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Detalles de Pago 32588502501BJA1A**Código de Preformato: OFICINA DE PATENTES EUROPEA****Cuenta de Débito Número: 30525705****Moneda de la Cuenta: Dólares estadounidenses****Nombre de la cuenta: MCDERMOT, WILL AND EMERY****Moneda de Pago: Euro****Importe de Pago: 1.550,00****Forma de Pago: Transferencia de Fondos****Tipo de Pago: Sociedad Anónima****Número de Referencia de la Transacción: 32588502501BJA1A****Confidencial: No****Nombre / Domicilio de la Sociedad: MCDERMOTT WILL AND EMERY,
227 N. Monroe Street, Chicago, Illinois 60606****Moneda Equivalente: Dólares estadounidenses****Importe equivalente: 2.041,97****Código / Detalle de Categoría de Pago:****Tipo de Identificación de la Parte Solicitante****Identificación de la Parte Solicitante****Nombre/Domicilio de la Parte Solicitante: MCDERMOTT WILL AND
EMERY, 227 N. Monroe Street, Chicago, Illinois 60606****Fecha del Valor: 27/01/2005****Cuenta Beneficiaria u otro tipo de identificación: /ACCT/****Cuenta Beneficiaria u otra identificación: 3 338 800 00****Nombre / Domicilio del Beneficiario: Oficina de Patentes
Europea**

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Código de País del Beneficiario: DE

Nombre del País Beneficiario: Alemania

Forma de Enrutamiento del Banco Beneficiario: German
Bankleitzahl

Código de Enrutamiento de Banco Beneficiario: 70080000

Nombre / Domicilio del Banco Beneficiario: Dresdner Bank AG,
Munich, Alemania

Detalles del Banco

Detalles del Pago: REFERENCIA: PCT/US2004/020734

Detalles

Número de Referencia del Cliente

Indicador de Cargos: Nuestro

Presentado por TANISHA COOK

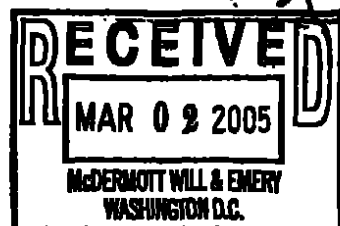
Fecha/Hora de Presentación: 251/01/2005 12:17:15

Estado: CB Aceptado

Subestado:

Página 1 de 2

PATENT COOPERATION TREATY



From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

MCDERMOTT WILL & EMERY LLP
Attn. Toffenetti, Judith L.
600 13th Street N.W.
Washington DC 20005-3096
UNITED STATES OF AMERICA

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

8389
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2-21-05

Date of mailing (day/month/year) 21/02/2005	
Applicant's or agent's file reference 50193-187	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/US2004/020734	International filing date (day/month/year) 29/06/2004
Applicant MERCK & CO., INC.	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 48):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 18 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 18 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3018	Authorized officer Federico Bonomelli
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NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the international Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the international Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume VA, paragraph 296).

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the international Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the international Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the international Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 48.1).

Where not to file the amendments?

The amendments may only be filed with the international Bureau and not with the receiving Office or the international Searching Authority (Rule 48.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 50193-187	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2004/020734	International filing date (day/month/year) 29/06/2004	(Earliest) Priority Date (day/month/year) 02/07/2003
Applicant MERCK & CO., INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 8 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box II).

3. ☒ Unity of invention is lacking (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 36.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US2004/020734

832428

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07D413/14 C07D413/10 C07D487/08 C07D417/14 A61K31/422
A61P31/04

833

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07D A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
E	US 2004/147760 A1 (THOMAS RICHARD CHARLES 'US! ET AL) 29 July 2004 (2004-07-29) examples 48-51,54-57,65,72,73 claim 70	1,2,7,8, 10-15
P,X	WO 2004/048350 A (ASTRAZENECA AB; ASTRAZENECA UK LIMITED; GRAVESTOCK, MICHAEL, BARRY; HA) 10 June 2004 (2004-06-10) page 78, line 24 - page 79; claim 1 example 8	1,2,7,8, 10-15

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☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- 'A' document defining the general state of the art which is not considered to be of particular relevance
- 'E' earlier document but published on or after the international filing date
- 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- 'O' document referring to an oral disclosure, use, exhibition or other means
- 'P' document published prior to the international filing date but later than the priority date claimed

- 'T' later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- 'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- 'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- '&' document member of the same patent family

Date of the actual completion of the international search

9 February 2005

Date of mailing of the international search report

21.02.05

Name and mailing address of the ISA

European Patent Office, P.O. 5818 Patentkan 2
NL - 2280 HV Rijswijk
Tel (+31-70) 340-2040, Tx 31 851 epo nl,
Fax (+31-70) 340-3018

Authorized officer

Kollmannsberger, M

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2004/020734

03348

C-(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/94342 A (DONG A PHARM CO LTD ; CHO JONG HWAN (KR); CHOI SUNG HAK (KR); LEE JAE) 13 December 2001 (2001-12-13) cited in the application claims examples 42,78,119,129,132,134,136,139,143,146,148	1,2,7,8, 10-15 884
X	US 5 523 403 A (BARBACHYN ET AL) 4 June 1996 (1996-06-04) claim 1 column 46, line 1 - line 3 column 46, line 10 - line 12	1,2,7,8, 10-15
X	WO 94/13649 A (THE UPJOHN COMPANY; BARBACHYN, MICHAEL, ROBERT) 23 June 1994 (1994-06-23) claim 1 page 64, line 20 - line 21 page 64, line 26 - line 27	1,2,7,8, 10-15
A	WO 03/027083 A (KYORIN SEIYAKU KK ; FUKUDA YASUMICHI (JP); MERCK & CO INC (US); HAMMON) 3 April 2003 (2003-04-03) claims	1-15
A	EP 0 352 781 A (E.I. DU PONT DE NEMOURS AND COMPANY) 31 January 1990 (1990-01-31) cited in the application example 38	1,2,7,8, 10-15
A	US 5 736 545 A (GADWOOD ET AL) 7 April 1998 (1998-04-07) column 1, line 43 - column 2, line 14	1,2,7,8, 10-15

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2004/020734

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Box II Observations where certain claims were found unsearchable (Continuation of Item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 14 and 15 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of Item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/SA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

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1. claims: 1,2, 4-6,10-15 (all in part), 3,9

compounds according to structure (I) of claim 1 in which X is a bicyclo[3.1.0]ring and their uses

2. claims: 1,2,4-6,10-15 (all in part); 7,8

compounds according to structure (I) of claim 1 in which X is an N-bound heterocycle

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/US2004/020734

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2004147760 A1	29-07-2004	US 2004044052 A1	04-03-2004
		AU 2003210807 A1	09-09-2003
		BR 0307924 A	07-12-2004
		CA 2476038 A1	04-09-2003
		EP 1478629 A1	24-11-2004
		WO 03072553 A1	04-09-2003
WO 2004048350 A	10-06-2004	WO 2004048350 A2	10-06-2004
WO 0194342 A	13-12-2001	KR 2002071576 A	13-09-2002
		AU 5889701 A	17-12-2001
		BR 0111280 A	10-06-2003
		CA 2411859 A1	13-12-2001
		CN 1433413 T	30-07-2003
		EP 1289984 A1	12-03-2003
		HU 0301562 A2	29-12-2003
		JP 2003535860 T	02-12-2003
		WO 0194342 A1	13-12-2001
		MX PA02012045 A	15-10-2003
		NZ 522990 A	29-08-2003
		US 2003166620 A1	04-09-2003
US 5523403 A	04-06-1996	AT 161833 T	15-01-1998
		AU 670842 B2	01-08-1996
		AU 5323994 A	04-07-1994
		CA 2147753 A1	23-06-1994
		CN 1092413 A ,C	21-09-1994
		CZ 9501366 A3	18-10-1995
		DE 69316240 D1	12-02-1998
		DE 69316240 T2	20-05-1998
		DK 673370 T3	07-09-1998
		EP 0673370 A1	27-09-1995
		ES 2111188 T3	01-03-1998
		FI 952798 A	07-06-1995
		GR 3026228 T3	29-05-1998
		HU 74099 A2	28-11-1996
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		JP 8504205 T	07-05-1996
		JP 3558088 B2	25-08-2004
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		NZ 257031 A	26-07-1996
		PH 31085 A	05-02-1998
		PL 309283 A1	02-10-1995
		SK 74695 A3	11-10-1995
		WO 9413649 A1	23-06-1994
		RU 2119484 C1	27-09-1998
		ZA 9307791 A	20-05-1995
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		AU 670842 B2	01-08-1996
		AU 5323994 A	04-07-1994
		CA 2147753 A1	23-06-1994
		CZ 9501366 A3	18-10-1995
		DE 69316240 D1	12-02-1998
		DE 69316240 T2	20-05-1998
		DK 673370 T3	07-09-1998