

100640012304

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-2-1	Declaration: Entitlement to apply for and be granted a patent Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate: Name (LAST, First)	In relation to this international application EBBU, LLC is entitled to apply for and be granted a patent by virtue of the following:
VIII-2-1 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

P-2019/16772

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIRECCIÓN DE NUEVAS CREACIONES

E. S. D.

Ref.: Expediente No. **NC2019/0002123**

Solicitud de registro de patente de invención a nombre de **CANOPY GROWTH CORPORATION**

1. Yo, CAROLINA DAZA MONTALVO, identificada como aparece al pie de mi firma, domiciliada en la Carrera 11 No. 86-53, piso 6, obrando como apoderada de la sociedad solicitante del diseño industrial de la referencia, **CANOPY GROWTH CORPORATION** (en adelante **CANOPY**), me permito dar respuesta al Oficio No. 1459 del 20 de marzo de 2019, dentro del cual se solicitó allegar un documento donde conste la cesión de los derechos, en los siguientes términos:

- 1.1. Dicho documento fue allegado a esta Superintendencia dentro de la misma documentación de la solicitud de la patente.
- 1.2. Solicito a ese Despacho tener en cuenta que la Solicitud Internacional PCT/ fue presentada a nombre de la sociedad EBBU, LLC. Sin embargo, durante el trámite de dicha solicitud se efectuó el cambio a EBBU INC. y de éste a CANOPY GROWTH CORPORATION, tal y como consta en las Formas PCT/IB/306 denominadas "Notification of the Recording of a Change" y que se anexan a esta respuesta.
- 1.3. De la misma manera junto con la solicitud se presentó la Declaración relativa al derecho que tiene el solicitante inicial EBBU, LLC (ahora **CANOPY**) para solicitar y que se le conceda una patente. Lo anterior de acuerdo al numeral (ii) de la Regla 4.17 del PCT.
- 1.4. El anterior derecho se deriva de la relación laboral entre EBBU (ahora **CANOPY**) y el inventor.
- 1.5. Teniendo en cuenta el artículo 23 de la Decisión 486: *"Sin perjuicio de lo establecido en la legislación nacional de cada País Miembro, en las invenciones ocurrida bajo relación laboral, el empleador, cualquiera que sea su forma y naturaleza, podrá ceder parte de los beneficios económicos de las invenciones en beneficio de los empleados inventores, para estimular la actividad de investigación. [...]"*

Adicionalmente el artículo 539 del Código de Comercio, establece: *"Creaciones de trabajadores o mandatarios. Salvo estipulación en contrario, la invención realizada por el trabajador o mandatario contratado para investigar pertenece al patrono o mandante. [...]"*

Aclarado esto, la documentación necesaria se encuentra dentro del expediente de la referencia desde el momento en el que se radicó la solicitud. Se adjunta nuevamente copia de los documentos mencionados para su pronta referencia.

2. Habiendo dado cumplimiento al requerimiento de ese Despacho, solicito respetuosamente se continúe con el trámite de la presente solicitud.

Señor Director,


CAROLINA DAZA MONTALVO
C.C. 66.783.790 de Palmira Valle
TP-141563 CSJ
notificaciones@clarkemodet.com.co

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-3-1	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name	In relation to this international application EBBU, LLC is entitled to claim priority of earlier application No. 62/385,102 by virtue of the following:
VIII-3-1 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-3-2	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name	In relation to this international application EBBU, LLC is entitled to claim priority of earlier application No. 62/416,084 by virtue of the following:
VIII-3-2 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-3-3	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name	In relation to this international application EBBU, LLC is entitled to claim priority of earlier application No. 62/416,098 by virtue of the following:
VIII-3-3 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-3-4	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name	In relation to this international application EBBU, LLC is entitled to claim priority of earlier application No. 62/429,039 by virtue of the following:
VIII-3-4 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-3-5	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name	In relation to this international application EBBU, LLC is entitled to claim priority of earlier application No. 62/429,046 by virtue of the following:
VIII-3-5 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-3-6	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name	In relation to this international application EBBU, LLC is entitled to claim priority of earlier application No. 62/429,049 by virtue of the following:
VIII-3-6 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

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PCT REQUESTOriginal (for **SUBMISSION**)

VIII-3-7	Declaration: Entitlement to claim priority Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)) Name	In relation to this international application EBBU, LLC is entitled to claim priority of earlier application No. 62/376,521 by virtue of the following:
VIII-3-7 (ii)		EBBU, LLC is entitled as employer of the inventor, ROSCOW, Robert F.

PCT

(PCT Rule 92*bis*.1 and
Administrative Instructions, Section 422)

CHADEAYNE, Andrew R.
58 E Sunset Way
Suite 203
Issaquah, Washington 98027
ÉTATS-UNIS D'AMÉRIQUE

Date of mailing (<i>day/month/year</i>) 18 February 2019 (18.02.2019)	
Applicant's or agent's file reference 100640012304	IMPORTANT NOTIFICATION
International application No. PCT/US2017/047587	International filing date (<i>day/month/year</i>) 18 August 2017 (18.08.2017)

Name and Address EBBU INC. 35715 US Highway 40 Units D101-103 Evergreen, Colorado 80439 United States of America	State of Nationality	State of Residence
	US	US
	Telephone No.	
	617-429-4917	
	Facsimile No.	

Name and Address CANOPY GROWTH CORPORATION 1 Hershey Drive Smiths Falls, Ontario K7A 0A8 Canada	State of Nationality	State of Residence
	CA	CA
	Telephone No.	
	Facsimile No.	
E-mail address ☐ Notifications by e-mail authorized		

☐ the International Preliminary Examining Authority
☒ the designated Offices concerned
☐ the elected Offices concerned
☐ other:

e-mail pct.team4@wipo.int
Telephone No. +41 22 338 74 04

CORRECTED VERSION

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

CHADEAYNE, Andrew R.
58 E Sunset Way
Suite 203
Issaquah, Washington 98027
ÉTATS-UNIS D'AMÉRIQUE

Date of mailing (day/month/year) 28 February 2019 (28.02.2019)	
Applicant's or agent's file reference 100640012304	IMPORTANT NOTIFICATION
International application No. PCT/US2017/047587	International filing date (day/month/year) 18 August 2017 (18.08.2017)

1. The following indications appeared on record concerning:		
☒ the applicant	☐ the inventor	☐ the agent
☐ the common representative		
Name and Address EBBU, LLC 35715 US Highway 40 Units D101 -103 Evergreen, Colorado 80439 United States of America United States of America	State of Nationality US	State of Residence US
	Telephone No. +1 617-429-4917	
	Facsimile No.	
	E-mail address andrew.chadeayne@inventingpatents.com	
2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:		
☐ the person	☒ the name	☐ the address
☐ the nationality		
☐ the residence		
Name and Address EBBU, INC. 35715 US Highway 40 Units D101 -103 Evergreen, Colorado 80439 United States of America United States of America	State of Nationality US	State of Residence US
	Telephone No. 1 617-429-4917	
	Facsimile No.	
	E-mail address andrew.chadeayne@inventingpatents.com ☐ Notifications by e-mail authorized	
3. Further observations, if necessary:		
4. A copy of this notification has been sent to:		
☒ the receiving Office	☐ the International Preliminary Examining Authority	
☐ the International Searching Authority	☒ the designated Offices concerned	
☐ the Authority(ies) specified for supplementary search	☐ the elected Offices concerned	
	☐ other:	

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Abdulaziz Ismail
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