


Industria y Comercio

SUPERINTENDENCIA

PETITORIO

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



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**FORMULARIO UNICO DE SOLICITUD DE PATENTE
PCT
ENTRADA EN FASE NACIONAL**
SOLICITUD DE:

1

☒ Patente de Invención.

☐ Patente de Modelo de Utilidad.

☐ Capítulo I.

☒ Capítulo II.

2

**SOLICITANTE
(71)**

 Nombre: **SCA HYGIENE PRODUCTS AB**
 sociedad constituida y existente bajo las
 leyes de Suecia.

 Dirección: 405 03 Göteborg,
 Suecia

 Domicilio: Göteborg,
 Suecia

IDENTIFICACIÓN

C.C.

☐

NIT

☐

C.E.

☐

Otro

☐

Cual

Número

3

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O APODERADO**

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IDENTIFICACIÓN

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 Número 438.019 T.P 31.929

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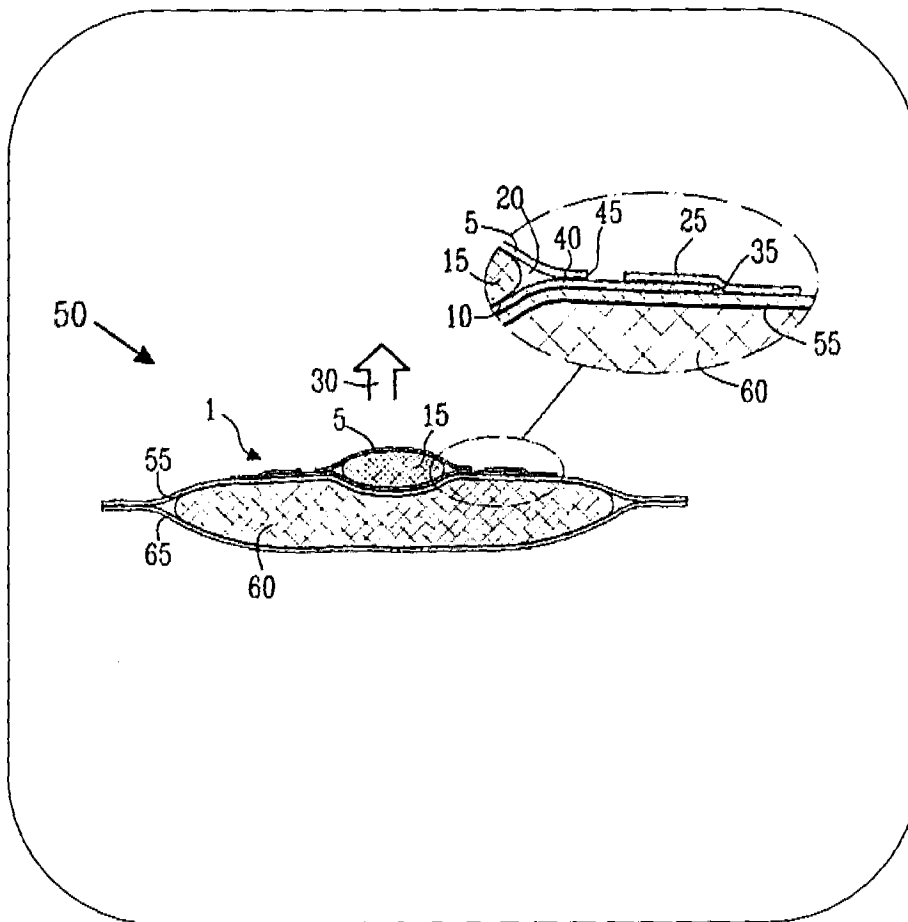
 Fecha: 11 de mayo de 2009
27 de abril de 2009

10

Anexos:

- ☒ Comprobante de pago de la tasa de presentación de la solicitud por \$ 540.000.oo.
- ☒ Comprobante de pago por 18 reivindicaciones adicionales después de la decimoquinta reivindicación por \$450.000.oo.
- ☒ Documento que acredita la existencia y representación legal cuando el solicitante sea persona jurídica.
- ☒ Poderes, si fuere el caso.
- ☒ Documento de cesión del inventor al solicitante o a su causante.
- ☐ Declaraciones.
- ☒ Copia de la solicitud internacional. (Resumen, descripción, reivindicaciones, dibujos)
- ☒ Traducción de la solicitud internacional al castellano. (Resumen, descripción, reivindicaciones, dibujos)
- ☒ Copia del examen preliminar efectuado por la IPEA.
- ☐ Traducción del examen preliminar efectuado por la IPEA.
- ☐ De ser el caso, copia del contrato de acceso.
- ☐ De ser el caso, documento que acredite la licencia o autorización de uso de conocimientos tradicionales de las comunidades indígenas.
- ☐ De ser el caso, certificado de depósito del material biológico.
- ☒ Arte final 12x12
- ☐ De ser el caso, información sobre otras solicitudes de patente o títulos obtenidos en el extranjero por el mismo titular o su causante, relacionadas parcial o totalmente con la invención de esta solicitud.
- ☒ Otros: VER HOJA DE DOCUMENTOS ANEXOS

11

FIGURA CARACTERÍSTICA

12

Solicito la concesión de la patente,

NOMBRE:

EMILIO FERRERO

FIRMA:

C.C. 438.019 de Usaquén T.P. 31.929

\$ 3

DOCUMENTOS ANEXOS

1. ☒ Publicación Internacional WO 2008/054268 A1

Descripción:

Páginas 19 en el idioma original

Páginas 56 en español

Reivindicaciones: Número (s) 33

Figuras: Número (s) 5

2. ☒ **Forma PCT/ISA/210.** Informe de Búsqueda Internacional.

3. ☒ Extracto de publicación.

**NO SE REALIZARON MODIFICACIONES EN
LA FASE INTERNACIONAL**

DEPT. OF JUSTICE
 OFFICE OF THE ATTORNEY GENERAL
 CARRAN, NY 2-35
 ROGUE - COLOMBIA

For patents, utility models, industrial designs
trademarks, commercial names, trade emblems
slogans.

Para patentes, modelos de utilidad, diseños industriales, marcas de fábrica, nombres comerciales, enseñas, lemas comerciales.

REPRESENTATION AND
POWER OF ATTORNEY

of/domicillado (s) en: S-405 03 Goteborg,
SWEDEN

por el presente nombramos a EMILIO FERRERO, tpa. 31929; GONZALO PERDOMO, tpa. 831; LUZ CLEMENCIA DE PAEZ, tpa. 23555 y GERMAN CAVELIER, tpa. 832, domiciliados en la Carrera 4ª N° 72-35, Bogotá, Colombia, en obediencia a lo dispuesto en el párrafo 1º del Artículo 543 del Código de Comercio, el primero como principal y los demás como suplentes, en su orden, como mis (nuestros) representantes en todos los asuntos de propiedad Industrial con facultad para recibir notificaciones y nombrar apoderados judiciales o extrajudiciales. El primer representante suplente reemplazará al principal en caso de ausencia o impedimento temporal o definitivo de aquél. La misma regla se aplicará cuando el segundo representante suplente haya de reemplazar al primero, o el tercero al segundo. En tales casos, el representante principal, o el primero, o segundo suplente, en su caso, o ambos, declararán su intención de no ejercer la representación mediante declaración autenticada por Notario Público en Colombia, o por Notario u otro Funcionario Público, o Cónsul de Colombia, en el extranjero; y si se tratare de impedimento, con el certificado respectivo. Si alguno de los nombrados faltare definitivamente, el siguiente tomará su lugar. Cuando cesare la ausencia o impedimento del representante principal, o de su primero o segundo suplentes, en su caso, podrán ejercer la representación, en su orden, uno u otros según el caso, asumiéndola por el solo hecho de ejercerla, cesando en ese momento el ejercicio de la representación por el primero, segundo o tercer suplente en su caso.

Además, confiero (conferimos) poder a los abogados arriba nombrados, para obtener la protección de mi (nuestra) propiedad industrial y contra la competencia desleal, a cuyo efecto autorizo (amos) a los dichos apoderados para que me (nos) representen ante cualesquiera entidades o personas, ejerzando no jurisdicción, especialmente ante las del orden administrativo, contencioso-administrativo y judicial, así como los tribunales de arbitramento, en todo lo concerniente a los siguientes asuntos: a) Obtención de patentes de invención, modelos de utilidad, y diseños industriales; el registro de marcas de fábrica, colectivas, defensivas, de servicio, lemas comerciales, nombres comerciales, enseñas, variedades vegetales y denominaciones de origen; su renovación, traspaso, cambio de nombre o domicilio, cancelación voluntaria; y el registro de licencias de uso de esos derechos; b) Las acciones de competencia desleal, protección del consumidor, oposiciones u observaciones, cancelación administrativa y judicial, nulidad, medidas cautelares, concesión de licencias, la tutela, la protección de secretos industriales, y en general los juicios civiles, penales, administrativos o contencioso-administrativos relacionados con estos derechos; acciones y procesos que promovamos o se nos promuevan. Y para que en todos los asuntos arriba determinados, puedan sustituir este mandato, transigir, conciliar, admitir los hechos del proceso, desistír, cancelar, recibir, renunciar, y ratificar los actos de agentes oficiosos.

In due compliance with the terms of paragraph 1st. of article 543 of the Commercial Code, do hereby appoint EMILIO FERRERO, tpa. 31929; GONZALO PERDOMO, tpa. 831; LUZ CLEMENCIA DE PAEZ, tpa. 23555 and GERMAN CAVELIER, tpa. 832, domiciled at Carrera 4ª Nª 72-35, Bogotá, Colombia, the first as principal and the others as alternates, in the order of their appointment, as our representatives for all industrial property matters with faculty to receive notifications and to appoint attorneys in and out of Court. The first alternate shall replace the principal in case of his absence or of temporal or definitive impediment. The same rule will apply when the second alternate representative is to replace the first one, or when the third is to replace the first or second alternates in their turn, or both of them, second. In such cases, the principal representative, or the first or second alternates in their turn, or both of them, shall state their intention not to act as representatives through a declaration given before a Notary Public in Colombia, or before a Notary or another Public Official or a Colombian Consul abroad; and in case of impediment, the appropriate certificate shall suffice. If any of the appointees were to be definitely absent, the following alternate shall take his place. When the absence or impediment of the principal representative, or of the first or second alternate in their turn ceases, the representation can be taken again in their sequence, by the principal, the first or second alternate depending on case, and the mere fact or its exercise will suffice. The exercise of the representation by the first, second or third alternates in their turn shall end at such time.

In addition, we grant a Power of Attorney in favor of the above-named attorneys-at-law so that they may obtain the protection of my (our) industrial property and against the unfair competition, for which purpose I (we) authorize the said attorneys to represent me (us) before any authorities or persons, with or without jurisdiction, specially those administrative, administrative contentious and judicial, as well as before Arbitration Court, in all matters concerning the following: a) Obtainment of patents, utility models and industrial designs; the registration of trademarks, collective, defensive and service marks, slogans, commercial names, trade emblems, vegetal varieties and denominations of origin; its renewal, assignment, change of name or domicile, voluntary cancellation; and the registration of licenses of use of the above rights; b) Actions of unfair competition, protection to the consumer, oppositions or observations, administrative or Court cancellation, nullity, infringement, granting of licenses, the action for writ mandamus, the protection of trade secrets, and in general the civil, penal, and administrative suits relating to those rights; actions and suits instituted by me (us) or against me (us). And that in all the above matters they may substitute this Power of Attorney, compromise, conciliate, admit the facts of the case, desist, cancel, give, resign, and ratify acts done by representatives of the above-named industrial property.

Given and signed this/Dado y firmado hoy
Gothenburg 19 February 1999

in/en

Signature

Bengt Forshult
Head of Patent Department

Firma

SCA Hygiene Products AB

© CAVELIER ARCADIOS

No. 3066

El Ministerio de Relaciones Exteriores en Estocolmo por el presente certifica que el Sr. Rickard Ström, Notario Público de Goteborg, ha expedido y firmado la declaración anterior en su capacidad oficial.

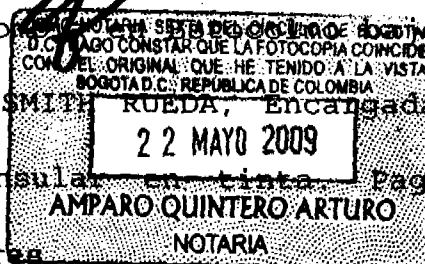
Derechos Estocolmo, 25 de marzo

Kr. 120 PAGADOS de 1999

(Firma ilegible) Inger Högberg. (Sello en tinta) Ministerio de Relaciones Exteriores.

(En español) Certificación de la capacidad legal de Bengt Forshult y de la existencia legal de SCA HYGIENE PRODUCTS AKTIEBOLAG expedida el 5 de marzo 1999 por el Consulado de Colombia en Estocolmo bajo el No. 022. (Firma) M. Smith. MARÍA SMITH RUEDA, Encargada de las Funciones Consulares. Sello consular en tinta. Pagados impuesto de timbre y derechos consulares.

(En español) Certificación de la firma de Inger Högberg, Ministerio de Relaciones Exteriores, Suecia, expedida el 01 de julio de 1999 por el Consulado de Colombia en Estocolmo el No. 001329. (Firma) M. Smith. MARÍA SMITH RUEDA, Encargada de las Funciones Consulares. Sello consular en tinta. Pagados impuesto de timbre y derechos consulares.



(Al anverso) Legalización de la firma que antecede expedida por

COMO NOTARIO SEXTO DEL CIRCULO DE SANTAFE DE BOGOTA, HAGO CONSTAR QUE LA FIRMA(S) DE

[Handwritten signature]

COINCIDE(N) CON LA FIRMA REGISTRADA POR EL (ELLOS) EN ESTA NOTARIA SANTAFE DE BOGOTA.

16 FEB. 2009



COMO NOTARIA SEXTA DEL CIRCULO DE BOGOTA D.C. HAGO CONSTAR QUE LA FOTOCOPIA COINCIDE CON EL ORIGINAL QUE HE TENIDO A LA VISTA BOGOTA D.C. REPUBLICA DE COLOMBIA

22 MAYO 2009

AMPARO QUINTERO ARTURO
NOTARIA

99

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. País: Suecia

El presente documento oficial

2. ha sido firmado por Anne-Marie Bonde

3. en su calidad de Notario Público

4. y lleva el timbre/sello de Notario Público
en Estocolmo

Lo cual se certifica

5. en Estocolmo

6. el 07.04.2009

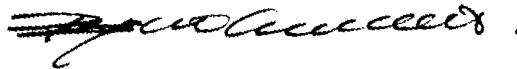
7. por Björn Sandin

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(71) Applicant (for all designated States except US): SCA HY-
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LT, LU, LV, LY, MA, MD, MG, MK, MN, MW, MX, MY,
MZ, NA, NG, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RS,
RU, SC, SD, SE, SG, SK, SL, SM, SV, SY, TJ, TM, TN,
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(72) Inventors; and

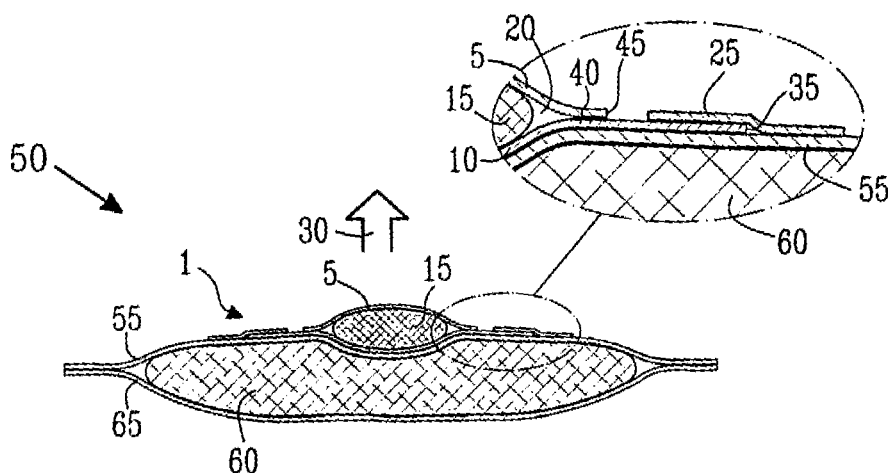
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RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA,
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Published:

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(54) Title: DELIVERY DEVICE



(57) Abstract: The present invention relates to a delivery device for a sanitary article, comprising an encapsulating material with a first layer and a second layer, enclosing an additive in a space formed by these layers of encapsulating material. The delivery device also comprises a third layer, positioned above the second layer of encapsulating material. The third layer extends beyond and thereby covers substantially all of the edges of the second layer of encapsulating material. The third layer may also extend into and throughout the space formed between the first and second layers of encapsulating material that enclose the additive. The third layer thereby protects the user of a product comprising the delivery device from contact with the edges of the second layer of encapsulating material and also provides a means for attaching the delivery device to an article to keep it in place during transport storage and use. The invention also relates to sanitary articles, such as hygiene tissues and absorbent articles, comprising the delivery device.

WO 2008/054268 A1

Delivery device

Technical field

5 The present invention relates to a sanitary article, such as an absorbent article or a hygiene tissue, comprising a delivery device which comprises an additive having a beneficial effect on the skin and/or urogenital area. The invention in particular relates to sanitary articles comprising delivery devices that are convenient to use and does not cause discomfort to the user. A delivery device of the invention also provides means for attaching the delivery device to
10 a sanitary article.

Background art

The urogenital area is a sensitive region with a delicate balance of moisture, fat and
15 microorganisms, which is easily disturbed and which may cause discomfort and smarting. For example, the balance may be disturbed by extensive cleaning, the use of antibiotics or antifungal agents, and the use of absorbent articles that may dry out the skin and mucous membranes. It is known that the administration of different substances to the urogenital area, such as prebiotics, probiotics, skin soothing substances etc., may improve the balance in the
20 urogenital area and/or prevent discomfort.

The urogenital area harbors a complex microbial ecosystem comprising more than 50 different bacterial species (Hill et al., Scand. J. Urol. Nephrol. 1984;86 (suppl.) 23-29). The microbial ecosystem of a healthy individual can be disturbed by the use of antibiotics, during hormonal
25 changes, such as during pregnancy or use of contraceptives with estrogen, during menstruation, after menopause, in people suffering from diabetes etc. Also, microorganisms may spread from the anus to the urogenital area, thereby causing infections. This results in a disturbance of the normal microbial flora and leaves the individual susceptible to microbial infections that cause vaginitis, urinary tract infections and ordinary skin infections. The dominating species in this
30 area for fertile women are lactic acid producing bacteria. Examples of such bacteria include bacteria belonging to the genus *Lactobacillus*, *Lactococcus*, *Bacillus* and *Bifidobacteria*. These lactic acid producing members are important for retaining a healthy microbial flora in these areas, and act as probiotic bacteria with an antagonistic effect against pathogenic microbial species. Lactic acid producing bacteria inhibit growth and colonization by other microorganisms
35 by occupying suitable niches for colonization, by forming biofilms and competing for available nutrients, thereby excluding colonization by harmful microorganisms. Also, the production of hydrogen peroxide, specific inhibiting substances, such as bacteriocines, and organic acids (including lactic acid and acetic acid) that lower the pH, inhibit colonization by other
40 microorganisms.

Similarly to the urogenital area, the skin has a delicate balance of moisture, fat and microorganisms, which is easily disturbed by conditions that dry out the skin and that disturb

It may also be necessary to protect the additives to be delivered from oxidation. E.g. fatty acids may oxidize when in contact with air and become rancid. Other additives, such as aromatic substances and perfume may need to be protected from evaporation. US 2066946 e.g. disclose a sanitary napkin with a sealed envelope comprising an active chemical, wherein the envelope is used to keep the active chemical out of contact with the materials of the sanitary napkin and out of contact with air and vapor during storage.

It may also be desirable to have the additive to be delivered via a sanitary article in a confined area of the product in order to not spread to other parts of the product before and/or during use. When folding and packaging a sanitary article, a sticky additive, such as an additive comprising a hydrophobic substance, may stick to the package or smear over the product in an undesired manner which makes the product look messy or which may impair its function, e.g. by reducing its liquid absorbing properties. In particular, fatty acids and other hydrophobic additives may impair the liquid absorbent properties of absorbent products and therefore need to be protected from being spread over the product during transport and storage. Also, it may be of interest to deliver the additive to a specific body area of a user of the sanitary article. It may thus be preferable to have means for placing and keeping the additive in a position on the sanitary article so that this can be achieved. In addition, as the additives are to be delivered to the skin and/or urogenital area, which are sensitive areas, the means for delivery has to be comfortable to use and not causing discomfort.

Consequently, there is still a need to develop improved ways of delivering additives to the skin and/or urogenital area which protect additives from the surrounding milieu and/or keep them in a confined space, so that it is ensured that these additives are not destroyed during transport and storage and that also ensures that the properties of the sanitary article they are to be delivered via are retained. It is also of utmost importance that the products are user friendly and comfortable to use. Also, it is desirable to provide a sanitary article wherein the delivery device is an integrated part of the sanitary article. Therefore, it is also of interest that the delivery device has means for attaching it to a sanitary article. In addition, there is still a need to develop manufacturing processes that are more efficient and less expensive.

Summary of the invention

The object of the invention is to provide a sanitary article comprising a delivery device, for the delivery of additives. The delivery device is used to keep the additives in a confined space before use of the sanitary article, e.g. to protect the additives from leaking out and impairing the function of a sanitary article and/or protect the additives from the environment during transport and storage. More particularly, the object is to provide a sanitary article comprising a delivery device which is user friendly in that the delivery device does not cause any inconvenience to the user of the delivery device, and that is easier to produce. Another objective is to provide a delivery device that comprises means for attaching the delivery device to a sanitary article comprising it.

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The above defined objects are achieved by the present invention by providing a sanitary article, such as an absorbent article or a hygiene tissue, comprising a delivery device. The delivery device comprises a first layer and a second layer, being defined by first edges and second edges, respectively, of an encapsulating material, forming a space enclosing an additive, the first layer being placed on a user facing side of the delivery device in relation to the second layer. The delivery device also comprises a third layer positioned above the second layer of encapsulating material on a user facing side of the delivery device so that the third layer extends beyond and thereby covers substantially all of the edges of the second layer of encapsulating material. When the delivery device is to be used or is used, the first layer of encapsulating material is removed, such as by peeling the first layer off the product, or by the first layer disintegrating e.g. when in contact with body heat or fluids, thereby exposing the additive. The second layer of encapsulating material remains in the sanitary article during use with its edges covered by the third layer on a user facing side of the delivery device.

Since the third layer of the delivery device is placed above the second layer of encapsulating material on the user facing side of the delivery device and extends over and beyond and thereby covers substantially all of the edges of the second layer of encapsulating material, the user of the delivery device is protected from exposure to these edges which otherwise e.g. may scrape the user of the delivery device causing discomfort.

In addition, the third layer may provide means for attaching the delivery device to a sanitary article comprising it. Thereby the delivery device may be kept in a confined space in the sanitary article comprising it and stays in place during transport, storage and use. The third layer also provides means for attaching the delivery device to a sanitary article without having to attach the delivery device in the vicinity of the enclosed additive, something which otherwise may harm the additive and requires more precision for attachment. The use of the third layer also has advantages in terms of ease and cost of production of delivery devices and sanitary articles comprising it, e.g. as the third layer may provide more than one function at the same time, the third layer e.g. may also be the top sheet of an absorbent article.

Definitions

The term "sanitary article" refers to products that are placed against the skin of the user/wearer to absorb and contain body exudates, like urine, faeces and menstrual fluid, and also to products that are used for cleaning and caring of the skin and the urogenital area and that also can be used to deliver beneficial substances to these areas. The invention mainly refers to disposable sanitary articles, which means articles that are not intended to be laundered or otherwise restored or reused as a sanitary article after use. Examples of disposable sanitary articles include wet wipes, dry wipes, feminine hygiene products, such as sanitary napkins, panty liners, sanitary panties, feminine inserts and tampons; diapers and pant diapers for infants and incontinent adults; incontinence pads; diaper inserts and the like.