.
20. The method of 13 wherein the packaging is displayed as a packaged boxed unit for sale.



ABSTRACT OF THE DISCLOSURE

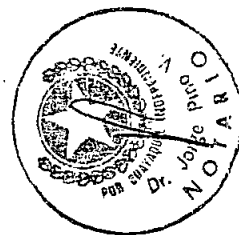
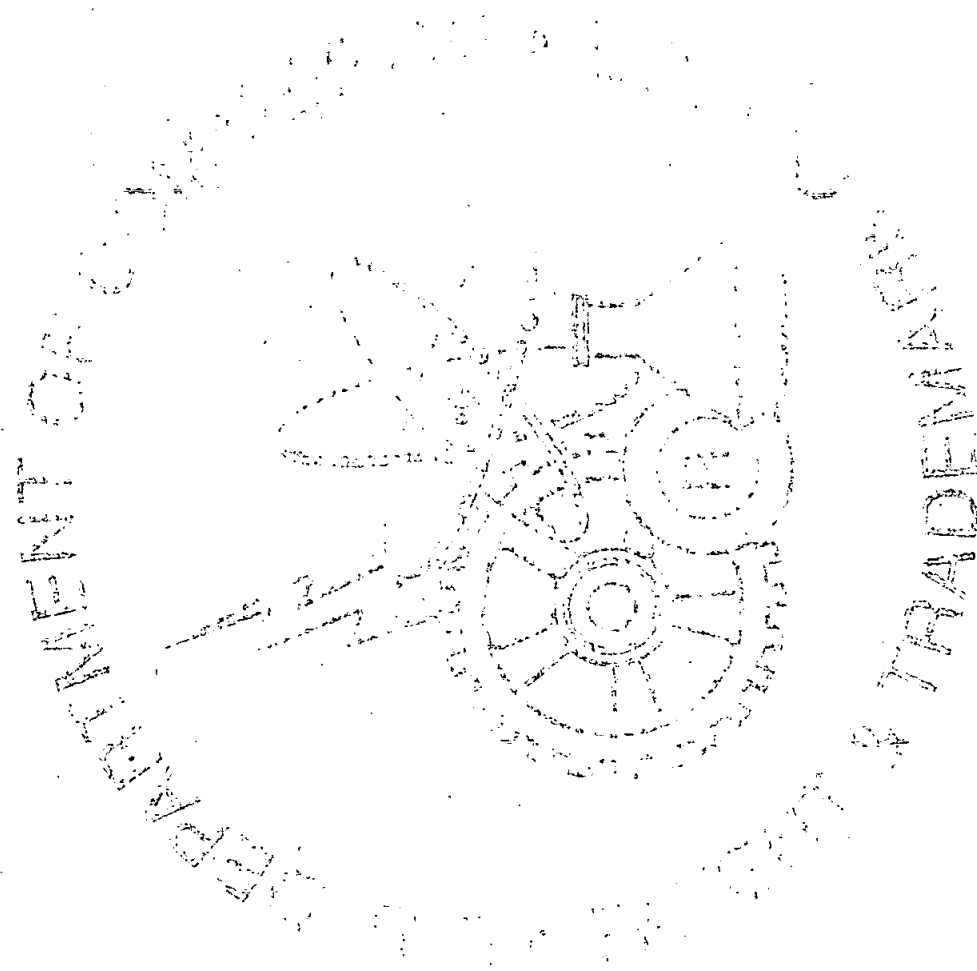
The ice cream packaging of the present invention is a laminate thermal packaging capable of retaining cooler temperatures within the packaging for an extended period of time. Use of the packaging of the present invention, permits the ice cream to retain better physical, chemical and organoleptic properties. The packaging comprises layers of olefins, such as a polypropylene including a bi axially oriented polypropylene. One of the layers comprises a metallized bi axially oriented polypropylene containing aluminum. The present invention also provides a method of vending ice cream using the packaging of the present invention.

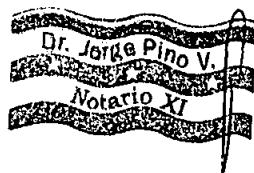




Dr. Jorge Pino
Notario XI

2





Especialistas en Derecho de Propiedad Intelectual
y Negocios Internacionales

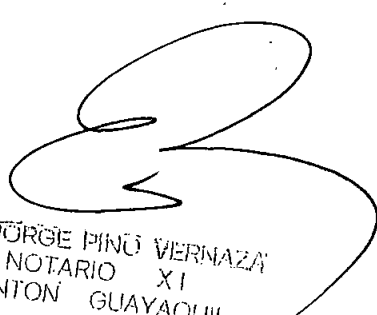
Señor Notario del cantón Guayaquil.-

En virtud de lo dispuesto en el Art. 18 de la Ley Notarial, solicito se sirva protocolizar las solicitudes de patentes No. 11/928,809 del 29 de noviembre de 2007 y del 30 de octubre de 2007 de la patente de la invención "ICE CREAM PACKAGING", tramitadas ante la Oficina de Patentes y Marcas del Departamento de Comercio de los Estados Unidos (United States Department of Commerce).

Atentamente,

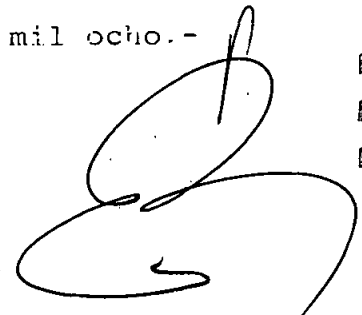
Ab. Nadia Molina Camacho
Reg. 11.457 - C.A.G.

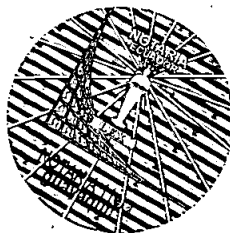
DILIGENCIA DE PROTOCOLIZACION: Vista la solicitud que antecede y por cuanto está de acuerdo con lo que señala el artículo dieciocho, numeral segundo de la Ley Notarial vigente, procedo a protocolizar los documentos que anteceden.- Guayaquil, 31 de Diciembre del dos mil ocho.-


DR. JORGE PINO VERNAZA
NOTARIO XI
CANTON GUAYAQUIL



Es fiel fotocopia de su original, que consta en el Protocolo de Escrituras Públicas, que esta a mi cargo, y en fe de ello confiero este SEGUNDO TESTIMONIO, en diecisiete fojas útiles, que sello y firmo en la ciudad de Guayaquil, a los treinta y un días del mes de Diciembre del dos mil ocho.-


DR. JORGE PINO VERNAZA
NOTARIO XI
CANTON GUAYAQUIL





REPÚBLICA DEL ECUADOR
MINISTERIO DE RELACIONES EXTERIORES,
COMERCIO E INTEGRACIÓN

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

Pais: **Ecuador**

Country:

El presente documento público

This public document

2. Ha sido suscrito por: **PINO VERNAZA JORGE DR**

Has been signed by:

3. Actuando en calidad de: **NOTARIO**

Acting in the capacity of:

4. Llevando el sello/timbre de: **NOTARIA DECIMO-PRIMERA DE GUAYAQUIL**

Bears the seal/stamp of:

Certificado

Certified

5. En: **Guayaquil**

6. El: **7/Enero/2009**

At:

Date:

7. Por: **Fernando Chilán Rivera**

By: **CANCILLER 2**

8. No.: **21496433**

APOSTILL 1496433

No.:

9. Sello/Timbre.:

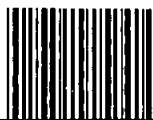
Seal/stamp:

9. Firma:

Signature:



0 USD 10 USD 10 USD 10 USD 10 USD 10 USD 10 USD 10 USD 10 USD 10 USD





DECALOGO DEL NOTARIO

- 1.- *Honra tu ministerio*
- 2.- *Abstente, si la más leve duda opaca
la transparencia de tu actuación*
- 3.- *Rinde culto a la verdad*
- 4.- *Obra con prudencia*
- 5.- *Estudia con pasión*
- 6.- *Asesora con lealtad*
- 7.- *Inspírate en la equidad*
- 8.- *Cíñete a la ley*
- 9.- *Ejerce con dignidad*
10. *Recuerda que tu misión es
“evitar contienda entre los hombres”*

Ponencia de la Delegación Ecuatoriana, aprobada por aclamación, en la sesión plenaria del VIII Congreso de la Unión Internacional del Notariado Latino, celebrado en México. en Octubre de 1.965

Autor de la redacción el Ilustre Notario de Guayaquil Doctor Jorge Jara Grau

DR. JORGE PINO VERNAZA

Notario XI del Cantón Guayaquil

Quisquis 1502 y Tulcán Piso 4

Telfs: 2280172 - 2292064 - 2294940 - 2294184 • Fax: 2281911

E-mail: jpino@miwebworks.com

P.O. Box 1116 • Telex: 3623-APICAZ ED

Adherente Individual de la Unión Internacional del Notariado Latino



2020
Bogotá D.C.,

Doctor(a)
RAISBECK J. IAN
Apoderado(a) y/o Representante de
KRONFLE DI PUGLIA GINO

REFERENCIA	Radicación No. 8 116360
	Trámite 2
	Evento 1
	Actuación 416
	Oficio No. 9624
	Folios 1

Teniendo en cuenta que la solicitud de privilegio de patente que se tramita bajo el expediente indicado en la referencia, reúne los requisitos de forma establecidos en los artículos 26 y 27 de la Decisión 486 de la Comisión de la Comunidad Andina, y en las demás disposiciones vigentes sobre la materia, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial, conforme lo establece el artículo 40 de la misma Decisión.

Siendo manifestación expresa del interesado de efectuar la publicación "inmediato", esta se realizará en la próxima gaceta de Propiedad Industrial.

Cúmplase
Dado en Bogotá DC,

10 5 DIC. 2000

ALIX CARMENZA CESPEDES DE VERGEL
Directora de Nuevas Creaciones (c)

jfernand