

CAVELIER

ABOGADOS

w.cavelier.com
elie@cavelier.com

EDIFICIO SISKI
CARRERA 4 N°
BOGOTÁ 8, CO

Teléfono: (57-1) 347 3611
Telefax: (57-1) 211 8650
BOGOTÁ 8, CO 660

Señora Directora
DIRECCION DE NUEVAS CREACIONES
Superintendencia de Industria y Comercio
E. S. D.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 09-111149-00003-0000

Fecha 2010-02-15 16:42:53 Dep 2020 DIR NUEVAS CR
Tra 11 PATENTE IYI Lve 378 FASE NACIONAL I
Act 444 RESPUESTA REQUE Folios 9

Trámite : 011
Evento : 378
Actuación : 444

Referencia : Expediente No. 09.111.149
Asunto : Solicitud de patente para **ADITAMENTO RESTRICTIVO PARA ATTÍCULO PARA FUMAR SIN FILTRO**
Solicitante : **PHILIP MORRIS PRODUCTS S.A.**
Clase : A24D 001/004, A24F 013/006
Fecha de Solicitud : 07 de octubre de 2009

CONTESTACION OFICIO No. 11602

1. Yo, Luz Clemencia de PAEZ, en mi condición de apoderada de la sociedad solicitante, **PHILIP MORRIS PRODUCTS S.A.**, doy contestación dentro de la prorrogada solicitada al requerimiento efectuado por este Despacho mediante Oficio No. **11602** notificado por fijación en lista el 16 de octubre de 2009, para lo cual presento los siguientes documentos:

1.1. (1) Un documento en que consta la cesión del derecho a la patente efectuado por los seis (6) inventores en favor de la sociedad **PHILIP MORRIS PRODUCTS S.A.**

Se presenta este documento en original, el cual fue debidamente suscrito, notariado y legalizado por Apostille, junto con su correspondiente traducción oficial al español.

2. De acuerdo con lo anterior, comedidamente solicito a Usted proseguir con el trámite de este asunto y ordenar la publicación de la solicitud de la patente identificada en la referencia.

Señora Directora

Luz Clemencia de Paéz
LUZ CLEMENCIA DE PAEZ
T.P.A. No. 23.555

COLO-12770-841-023-9
SDC\SCT\ID-165598\WPC12770
No. M-2010-165598\SDC

APOSTILLE

(Convention de la Haye du 5 Octobre 1961)

Country: United States of America

This public document

has been signed by Bevill M. Dean

acting in the capacity of A Clerk of the Court

bears the seal/stamp of Bevill M. Dean

Commonwealth of Virginia

Certified

at Richmond Virginia

6. On January 26, 2010

by The Secretary of the Commonwealth

No. 2465186-1

Seal/Stamp



10. Signature:

Janet V. Polarek

Secretary of the Commonwealth

N

ASSIGNMENT

nosotros) abajo firmado (s)

liado(s) en

o(amos) bajo juramento ser único(s) y verdadero(s) inventores)

o(amos) así mismo que cedo(emos) y transfiero(erimos), sin
ción, a favor de la sociedad

uida y existente de conformidad con las leyes de

ciliada en

los derechos inherentes a dicha invención y que la citada
añía queda facultada para solicitar en su nombre la patente de
ción correspondiente en la República de Colombia.

I (we), the undersigned

1- San LI

2- Michael S. BRAUNSHTEYN

3- Raquel M. OLEGARIO

4- Rowland W. DWYER

5- Richard JUPE

6- Charles L. GAWORSKI

of

1- 1313 Goswick Ridge Road, Midlothian, VA 23114,
United States of America

2- 2018 Monument Avenue, Richmond, VA 23220,
United States of America

3- 8221 W. Bon View Drive, Richmond, VA 23235,
United States of America

4- 400 Ziontown Road, Richmond, VA 23229, United
States of America

5- 12808 Crimson Court, Richmond, VA 23233,
United States of America

6- 2421 Viburg Court, Midlothian, VA 23113, United
States of America

state(s) under oath to be sole and true inventor(s) of the invention:

RESTRICTOR ATTACHMENT FOR UNFILTERED
SMOKINK ARTICLE

state as well, that assign, without reservations or limitations in favour
of

PHILIP MORRIS PRODUCTS S.A.

a corporation constituted and existing in conformity with the laws of
Switzerland

domiciled in

Quai Jeanrenaud 3, CH-2000 Neuchatel,
Switzerland

all rights inherent to said invention and that the above mentioned
company hereby is enabled to apply, in its name, for the corresponding
patent invention, in the Republic of Colombia

JP

State of Virginia, City of Richmond—ss.:

I, BEVILL M. DEAN, Clerk of the Circuit Court of the City of Richmond, John Marshall Courts Building, in the State of Virginia, the same being a Court of Record, having by law a seal, do hereby certify that Danielle Basl Durham



by whom the foregoing acknowledgment or proof was taken, and whose name is subscribed thereto, at the time of taking the same a Notary Public in and for said City duly commissioned and sworn and authorized by the laws of said State to take the acknowledgment or proof of deeds to be recorded therein, and that I am well acquainted with his handwriting, and verily believe that the signature to the foregoing certificate is genuine; and that I believe the impression of the seal upon the original certificate is genuine.

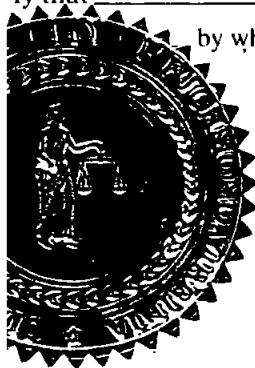
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26 day of January, 2010

Burman Clerk

State of Virginia, City of Richmond—ss.:

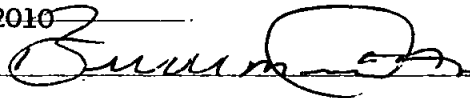
I, BEVILL M. DEAN, Clerk of the Circuit Court of the City of Richmond, John Marshall Courts Building, in the State of Virginia, the same being a Court of Record, having by law a seal, do hereby certify that

Daniel Basl Durham



by whom the foregoing acknowledgment or proof was taken, and whose name is subscribed thereto, at the time of taking the same a Notary Public in and for said City duly commissioned and sworn and authorized by the laws of said State to take the acknowledgment or proof of deeds to be recorded therein, and that I am well acquainted with his handwriting, and verily believe that the signature to the foregoing certificate is genuine; and that I believe the impression of the seal upon the original certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
this 26 day of January, 2010

 Clerk

State of Virginia, City of Richmond—ss.:

I, BEVILL M. DEAN, Clerk of the Circuit Court of the City of Richmond, John Marshall Courts Building, in the State of Virginia, the same being a Court of Record, having by law a seal, do hereby certi-

Danielle Basl Durham



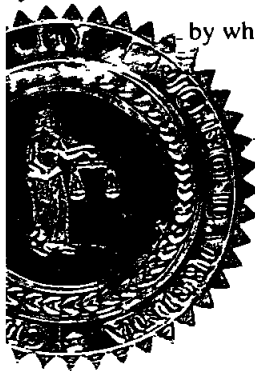
by whom the foregoing acknowledgment or proof was taken, and whose name is subscribed thereto, at the time of taking the same a Notary Public in and for said City duly commissioned and sworn and authorized by the laws of said State to take the acknowledgment or proof of deeds to be recorded therein, and that I am well acquainted with his handwriting, and verily believe that the signature to the foregoing certificate is genuine; and that I believe the impression of the seal upon the original certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
this 26 day of January, 2010

Bevill M. Dean Clerk

State of Virginia, City of Richmond—ss.:

I, BEVILL M. DEAN, Clerk of the Circuit Court of the City of Richmond, John Marshall Courts Building, in the State of Virginia, the same being a Court of Record, having by law a seal, do hereby certify that Danielle Basl Durham



by whom the foregoing acknowledgment or proof was taken, and whose name is subscribed thereto, at the time of taking the same a Notary Public in and for said City duly commissioned and sworn and authorized by the laws of said State to take the acknowledgment or proof of deeds to be recorded therein, and that I am well acquainted with his handwriting, and verily believe that the signature to the foregoing certificate is genuine; and that I believe the impression of the seal upon the original certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
this 26 day of January, 2010

Bevill M. Dean Clerk

State of Virginia, City of Richmond—ss.:

I, BEVILL M. DEAN, Clerk of the Circuit Court of the City of Richmond, John Marshall Courts Building, in the State of Virginia, the same being a Court of Record, having by law a seal, do hereby certify that Danielle Basl Durham



by whom the foregoing acknowledgment or proof was taken, and whose name is subscribed thereto, at the time of taking the same a Notary Public in and for said City duly commissioned and sworn and authorized by the laws of said State to take the acknowledgment or proof of deeds to be recorded therein, and that I am well acquainted with his handwriting, and verily believe that the signature to the foregoing certificate is genuine; and that I believe the impression of the seal upon the original certificate is genuine.

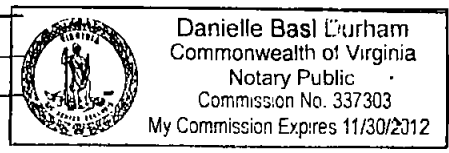
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26 day of January, 2010.

Bevill M. Dean Clerk

Dado y firmado hoy/Given and signed this 14 day of January 2010
en/in Richmond, Virginia U.S.A.
[Signature]
por/by San LI

Firma/Signature

[Signature]



Dado y firmado hoy/Given and signed this 14 day of January 2010
en/in Richmond, VA U.S.A.
[Signature]
por/by Michael S. BRAUNSHTEYN

Firma/Signature

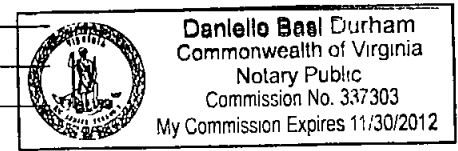
[Signature]



Dado y firmado hoy/Given and signed this 14 day of January 2010
en/in Richmond, Virginia U.S.A.
[Signature]
por/by Raquel M. OLEGARIO

Firma/Signature

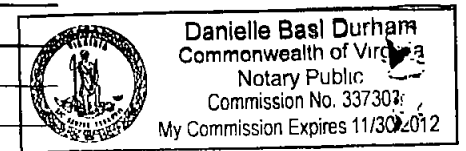
[Signature]



Dado y firmado hoy/Given and signed this 14 day of January 2010
en/in Richmond, Virginia U.S.A.
[Signature]
por/by Rowland W. DWYER

Firma/Signature

[Signature]



Dado y firmado hoy/Given and signed this 14 day of January 2010
en/in Richmond, Virginia U.S.A.
[Signature]
por/by Richard JUPE

Firma/Signature

[Signature]

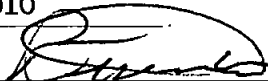


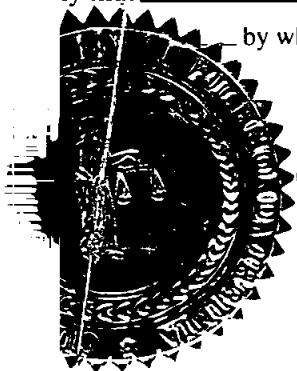
State of Virginia, City of Richmond—ss.:

I, BEVILL M. DEAN, Clerk of the Circuit Court of the City of Richmond, John Marshall Courts Building, in the State of Virginia, the same being a Court of Record, having by law a seal, do hereby certify that Danielle Basl Durham

by whom the foregoing acknowledgment or proof was taken, and whose name is subscribed thereto, at the time of taking the same a Notary Public in and for said City duly commissioned and sworn and authorized by the laws of said State to take the acknowledgment or proof of deeds to be recorded therein, and that I am well acquainted with his handwriting, and verily believe that the signature to the foregoing certificate is genuine; and that I believe the impression of the seal upon the original certificate is genuine

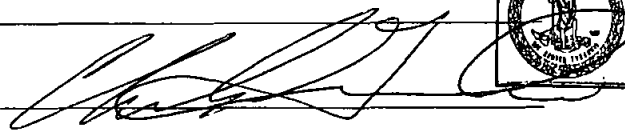
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 26, day of January, 2010


Clerk



for/by Charles L. GAWAROSKI

Firma/Signature



Danielle Basi Durham
Commonwealth of Virginia
Notary Public
Commission No. 337303
My Commission Expires 11/30/2012

CERTIFICACIÓN NOTARIAL (INDIVIDUO)

_____ días del mes de _____

_____ Ante mí, Notario Público de _____

_____ ació(eron) personalmente _____

_____ (es) doy fe de conocer y me consta que es(son) la(s)
(s) firmante(s) del documento que precede, y quien(es)
capacidad legal para otorgarlo

NOTARIAL CERTIFICATION (INDIVIDUAL)

On this _____ day of _____

200 _____ before me, a Notary Public of _____

_____ personally appeared _____

San LI

Michael S. BRAUNSHTEYN

Raquel M. OLEGARIO

Rowland W. DWYER

Richard JUPE

Charles L. GAWAROSKI

To me known, and known to me to be the person(s) who executed
that foregoing document, and who has(have) legal capacity to
execute it.

NOTARIO PÚBLICO-NOTARY PUBLIC

APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country:
This public document
2. has been signed by
3. acting in the capacity of
4. bears the seal/stamp of

Certified

5. at 6. the
7. by
8. No.
9. Seal/stamp 10. Signature

72

TRADUCCION OFICIAL NO. 053/2010-.

EL TEXTO QUE SIGUE ES TRADUCCION FIEL Y COMPLETA DE UN DOCUMENTO ESCRITO EN INGLES. LLEVA LA FIRMA Y EL SELLO DE HELENA URIBE DE LEMOINE, TRADUCTORA E INTERPRETE OFICIAL POR RESOLUCION NO. 3618 DEL MINISTERIO DE JUSTICIA DE COLOMBIA, DE FECHA 6 DE SEPTIEMBRE, 1972.

Nosotros abajo firmantes:

- 1- SAN LI
- 2- MICHAEL S. BRAUNSHTEYN
- 3- RAQUEL M. OLEGARIO
- 4- ROWLAND W. DWYER
- 5- RICHARD JUPE
- 6- CHARLES L. GAWORSKI

domiciliados en:

- 1- 1313 Goswick Ridge Road, Midlothian, VA 23114, Estados Unidos de América
- 2- 2018 Monument Avenue, Richmond, VA 23220 Estados Unidos de América
- 3- 8221 W. Bon View Drive, Richmond, VA 23235, Estados Unidos de América
- 4- 400 Ziontown Road, Richmond VA 23229, Estados Unidos de América
- 5- 12808 Crimson Court, Richmond, VA 23233, Estados Unidos de América
- 6- 2421 Viburg Court, Midlothian, VA 23113, Estados Unidos de América

Declaramos bajo juramento ser los únicos y verdaderos inventores de la invención:

ADITAMENTO RESTRICTIVO PARA ARTÍCULO PARA FUMAR SIN FILTRO

Declaramos así mismo que cedemos y transferimos sin limitación a favor de la sociedad **PHILIP MORRIS PRODUCTS S.A.**, constituida y existente de conformidad con las leyes de Suiza, domiciliada en Quai Jeanrenaud 3, CH-2000 Neuchatel, Suiza, todos los derechos inherentes a dicha invención y que la citada compañía queda facultada para solicitar en su nombre la patente de invención correspondiente en la República de Colombia.



TRADUCCION OFICIAL NO. 053/2010-.

Dado y firmado el 26 de Enero de 2010,
en Richmond, Virginia, Estados Unidos
POR: CHARLES L. GAWORSKI
FIRMADO: CHARLES L. GAWORSKI
FIRMA AUTENTICADA POR DANIELLE BASL DURHAN, NOTARIO PUBLICO
DEL ESTADO DE VIRGINIA, CON COMISION HASTA EL 11/30/2012.

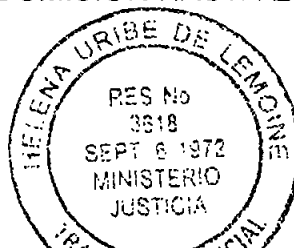
Dado y firmado el 14 de Enero de 2010,
en Richmond, Virginia, Estados Unidos de América
Por: SAN LI
FIRMADO: SAN LI
FIRMA AUTENTICADA POR DANIELLE BASL DURHAN, NOTARIO PUBLICO
DEL ESTADO DE VIRGINIA, CON COMISION HASTA EL 11/30/2012.

Dado y firmado el 14 de Enero de 2010,
en Richmond, Virginia, Estados Unidos de América
Por: MICHAEL S. BRUNSHTEYN
FIRMADO: MICHAEL S. BRUNSHTEYN
FIRMA AUTENTICADA POR DANIELLE BASL DURHAN, NOTARIO PUBLICO
DEL ESTADO DE VIRGINIA, CON COMISION HASTA EL 11/30/2012.

Dado y firmado el 14 de Enero de 2010,
en Richmond, Virginia, Estados Unidos de América
Por: RAQUEL M. OLEGARIO
FIRMADO: RAQUEL M. OLEGARIO
FIRMA AUTENTICADA POR DANIELLE BASL DURHAN, NOTARIO PUBLICO
DEL ESTADO DE VIRGINIA, CON COMISION HASTA EL 11/30/2012.

Dado y firmado el 14 de Enero de 2010,
en Richmond, Virginia, Estados Unidos de América
Por: ROWLAND W. DWYER
FIRMADO: ROWLAND W. DWYER
FIRMA AUTENTICADA POR DANIELLE BASL DURHAN, NOTARIO PUBLICO
DEL ESTADO DE VIRGINIA, CON COMISION HASTA EL 11/30/2012.

Dado y firmado el 14 de Enero de 2010,
en Richmond, Virginia, Estados Unidos de América
Por: RICHARD JUPE
FIRMADO: RICHARD JUPE
FIRMA AUTENTICADA POR DANIELLE BASL DURHAN, NOTARIO PUBLICO
DEL ESTADO DE VIRGINIA, CON COMISION HASTA EL 11/30/2012.



TRADUCCION OFICIAL NO. 053/2010-.

ESTADO DE VIRGINIA, CIUDAD DE RICHMOND

YO, **BEVILL M. DEAN**, OFICIAL DE LA CORTE DE CIRCUITO DE LA CIUDAD DE RICHMOND, SITUADA EN JOHN MARSHALL COURTS BUILDING, EN EL ESTADO DE VIRGINIA, LA CUAL ES UNA CORTE DE REGISTRO QUE POR LEY TIENE UN SELLO, POR MEDIO DEL PRESENTE CERTIFICO QUE **DANIELLE BASL DURHAM**, QUIEN TOMÓ LA ANTERIOR CERTIFICACIÓN O PRUEBA Y CUYO NOMBRE APARECE FIRMANDO LA MISMA, ERA EN EL MOMENTO DE FIRMAR, UN NOTARIO PUBLICO DEBIDAMENTE COMISIONADO Y JURAMENTADO Y AUTORIZADO POR LAS LEYES DE DICHO ESTADO PARA TOMAR LAS CERTIFICACIONES O PRUEBAS ANTERIORES Y CERTIFICO ASIMISMO QUE CONOZCO BIEN SU CALIGRAFÍA Y CREO FIELMENTE QUE LA FIRMA EN EL ANTERIOR DOCUMENTO ES AUTÉNTICA; Y CREO TAMBIÉN QUE EL SELLO EN EL CERTIFICADO ORIGINAL ES GENUINO.

EN TESTIMONIO DE LO ANTERIOR FIRMO Y PONGO EL SELLO DE MI DESPACHO ESTE DIA 26 DE ENERO DE 2010.

FIRMADO: **BEVILL DEAN**, FUNCIONARIO.



TRADUCCION OFICIAL NO. 053/2010-.

APOSTILLE

(CONVENCION DE LA HAYA DEL 5 DE OCTUBRE 1961)

1. PAÍS: ESTADOS UNIDOS DE AMÉRICA

EL PRESENTE DOCUMENTO PÚBLICO:

2. HA SIDO FIRMADO POR: **BEVILL M. DEAN**

3. ACTUANDO EN SU CALIDAD DE: OFICIAL DE LA CORTE

4. LLEVA EL SELLO DE: **BEVILL M. DEAN**, ESTADO DE VIRGINIA

CERTIFICADO

5. EN RICHMOND, VIRGINIA

6. EL 26 DE ENERO DE 2010

7. POR EL SECRETARIO DE ESTADO

8. NO. 2465186-1

9. SELLO: GRAN SELLO DEL ESTADO DE VIRGINIA

10. FIRMADO POR: JANET V. POLARIK, SECRETARIO DE ESTADO

LA TRADUCTORA OFICIAL

Helena Uribe de Lemoine
HELENA URIBE DE LEMOINE



13-PTT-00
2465186-1
2010-01-26
RICHMOND, VA
BEVILL M. DEAN
OFFICIAL OF THE COURT

13-PTT-00

2465186-1
2010-01-26
RICHMOND, VA
JANET V. POLARIK
SECRETARY OF STATE

SO-01A-2-837-085

2010-01-26
RICHMOND, VA
BEVILL M. DEAN
OFFICIAL OF THE COURT
2465186-1
2010-01-26
RICHMOND, VA
JANET V. POLARIK
SECRETARY OF STATE

NO SE ASUME
RESPONSABILIDAD
DEL TEXTO

MINISTERIO DE
RELACIONES EXTERIORES

2010 FEB -5- 10:02

JEFE DE LEGALIZACIONES
BOGOTÁ D.C.

007799

Helewa Uribe

CUYA FIRMA APARECE EN EL
DOCUMENTO DESEMPENA
AS FUNCIONES INDICADAS



020
Bogotá D.C.,

Doctor(a)
JAREZ DE PAEZ LUZ CLEMENCIA
poderado(a) y/o Representante de
HILIP MORRIS PRODUCTS S.A.

REFERENCIA	Radicación No.	9 111149
	Solicitud internacional	PCT/IB2008/001382
	Fecha inicio fase nacional	09/10/2009
	Trámite	11
	Evento	378
	Actuación	416
	Oficio No.	11326
	Folios	1

Entendiendo 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 la Decisión 486 de la Comisión de la Comunidad Andina, el Tratado de Cooperación en Materia de Patentes (PCT), el Reglamento y la Circular Única de la Superintendencia de Industria y Comercio, se envía el extracto de la solicitud a la Oficina de Comunicaciones para efecto de su publicación en la Gaceta de Propiedad Industrial.

Úmplase
Bogotá DC,

30 SET. 2009

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

fernand