

**SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIRECCIÓN DE NUEVAS CREACIONES**

2020
Bogotá, D.C.,

Abogado
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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 09-137088- -00006-0000

Fecha: 2012-09-26 10:49:51 Dep. 2020 DIR.NUEVASCR
Tra. 11 PATENTEIYII Eve: 378 FASENACIONALI
Act. 519 TRASLADOINFORME Folios: 13

ASUNTO	Radicación	09 – 137088
	Trámite	011
	Evento	378
	Actuación	519
	Oficio	
	Folios	13

EF - 17 337

Patente de Invención	☒	Patente de Modelo de Utilidad
Vía Nacional		
Vía PCT (Fase Nacional)	☒	Capítulo I ☒ Capítulo II

No. Solicitud Internacional: PCT/US2008006733
Fecha de Presentación Internacional: Mayo 28 de 2008

Como resultado del Examen de Fondo realizado, con fundamento en el Artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se comunica:

1. Documentos estudiados

Descripción:	Folios 166 a 309	Diciembre 1 de 2009
Reivindicaciones	Folios 310 a 345	Diciembre 1 de 2009
	Folios 372 a 390	Abril 8 de 2010
Oposiciones	Folios 396 a 401	Lafrancol Abril 14 de 2011
Prioridad:	US 60941.396	Junio 1 de 2007

2. Análisis de la Prioridad

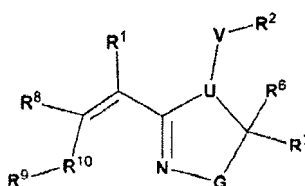
Se acepta la reivindicación de Prioridad porque esta solicitud fue presentada dentro del plazo establecido (Art. 9 D 486) y su contenido técnico corresponde con el de la prioridad reivindicada.

3. Objeto de la invención

Título de la solicitud: "Moduladores de gamma secretasa"

El problema planteado en esta solicitud consiste en obtención de compuestos con actividad moduladora de gamma secretasa y de esta manera obtener preparaciones farmacéuticas para el tratamiento del Alzheimer y otras enfermedades neurodegenerativas.

Para resolver este problema técnico, la solicitud en estudio plantea la obtención de compuestos heterocíclicos o sus sales farmacéuticamente aceptables con actividad moduladora de gamma secretasa, para el tratamiento de enfermedades neurodegenerativas.



Las reivindicaciones 8 a 11 y 14 no son concisas porque tienen demasiados literales y varios de estos son opciones para un mismo sustituyente (Por ejemplo, en la reivindicación 11, R² y R⁶ están condicionados desde el literal a hasta el literal j; U, R² y R⁶ están condicionados desde el literal k hasta el literal o). Se sugiere consolidar esta información en un solo enunciado para cada sustituyente, teniendo en cuenta limitar estos mismos a una generalización razonable.

Las reivindicaciones 15 y 19 no son concisas porque contienen muchos numerales y de manera semejante, varios son opciones para un mismo sustituyente. Se sugiere consolidar a un enunciado por sustituyente, limitando estos a una generalización razonable.

5. Análisis de la Oposición

Argumento de Lafranco

Afirma el oponente que esta solicitud pretende obtener patente para composiciones farmacéuticas donde se combinan los compuestos de la invención con compuestos conocidos ampliamente en el Estado de la Técnica e indicados para el tratamiento del Alzheimer y otras enfermedades neurodegenerativas, particularmente con Donepezilo, tal como lo enuncia la reivindicación 19 de esta solicitud.

El argumento del opositor es que las composiciones farmacéuticas entre los compuestos propuestos dentro de esta invención con compuestos ampliamente conocidos en el Estado de la Técnica, carecen de Novedad y de Nivel Inventivo.

Como documento soporte, el opositor adjunta la monografía del Donepezilo publicada en The Merck Index, pagina 578.

Respuesta del examinador Técnico

Se revisa el artículo 15 de la Decisión 486 y este no considera que las combinaciones farmacéuticas entre moléculas conocidas en el estado de la Técnica y nuevas moléculas no sean patentables, como lo afirma el opositor. La composición farmacéutica donde se combinan los compuestos de esta invención con otros principios activos ya conocidos de acuerdo a lo propuesto en la reivindicación 19 de esta solicitud, no se encuentran divulgados dentro del Estado de la Técnica ni se establece si estas composiciones tengan un efecto técnico inferior, similar o ventajoso con respecto a lo conocido en el Estado de la Técnica.

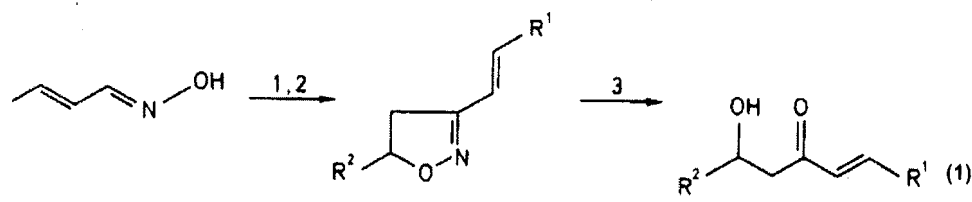
El documento presentado en esta Oposición no generan un soporte suficiente para desvirtuar la Novedad o el Nivel Inventivo de esta composición de la reivindicación 19 de esta solicitud, por lo cual no se considerará dentro del Examen de Patentabilidad

8. Determinación del Estado de la Técnica

El Estado de la Técnica se determinó con base en la fecha de solicitud de prioridad: Noviembre 27 de 2006 y se encontraron los siguientes documentos que anticipan el objeto de esta solicitud:

Item	Documento	Título	Fecha de Publicación
D1	Acta Chemica Scandinavica 1990. 44 (8); 806 - 813	Reaction with α , β - unsaturated Nitrile Oxides. Synthetic studies in the Terpene field. Synthesis of Tagetones, Ocimenones, Deodarone and Atitlantone	Enero 9 de 1990

D1: Divulga la síntesis de terpenos a partir de Óxidos de Nitrilo α, β – insaturados
http://actachemiscand.dk/pdf/acta_vol_44_p0806-0813.pdf



7. Examen de Patentabilidad (Art 14 D486)

Novedad (Art 16 D486)

La reivindicación 1 divulga un compuesto o la sales, solvatos, esteres, o profármacos farmacéuticamente aceptables del compuesto de la Fórmula I donde... (Folios 374 a 377)

Comparación de las características técnicas **esenciales**, con las del Estado de la Técnica:

Solicitud	D1
Compuesto de la Formula I 	Compuesto 11
G es Oxígeno	Oxígeno
U es CR ⁵ donde R ⁵ es H	Carbono en posición 4 del anillo de isooxazol
V es un enlace, R ² y R ⁶ forman conjuntamente un cicloalquilo de 4 a 8 carbonos y R ⁷ es H	
R ¹ , R ⁸ y R ⁹ son H y R ¹⁰ es un enlace	

Las características esenciales de los compuestos de la reivindicación 1, habían sido divulgados previamente en el Estado de la Técnica D1 (D1: Página 808, compuesto 11) quien muestra un compuesto bicyclico de ciclopentenoxazol vinil sustituido en posición 3 como intermediario para la síntesis de terpenos.

En consecuencia, la reivindicación 1 según lo divulgado por D1 carece de Novedad.

Las reivindicaciones dependientes de la reivindicación 1 no aportan conceptos que otorguen características nuevas, por lo tanto, estas reivindicaciones también carecen de Novedad.

8. Conclusión

Los requisitos de Patentabilidad de la presente Solicitud están afectados así:

Item	Documento	Reivindicaciones afectadas	Requisito que afecta
D1	Acta Chemica Scandinavica 1990. 44 (8); 806 - 813	1, 3, 5, 7, 8, 12, 18 y 19	Novedad

⁽¹⁾ Insaguer, P. Thomsem, I. Torssell, K. Reaction with α, β – unsaturated Nitrile Oxides. Synthetic studies in the Terpene field. Synthesis of Tagetones, Ocimenones, Deodarone and Atlantone. *Acta Chemica Scandinavica* 1990. 44 (8); 806 - 813

En cumplimiento del artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le indica que debe dar respuesta dentro del término de sesenta (60) días contados a partir de la fecha de notificación de la presente comunicación. En caso de no dar respuesta al presente requerimiento, o si a pesar de la respuesta subsistieran los impedimentos para la concesión, se denegará la patente.

Notifíquese el presente oficio conforme a lo dispuesto en el numeral 5.2, literal e), del capítulo quinto del título primero de la Circular Única No. 10 de 2001.



JOSE LUIS SALAZAR LOPEZ
Director de Nuevas Creaciones

El anterior requerimiento fue notificado por fijación en lista, de fecha

02 oct. 2012

Elaborado por: Alexander Ramírez Reyes
Revisado por: Gloria Jacqueline Alfonso



Reactions with α,β -Unsaturated Nitrile Oxides. Synthetic Studies in the Terpene Field. Synthesis of Tagetones, Ocimenones, Deodarone and Atlantone

Per Isager, Ib Thomsen and Kurt B. G. Torssell*

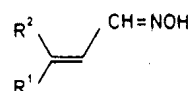
Department of Organic Chemistry, Chemical Institute, University of Aarhus, DK-8000 Århus C, Denmark

Isager, P., Thomsen, I. and Torssell, K. B. G., 1990. Reactions with α,β -Unsaturated Nitrile Oxides. Synthetic Studies in the Terpene Field. Synthesis of Tagetones, Ocimenones, Deodarone and Atlantone. – Acta Chem. Scand. 44: 806–813.

The generation and 1,3-dipolar cycloaddition of α,β -unsaturated nitrile oxides are described. Selective reductive cleavage of the isoxazoline ring was achieved. Subsequent elimination of water leads to the 1,4-dien-3-one system. The formation of tetrahydro- γ -pyrones is observed. The reactions were applied to the synthesis of tagetones, ocimenones, deodarone and atlantone.

α,β -Unsaturated aldehyde oximes are seldom used as starting materials in 1,3-dipolar nitrile oxide cycloaddition and there are several reasons for this. The preparation of the oximes is often plagued by the formation of by-products. Halogenation to give the hydroxamic acid chloride could competetively take place at the double bond. Being bifunctional, the nitrile oxides derived could undergo polymerization and finally, selective reductive cleavage of the isoxazoline ring presents problems because the conjugated double bond is easily reduced. Thus, against the odds, we set out to test the applicability of α,β -unsaturated aldehyde oximes in nitrile oxide cycloadditions, because the highly functionalized α,β -unsaturated carbonyl system produced is synthetically interesting and fruitful synthetic application (Scheme 1) would be rewarding.

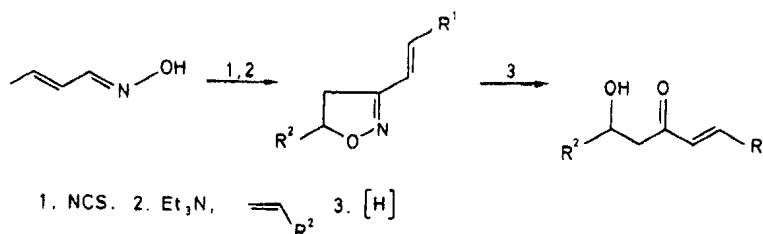
α,β -Unsaturated aldehyde oximes. Oximation of α,β -unsaturated aldehydes can lead to several products depending on the site of attack. The course of the reaction is dependent on the pH of the solution. High yields of the desired α,β -unsaturated aldehyde oximes are obtained as *syn-anti* mixtures by treatment of a suspension of the aldehydes with hydroxylamine hydrochloride in aqueous solution at pH 9



- 1a $R^1 = \text{CH}_3$; $R^2 = \text{H}$
 b $R^1 = \text{C}_6\text{H}_5$; $R^2 = \text{H}$
 c $R^1 = (\text{CH}_3)_2\text{C}=\text{CHCH}_2\text{CH}_2$; $R^2 = \text{CH}_3$
 d $R^1 = R^2 = \text{CH}_3$

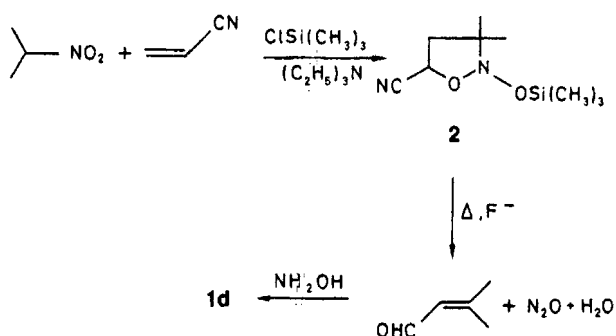
in the presence of excess of sodium hydrogencarbonate. Crotonaldehyde oxime, cinnamaldehyde oxime, β,β -dimethylacrylaldehyde oxime (senecialdehyde oxime) and citraldehyde oxime (1a–d) were prepared according to this procedure.

Senecialdehyde is commercially available but in the present work it was prepared from silylated 2-nitropropane and acrylonitrile¹ (Scheme 2). The *N*-trimethylsilyloxyisoxazolidine **2** is thermally rearranged and cleaved by fluoride ion to senecialdehyde, which is directly oximated to **1d** in a total yield of 40–50 %. The whole sequence of reactions can be performed without isolating the intermediates. The oxime **1d** is a building block in the monoterpene synthesis described below.



Scheme 1.

*To whom correspondence should be addressed.



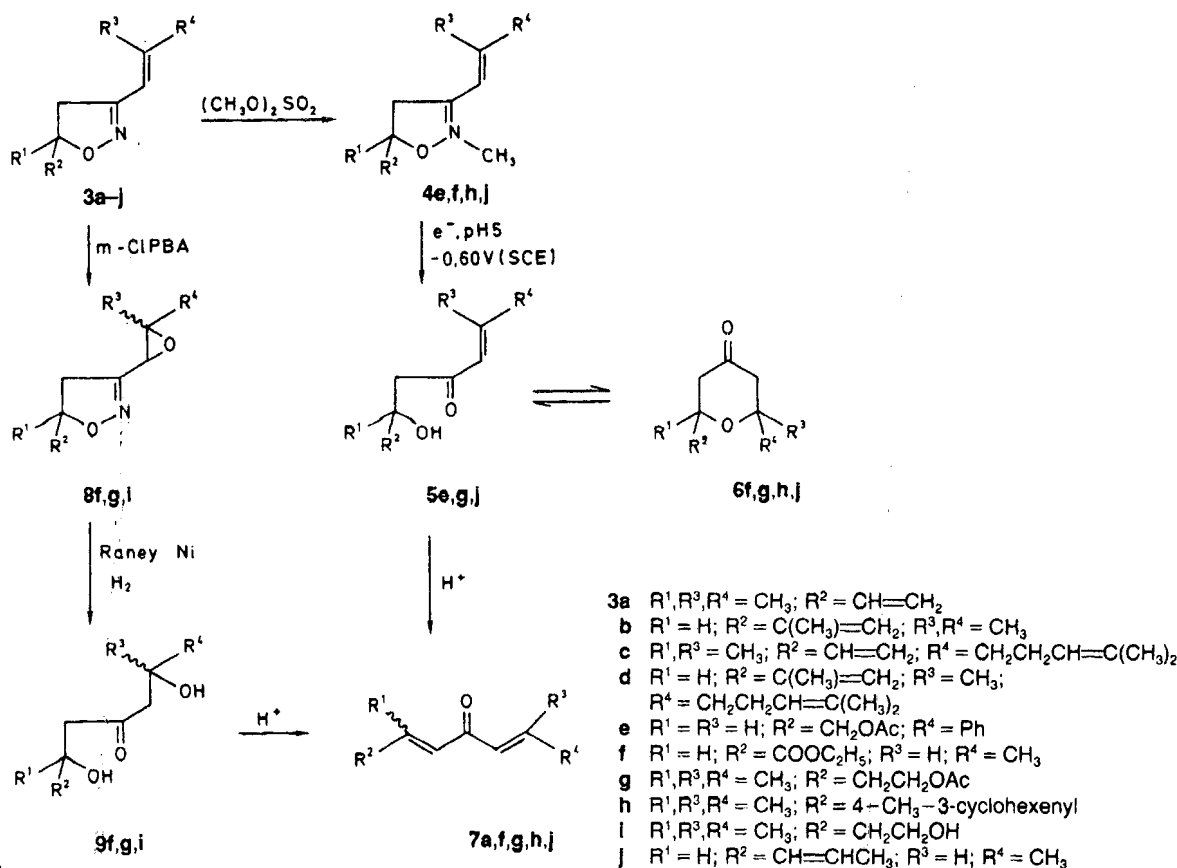
Scheme 2.

Halogenation. α,β -Unsaturated hydroxamic acid chlorides and generation of nitrile oxides. *N*-Chlorosuccinimide (NCS) in chloroform has been shown to be the chlorination agent of choice which selectively acts upon the oxime function in the presence of several other reactive functional groups.² The present work shows that NCS preferentially reacts with the oxime group of α,β -unsaturated aldehyde oximes. *t*-Butyl hypochlorite has also been used successfully for this selective chlorination.³ Triethylamine⁴ and sodium hydrogencarbonate in wet ethyl acetate^{3,5} are suitable bases for generating the corresponding nitrile oxides. The nitrile oxides react with alkenes to give the expected unsaturated isoxazolines 3. 3-Alkenylisoxazolines have

been obtained previously by Wittig reaction of 3-alkylphospho-substituted isoxazolines with carbonyl compounds.⁶

The cycloaddition. The nitrile oxide from senecialdehyde oxime gave with isoprene a mixture of 3a and 3b in a ratio of 1:3. A small amount of the diadduct was also isolated. Dimerization or polymerization of the unsaturated nitrile oxide is thus slower than the cycloaddition to the diene. The major product 3b represents a tail-to-tail coupling of two isoprene units. The NMR spectrum of the product from the cycloaddition of the nitrile oxide from citraldehyde oxime showed formation of 3c and 3d, ratio ca. 1:3, and the cyclized product 10, which is specifically formed from the *cis*-isomer (neral). This type of intramolecular cyclization has been used in a synthesis of the sesquiterpene ($\pm$)-hernandulcin from farnesaldehyde oxime.⁷ The cycloaddition of the nitrile oxides from crotonaldehyde oxime with ethyl acrylate, pentadiene and allyl acetate proceeded in satisfactory yields.

Reduction. The cross conjugated 1,4-dien-3-one system. The commonly used reductive cleavage over Raney nickel cannot be used because olefinic bonds will also be reduced. Titanous ion selectively reduces the N-O bond in the presence of isolated double bonds but double bond reduction occurs when they are conjugated with carbonyl groups.⁸

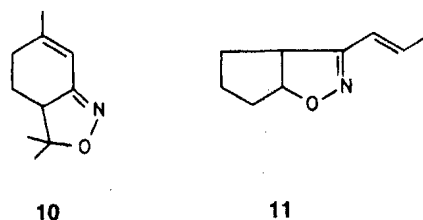


Scheme 3.

Preliminary tests showed that **3a** to a certain extent gave the saturated ketone when reduced with Ti^{3+} . Zinc powder in acetic acid gave predominantly the saturated ketone. Selective reductive cleavage was achieved by electrochemical reduction of the isoxazolinium salts⁹ **4** under controlled potential, at ca. -0.60 V vs. SCE, which is 0.20 – 0.25 V above the reduction potential of the conjugated olefinic system (Scheme 3). Reduction of the parent isoxazolines also lead to reduction of the conjugated double bond.

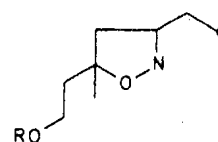
The unsaturated hydroxy ketones **5** undergo ring closure to give tetrahydro- γ -pyrones **6**. Acid-catalyzed elimination of water gives the cross-conjugated dienone system **7**. The same type of compounds were synthesized by protective epoxidation of the double bond with *m*-chloroperbenzoic acid and subsequent reductive cleavage over Raney Ni. The epoxides **8** open regioselectively to give the β -hydroxy ketones **9**, which by acid-catalyzed elimination of water give the α,β -unsaturated ketones **7** (Scheme 3).

Reduction of **4e** gave the expected unsaturated hydroxy ketone **5e**. Reduction of **4f** gave a product, which according to the ^1H NMR spectrum, contained no olefinic bonds. It was concluded that this compound had either cyclized to the pyrone **6f** or it could conceivably have added water to give the dihydroxy derivative **9f**. Compound **4h** behaved similarly, see below. When **3f** was epoxidized to **8f** and subsequently reduced catalytically over Raney Ni the product obtained had an ^1H NMR spectrum identical with that of the product from the electrochemical reduction. We have assigned the compound the open-chain structure **9f**. Treatment of **9f** with methanesulfonyl chloride and triethylamine gave the cross-conjugated dienone **7j** in 42% yield based on the isoxazoline **3j**. The trienone **7j** was synthesized from **3j** via methylation to **4j**, electrochemical reduction to give **5j** and elimination of water by the methanesulfonyl chloride–triethylamine reagent. Compound **16**, which was obtained as a by-product from the reduction, was formed by addition of ethanol (solvent) to **5j**. These



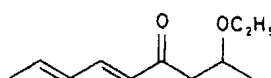
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11

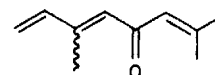


12a R = Ac

12b R = H



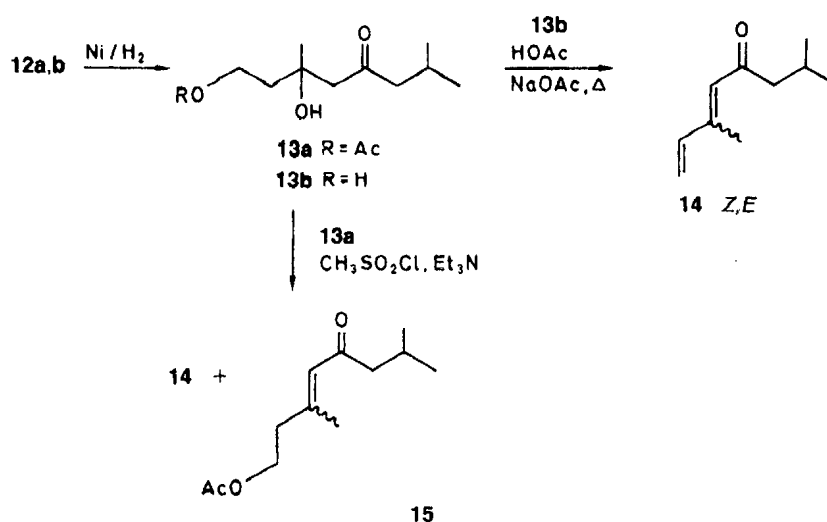
16



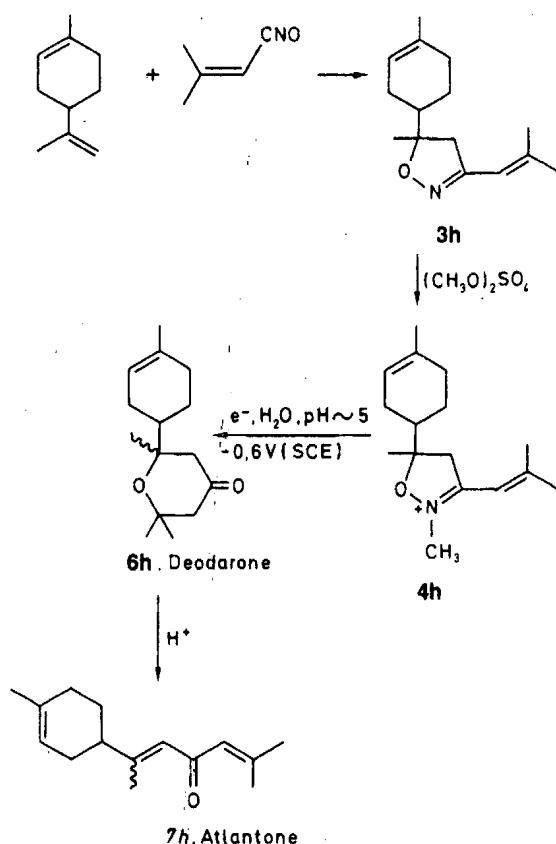
7a Ocimenones

reactions were applied to the syntheses of some simple terpenoids.

The tagetones (**14**) are rather unstable monoterpenes, which have been isolated from various *Tagetes* species as a mixture of *Z*- and *E*-isomers. Several syntheses have been recorded.¹⁰ The current synthesis started from 3-methyl-3-buten-1-ol or its acetate, which by 1,3-dipolar cycloaddition to isovaleronitrile oxide give **12a,b**. Reductive cleavage over Raney Ni gives the corresponding hydroxy ketones **13a,b**. (*Z*)-Tagetone **14** was obtained in a satisfactory yield when crude **13b** was heated in refluxing acetic acid in the presence of sodium acetate for 15 min (Scheme 4). The formation of tagetones from **13a** by acid- or base-catalyzed elimination of water and acetic acid was capricious. At-



Scheme 4.



Scheme 5.

tempted water elimination of **13a** with methanesulfonyl chloride and triethylamine led to **14**, *Z,E* (major) mixture, together with **15**.

The ocimenones (**7a**) have been synthesized several times.^{10c,d,11} We have applied the method for the tagetones starting with senecialdehyde oxime and 3-methyl-3-buten-1-ol, which gave the isoxazoline **3i**. Epoxidation and catalytic hydrogenation gave **9i**. When crude **9i** was thermolyzed with silica at 200°C/40 mmHg ocimenone (**7a**) was formed in a poor yield, ca. 10–20%, predominantly as the *Z*-isomer. The yield of **7a** was improved when the acetate **3g** was used as the starting material. This was epoxidized to give **8g** and subsequently reduced to **9g**. Minor amounts of the deoxygenation product **13a** were observed in the crude reaction mixture. Dehydration by methanesulfonyl chloride and triethylamine gave predominantly **7g**. Compound **7a** was observed as a minor product even at this stage. Thermolysis of the crude product on silica gave **7a** [*Z,E* (major) mixture] in ca. 20% overall yield as calculated from **3g**.

Deodarone (**6h**), and atlantone (**7h**), have a carbon skeleton well suited for construction by our isoxazole methodology. The nitrile oxide generated from senecialdehyde oxime added selectively to the double bond of the isopropenyl group of (+)-limonene to give **3h**, which was methylated to give **4h** and reduced electrolytically. By controlling the potential, the ring double bond as well as the conjugated double bond were left untouched. The product iso-

lated turned out to be deodarone (**6h**), a tetrahydro- γ -pyrone structure. By treatment with acid, **6h** lost water to give atlantone (**7h**). Deodarone was obtained in a 1:1 diastereomeric mixture and atlantone as a *cis-trans* mixture (Scheme 5).

Deodarone (**6h**) and atlantone (**7h**) have been synthesized earlier by various methods.^{10c,11b,12}

Experimental

Synthesis of α,β -unsaturated aldehyde oximes. The unsaturated aldehyde (0.1 mol) was added to an aqueous solution (ca. 100 ml) of hydroxylamine hydrochloride (0.1 mol) and sodium hydrogencarbonate (0.2 mol). The mixture (two-phase system) was stirred at 25°C overnight, extracted twice with dichloromethane, dried over MgSO_4 and evaporated *in vacuo*. The yield was poorer when the oximation was carried out in a one-phase aqueous methanol solution. It is advisable to use the oxime (*Z,E* mixture) directly after the preparation as it decomposes within a few days at room temperature (crotonaldehyde oxime). It should be stored in the refrigerator. The crude yields were: crotonaldehyde oxime 71%; citral oxime (*Z,E*), cinnamaldehyde oxime and senecialdehyde oxime were formed in practically quantitative yields.

Synthesis of senecialdehyde and oxime 1d. A mixture of 2-nitropropane (7.0 g), triethylamine (8.1 g), acrylonitrile (4.4 g) and chlorotrimethylsilane (8.9 g) was stirred at 53°C for 16 h in chloroform (20 ml). The mixture was washed twice with water (20 ml), dried over MgSO_4 and evaporated *in vacuo* in a distillation apparatus to give a blue liquid. Finely pulverised potassium fluoride (4.3 g) was added and the mixture was stirred at 25°C for 30 min. The temperature was slowly raised to 110°C at 60–70 mmHg. Dinitrogen oxide was evolved and water and senecialdehyde were condensed in the collecting flask (cooled with CO_2 and acetone). The crude aldehyde was oximated with hydroxylamine hydrochloride (5 g) according to the procedure described above. The yield of **1b** was 3.2 g. The crude oxime was used in the subsequent reactions (*Z,E* mixture).

The cycloaddition of 3,3-dimethylacrylonitrile oxide to isoprene, 3a,b. Senecialdehyde oxime (0.99 g) in chloroform (10 ml, with two drops of pyridine added) was chlorinated with *N*-chlorosuccinimide (NCS) (1.36 g) at 0–5°C for 15 min. Isoprene (2.1 g) was added and followed by, dropwise, triethylamine (1.05 g) in chloroform (10 ml) over 1.5 h with stirring. The solution was left to stand overnight at 25°C whereupon it was washed twice with water; dried over MgSO_4 and evaporated. The residue was purified by preparative TLC (SiO_2 , CHCl_3 , 2% CH_3OH). The major fraction (1.18 g, 72%) consisted of an oily 1:3 mixture of **3a:3b**. ¹H NMR (CDCl_3): **3a**, δ 1.47 (3 H, s), 1.89 (3 H, s), 1.95 (3 H, s), ca. 3 (2 H, m), 4.8–5.4 (2 H, m), 5.86 (1 H, br s), 5.98 (1 H, dd, *J* 16 and 10 Hz), **3b**, 1.74 (3 H, s), 1.89

(3 H, s), 1.95 (3 H, s), 2.7–3.5 (2 H, m), 4.7–5.1 (3 H, m), 5.86 (1 H, br s). The minor fraction (0.18 g, oil) was the product from a biscycloaddition MS: m/z 262 (M^+). ^1H NMR (CDCl_3): δ 4.59 (1 H, t, J 9 Hz), 5.89 (2 H, br s). In a second experiment the crude product was distilled in a Kugelrohr apparatus at 110°C/0.2 mmHg. **3a,b** were obtained as a light yellow oil. The yield was 78%.

3c,d and 10. Citral oxime (0.33 g, crude) in chloroform (1 ml) was added slowly to isoprene (0.42 g) and pyridine (0.09 g) and NCS (0.27 g) in chloroform (1 ml) at 0°C with stirring. The temperature was then kept at 25°C for 2 h. The solution was washed twice with water, dried over MgSO_4 and evaporated. The residue was purified by preparative TLC (SiO_2 , CHCl_3 , 1% CH_3OH). **3c,d** were obtained as an oily mixture (1:3), 0.15 g, 32%. ^1H NMR (CDCl_3): **3d**, 1.5–2.4 (16 H, m), 2.7–3.5 (2 H, m), 4.7–5.3 (4 H, m), 5.87 (1 H, br s). **3c** shows characteristically one CH_3 signal at δ 1.46. MS: m/z 233 (M^+). **10** was obtained as an oil from a band of lower R_f value in a yield of ca. 20%. ^1H NMR (CDCl_3): 1.11 (3 H, s), 1.50 (3 H, s), 1.89 (3 H, s), 1.2–2.4 (4 H, m), 2.84 (1 H, dd, J 5 and 12 Hz), 6.17 (1 H, br s). MS: m/z 165 (M^+). Compound **10** was obtained in a yield of 27% when citral oxime was added to NCS and pyridine in chloroform at 25°C. The product was purified by preparative TLC (SiO_2 ; petroleum ether–ethyl ether 3:2).

5-Acetoxymethyl-3-styrylisoxazoline (3e). Cinnamaldehyde oxime (1.47 g) was chlorinated at 0°C with NCS (1.36 g) in chloroform (10 ml and pyridine 0.1 ml). The solution turned dark brown but it became light yellow after ca. 10 min. After 0.5 h, allyl acetate (1.25 g) was added followed by triethylamine (1.05 g in chloroform, 5 ml), dropwise, with stirring. The solution was kept at 25°C for 45 min, filtered, washed twice with water, dried over MgSO_4 and evaporated. The residue was recrystallized from methanol to give 0.98 g of **3e**, m.p. 102°C. From the mother liquor a second crop of crystals (0.15 g) was isolated by preparative TLC (SiO_2 ; CHCl_3 –2% CH_3OH). The total yield of **3e** was 46%. ^1H NMR (CDCl_3): δ 2.02 (3 H, s), 2.96 (1 H, dd, J 8 and 16 Hz), 3.23 (1 H, dd, J 10 and 16 Hz), 4.17 (2 H, d, J 4 Hz), 4.83 (1 H, m), 6.72 (1 H, d, J 16 Hz), 7.00 (1 H, d, J 16 Hz), 7.33 (5 H, br s).

5-Ethoxycarbonyl-3-propenylisoxazoline (3f). NCS (0.67 g) was added to a mixture of freshly prepared crotonaldehyde oxime (0.43 g), pyridine (0.41 g) and ethyl acrylate (1.0 g) in chloroform (5 ml) at 0°C. The mixture was stirred for 0.5 h washed with water and dilute hydrochloric acid (pH 2–3). Usual work-up gave **3f** as a yellow oil (0.58 g, 63%). ^1H NMR (CDCl_3): δ 1.30 (3 H, t, J 7 Hz), 1.88 (3 H, d, J 5 Hz), 3.30 (2 H, d, J 9 Hz), 4.20 (2 H, g, J 7 Hz), 4.97 (1 H, t, J 9 Hz), 5.96 (1 H, dq, J 16 and 6 Hz), 6.29 (1 H, d, J 16 Hz).

5-(2-Acetoxyethyl)-3-(2,2-dimethylvinyl)-5-methylisoxazoline (3g). Senecialdehyde oxime (4.0 g) in chloroform (12 ml and 3 drops of pyridine) was chlorinated with NCS (5.5 g) at 25°C with stirring. 4-Acetoxy-2-methyl-1-butene (5.6 g) was added followed by triethylamine (4.4 g) over 1 h. The solution was stirred for 20 h, washed with water and with diluted hydrochloric acid (pH 2–3), dried (MgSO_4) and evaporated. The residue was chromatographed through a silica column (petroleum ether–ethyl ether 1:3) to give **3g** as a yellow oil in a yield of 56% ^1H NMR (CDCl_3): δ 1.38 (3 H, s), 1.86 (3 H, s), 1.86 (3 H, s), 1.92 (3 H, s), 1.99 (2 H, t, J 7.8 Hz), 2.02 (3 H, s), 2.85 (1 H, d, J 16.5 Hz), 3.03 (1 H, d, J 16.5 Hz), 4.18 (2 H, t, J 7.8 Hz), 5.86 (1 H, br s).

3-(2,2-Dimethylvinyl)-5-methyl-5-(4-methyl-3-cyclohexenyl)-isoxazoline (3h). Senecialdehyde oxime (1.98 g) in ethyl acetate (5 ml) was chlorinated with *t*-butyl hypochlorite (2.17 g) in ethyl acetate (3 ml) at 0°C for 10 min. (+)-Limonene (2.7 g), potassium hydrogencarbonate (3.0 g) and two drops of water were added. The solution was stirred for 20 h after which it was washed twice with water, dried over MgSO_4 and evaporated. Chromatography of the crude product through a silica column (petroleum ether–ethyl ether 4:1) gave **3h** (2.98 g, 64%) as a yellow oil. ^1H NMR (CDCl_3): δ 1.16 (3 H, s), 1.49 (3 H, s), 1.72 (3 H, s), 1.79 (3 H, 2), 1.55–1.95 (7 H, m), 2.57 (1 H, d, J 16.5), 2.61 (1 H, d, J 16.5), 2.87 (1 H, d, J 16.5), 5.22 (1 H, br s), 5.73 (1 H, br s). **3h** consists of a diastereomeric pair of isomers formed in the ratio 1:1.

2,2-Dimethylvinyl-5-(2-hydroxyethyl)-5-methylisoxazoline (3i). Senecialdehyde oxime was chlorinated with *t*-butyl hypochlorite at 0°C for 10 min. Cycloaddition to 3-methyl-3-buten-1-ol and usual work-up gave **3i** as an oil. The crude product was chromatographed on a silica column (ethyl ether–dichloromethane 1:4). The yield was 57%. ^1H NMR (CDCl_3): δ 1.39 (3 H, s), 1.86 (3 H, s), 1.91 (3 H, s), 1.92 (2 H, m), 2.87 (1 H, d, J 17.5 Hz), 3.07 (1 H, d, J 17.5 Hz), 3.79 (2 H, m), 5.86 (1 H, br s).

3,5-Diprop-1-enylisoxazoline (3j). Crotonaldehyde oxime (2.66 g, freshly prepared) was chlorinated in dichloromethane (5 ml) by slow addition of *t*-butyl hypochlorite (3.46 g in 5 ml of CH_2Cl_2) at 10–15°C. (*E*)-1,3-pentadiene (1.77 g), potassium hydrogencarbonate (4 g) and water (0.1 ml) were added and the mixture was stirred for 20 h. The usual work-up gave a crude product, which, when purified by column chromatography (SiO_2 ; ethyl ether–petroleum ether 1:4), gave **3j** (2.26 g, 58%). ^1H NMR (CDCl_3): δ 1.72 (3 H, d, J 6 Hz), 1.89 (3 H, d, J 6 Hz), 2.79 (1 H, dd, J 16 and 8 Hz), 3.10 (1 H, dd, J 16 and 9 Hz), 4.92 (1 H, m), 5.5–6.6 (4 H, m).

N-Methylation of isoxazolines. Preparation of 4e,f,h,j: General procedure. The isoxazoline (1 mol), dimethyl sulfate (DMS, 2 mol) and sodium hydrogencarbonate (0.15

mol, finely ground) were stirred for 20 h at 45–50°C. If the isoxazoline did not dissolve in DMS a few milliliters of chloroform were added. The crude monomethyl sulfate salts formed highly viscous oils, which could be used directly for the electrochemical reduction. Usually they were purified by being partitioned between diethyl ether and water. Diethyl ether dissolved impurities and the excess of DMS and the salt went into the aqueous phase, from which it was precipitated by addition of sodium perchlorate (1.5 mol). The ether phase was washed once with water and the water phases were combined. The perchlorates were often solids, and were filtered off after cooling of the aqueous solution in the refrigerator. Oily perchlorates were isolated by extraction with chloroform. The yields were in the range 70–90%. In the ^1H NMR spectrum the $\text{N}-\text{CH}_3$ group is located at δ ca. 3.8. Compound **4e** is a slightly yellow solid, m.p. 180–190°C, decomp. (from water-methanol 1:3). **4h**, m.p. 118–123°C (from ethyl acetate; as perchlorate). ^1H NMR (CD_3CN): δ 2.03 (3 H, s), 3.86 (3 H, s), 3.8–4.2 (2 H, m), 4.35 (2 H, d, J 5 Hz), 5.33 (1 H, m), 7.18 (1 H, d, J 16 Hz), 7.3–7.9 (5 H, m), 7.81 (1 H, d, J 16 Hz). IR(KBr): 1735 cm^{-1} (s). **4f,j** formed viscous oils. ^1H NMR (CDCl_3): **4f**, δ 1.31 (3 H, t, J 7 Hz), 2.17 (3 H, d, J 6 Hz), 3.7–4.2 (2 H, m), 3.89 (3 H, s), 4.27 (2 H, q, J 7 Hz), 5.50 (1 H, dd, J 10 and 8 Hz), 6.64 (1 H, d, J 15 Hz), 7.16 (1 H, dq, J 15 and 6 Hz). **4h**, 1.46 and 1.48 (3 H, two diastereomers 1:1), 1.58 (3 H, br s), 1.6–2.1 (7 H, m), 2.12 (3 H, s), 2.14 (3 H, s), 3.62 (2 H, br s), 3.75 (3 H, s), 5.30 (1 H, br s), 6.26 (1 H, s). **4j**, 1.79 (3 H, d, J 6 Hz), 2.14 (3 H, d, J 6 Hz), 3.4–3.8 (2 H, m), 3.81 (3 H, br s), 5.3–5.9 (2 H, m), 6.61 (1 H, d, J 17 Hz), 7.12 (1 H, dq, J 17 and 6 Hz).

The electrochemical reduction of the 3-alkenylisoxazolium salts 4. This was carried out in aqueous ethanol (40% ethanol, pH ca. 5, acetate buffer) at ca. -0.60 V (vs. SCE).⁹ The polarogram showed two waves separated by 0.20–0.25 V. The conjugated olefinic function was reduced at the more negative potential. The ethanol was removed *in vacuo* and the remaining aqueous emulsion was extracted with chloroform. The organic phase was dried over Na_2SO_4 and evaporated to give the crude β -hydroxy ketone.

1-Acetoxy-2-hydroxy-6-phenyl-5-hexen-4-one (5e). This was obtained as a colourless oil from the reduction of **4e**. The crude product was purified by preparative TLC (SiO_2 ; dichloromethane–diethyl ether 4:1). The yield was 39%. ^1H NMR (CDCl_3): δ 2.03 (3 H, s), 2.88 (2 H, d, J 6 Hz), 4.13 (2 H, d, J 5 Hz), 4.36 (1 H, m), 5.0 (1 H, br s), 6.72 (1 H, d, J 16 Hz), 7.0–7.5 (5 H, m), 7.54 (1 H, d, J 16 Hz).

Ethyl 2,5-dihydroxy-4-oxoheptanoate (9f) and ethyl 4-oxo-2,5-heptadienoate (7f). Method 1. Compound **3f** (2.95 g) was epoxidized with *m*-chloroperbenzoic acid (3.2 g) in dichloromethane (20 ml) at 25°C for 20 h. The

solution was filtered, washed with aqueous sodium hydroxide (pH 10–11), dried over MgSO_4 and evaporated to give crude **8j** (3.4 g) which was catalytically reduced over Raney Ni in methanol. The catalyst was filtered off through Celite® and the filtrate evaporated to a small volume *in vacuo*. The residue was dissolved in dichloromethane, dried over MgSO_4 , filtered and the solvent evaporated to give crude **9f** (3.08 g). Methanesulfonyl chloride (1.4 g, 3 equiv.), was added dropwise with stirring to **9f** (0.77 g) and triethylamine (3.7 g, 9 equiv.) in chloroform (15 ml) at 0°C. The solution was refluxed for 15 min, cooled, washed twice with water, dried over MgSO_4 and evaporated. Purification of the residue by preparative TLC (SiO_2 ; CH_2Cl_2) gave 0.28 g of **7f**. The overall yield from **3f** was 42%. ^1H NMR (CDCl_3): **7f**, δ 1.24 (3 H, t, J 7.5 Hz), 1.90 (3 H, d, J 7 Hz), 4.19 (2 H, q, J 7.5 Hz), 6.30 (1 H, d, J 16.5 Hz), 6.65 (1 H, d, J 16.5 Hz), 6.97 (1 H, dq, J 16.5 and 7 Hz), 7.30 (1 H, d, J 16.5 Hz). **8f**, 1.25 (3 H, t, J 7.5 Hz), 2.9–3.2 (3 H, m), 3.53 (1 H, br s), 4.19 (2 H, q, J 7.5 Hz), 4.97 (1 H, m). **9f**, 1.17 (3 H, d, J 6 Hz), 1.26 (3 H, t, J 7.5 Hz), 2.62 (2 H, d, J 6 Hz), 2.93 (2 H, m), 4.0–4.6 (4 H, m).

Method 2. Electrochemical reduction of **4f** according to the general procedure described above gave **9f**. The ^1H NMR spectrum of the crude product was identical with that of the product from catalytic reduction of **8f**.

Deodarone (6h). The isoxazoline **3h** was methylated and reduced electrochemically as described above. The crude product was purified by preparative TLC (SiO_2 ; CHCl_3 –diethyl ether 95:5) to give directly the tetrahydro- γ -pyrone, deodarone (**6h**) in a yield of 50%. The ^1H NMR spectrum showed two diastereomeric **6h** in the ratio 1:1. The spectral data (NMR, IR, MS) were in agreement with data from the literature.^{10c}

Atlantone (7h). This was obtained by treating deodarone (**6h**) with *p*-toluenesulfonic acid (1:1) in dichloromethane at 30°C for 20 h. The solution was washed with water, pH 8–9, dried over MgSO_4 and evaporated to give **7h** in a yield of 55%. The ^1H NMR and MS spectral data of **7h** were in agreement with published data.¹³

2,4,7-Nonatrien-6-one (7j) and 8-ethoxy-2,4-nonadien-6-one (16). These were obtained by electrochemical reduction of **4j** in aqueous ethanol. The ^1H NMR spectrum of the impure crude product indicated the presence of **5j** and **6j**. It was directly dehydrated in chloroform with methanesulfonyl chloride (3 mol) and triethylamine (9 mol) at 0°C for 15 min and then at 30°C for 2 h. The chloroform solution was washed with water and dilute hydrochloric acid, dried over MgSO_4 and evaporated *in vacuo*. Purification of the residue by preparative TLC (SiO_2 ; CH_2Cl_2) gave **7j**, 33% and **16** 19%, as colourless liquids. ^1H NMR (CDCl_3): **7j**, δ 1.75–1.95 (6 H, m), 6.1–6.4 (4 H, m), 6.85 (1 H, dq, J 16.5 and 7.5 Hz), 7.20 (1 H, m). MS: m/z 136 (M^+). **16**, 1.05–1.20 (6 H, m), 1.84 (3 H, d, J 5.5 Hz), 2.50 (1 H, dd,

J 16 and 6 Hz), 2.83 (1 H, dd, J 16 and 6.5 Hz), 3.3–3.6 (2 H, m), 3.90 (1 H, m), 6.05 (1 H, d, J 16.5 Hz), 6.16 (2 H, m), 7.11 (1 H, m). MS: m/z 182 (M^+).

Compound 8i. Isoxazoline **3i** (0.18 g) was epoxidized with *m*-chloroperbenzoic acid (0.20 g) in dichloromethane at 4°C for 20 h. The precipitate was filtered off and the solution washed with basified water, pH ca. 10, dried over $MgSO_4$ and evaporated. Crude **8i** (0.19 g) was obtained, which was used directly for catalytic reduction. 1H NMR ($CDCl_3$): δ 1.35 (3 H, s), 1.39 (6 H, s), 1.94 (2 H, t, J 6.6 Hz), 2.74 (1 H, dd, J 17.8 and 6.7 Hz), 2.96 (1 H, dd, J 17.8 and 6.7 Hz), 3.49 (1 H, br s), 3.79 (2 H, m).

Synthesis of ocimenones (7a). *Method 1.* The epoxide **8i** (0.19 g), was reduced catalytically over Raney Ni in methanol (4 ml) in the presence of boric acid (0.3 g). The solution was filtered through Celite, which was washed with a few milliliters of methanol. The solvent was evaporated *in vacuo*, dichloromethane (10 ml) and $MgSO_4$ (drying agent) were added and the suspension was filtered. Silica (3 g) was added and solvent removed *in vacuo*. The silica was heated in a Kugelrohr apparatus at 200°C/40 mmHg, and the condensate, which consisted mainly of (*Z*)-ocimenone (**7a**) was purified by preparative TLC (SiO_2 ; petroleum ether–ethyl ether 7:1). The yield was 10–20%. The NMR spectrum was in agreement with published data.^{11c} A small amount of a faster-running compound was tagetone (**14**).

Method 2. The isoxazoline **3g** was epoxidized as described for **8i**. The crude product was reduced over Raney Ni as described above and subsequently dehydrated with methanesulfonyl chloride/triethylamine (3.5 mol/9 mol). Usual work-up gave a product, which without purification was thermolyzed on silica (crude acetate, **7g**, SiO_2 , flash gel, 230–400 mesh, 2 g) in a Kugelrohr apparatus at 180°C/60 mmHg for 30 min. The distillate was a mixture of (*Z*)- (major) and (*E*)-ocimenones **7a** contaminated with a small amount of tagetones **14**. The overall yield was ca. 20% as calculated from **3g**.

Compound 11. The yellow oil was prepared from crotonaldehyde oxime and cyclopentene according to the usual procedure. The yield was 23%. 1H NMR ($CDCl_3$): δ 1.0–2.2 (6 H, m), 2.15 (3 H, d, J 7.5 Hz), 3.65 (1 H, m), 5.00 (1 H, m), 6.00 (1 H, dq, J 16 and 5 Hz), 6.19 (1 H, d, J 16 Hz).

5-(2-Acetoxyethyl)-3-isobutyl-5-methylisoxazoline (12a). Isovaleraldehyde oxime (17 g) was chlorinated at 20°C with NCS (26 g, added in portions) in chloroform (80 ml and 0.2 ml pyridine). The solution turned blue during the chlorination but the color faded towards the end of the reaction. After 1 h, 4-acetoxy-2-methyl-1-butene (22 g) was added followed by triethylamine (20 g) over 3 h. The solution was stirred for a further 20 h, washed with water and with dilute hydrochloric acid (pH 2), dried over

$MgSO_4$ and evaporated *in vacuo*. The residue was purified by column chromatography (SiO_2 ; $CDCl_3$ –2% CH_3OH) to give **12a** in a yield of 47%. 1H NMR ($CDCl_3$): δ 0.93 (6 H, d, J 7.5 Hz), 1.34 (3 H, s), 1.83 (1 H, m), 1.96 (2 H, t, J 7.5 Hz), 2.01 (3 H, s), 2.16 (2 H, d, J 7.5 Hz), 2.60 (1 H, d, J 17.5 Hz), 2.80 (1 H, d, J 17.5 Hz), 4.16 (2 H, t, J 7.5 Hz).

5-(2-Hydroxyethyl)-3-isobutyl-5-methylisoxazoline (12b). Isovaleraldehyde oxime (6.3 g) in ethyl acetate (30 ml) was chlorinated with *t*-butyl hypochlorite (6.8 g, dropwise addition) at 0°C. 3-Methyl-3-buten-1-ol (4.4 g) and potassium hydrogencarbonate (15 g) and water (0.1 ml) were added. The mixture was stirred at 25°C for 20 h. Usual work-up gave 5.2 g of **12b** (yellow oil, 69%) by chromatographic purification on a silica column (dichloromethane–ethyl ether 6:1). The product was slightly impure. The presence of the furoxan derivative was observed. 1H NMR ($CDCl_3$): δ 0.95 (6 H, d, J 6 Hz), 1.33 (3 H, s), 1.6–2.4 (5 H, m), 2.78 (2 H, d, J 6.5 Hz), 3.72 (2 H, t, J 7 Hz).

Compounds **13a,b** were obtained by catalytic reduction of **12a,b** over Raney Ni in methanol–water (10:1) in the presence of boric acid (ca. 2 equiv. relative to the substrate). The solution was filtered through Celite, evaporated and extracted with ethyl ether. The ether solution was dried over $MgSO_4$ and evaporated to give crude **13a,b** which was used directly for further synthesis. The crude yields are practically quantitative. 1H NMR ($CDCl_3$): **13a**, δ 0.89 (6 H, d, J 6 Hz), 1.20 (3 H, s), 1.82 (2 H, dt, J 1.2 and 7.5 Hz), 2.00 (3 H, s), 2.24 (2 H, d, J 8 Hz), 2.54 (1 H, d, J 17.5 Hz), 2.58 (1 H, d, J 17.5 Hz), 4.17 (2 H, t, J 7.5 Hz).

Synthesis of tagetones (14). **13b** (0.39 g, crude) and sodium acetate (1.0 g) were heated to reflux in acetic acid (2.5 ml) for 15 min. Part of the acetic acid was evaporated at 35°C/20 mmHg and dichloromethane was added. The mixture was washed with aqueous sodium hydrogencarbonate, dried over $MgSO_4$, evaporated (20°C/20 mmHg) and purified on a TLC plate (SiO_2 ; petroleum ether–ethyl ether 10:1) to give 0.22 g (67%) of **14**. It consisted of nearly pure *Z*-isomer. 1H NMR ($CDCl_3$): δ 0.88 (6 H, d, J 7 Hz) 1.92 (3 H, s), 2.12 (1 H, m), 2.27 (2 H, d, J 7 Hz), 5.40 (1 H, d, J 11 Hz), 5.57 (1 H, d, J 17 Hz), 6.02 (1 H, br s), 7.69 (1 H, dd, J 11 and 17 Hz). MS: m/z 152 (M^+ 45%), 113 (68%), 95 (100%), 85 (42%). The *Z*-isomer rearranges slowly to the *E*-isomer. 1H NMR ($CDCl_3$): δ 5.40 (1 H, d, J 11 Hz), 5.61 (1 H, d, J 17 Hz), 6.09 (1 H, br s), 6.32 (1 H, dd, J 11 and 17 Hz).

Acknowledgements. We wish to thank Mrs. Karen Skov and Dr. H. Lund for helping us with the electrochemical reductions. Financial support was given by Aarhus Universitets Forskningsfond.

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Received January 9, 1990.

**SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
DIRECCIÓN DE NUEVAS CREACIONES**

2020
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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 09-137860- -00006-0000

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Patente de Invención ☒

Patente de Modelo de Utilidad ☐

Vía Nacional ☐

Vía PCT (fase nacional) ☒

Cap. I ☒

Cap. II ☐

No. Sol. Internacional PCT/US2008/005578

Fecha de Presentación Internacional 1/05/2008

Como resultado del examen de fondo, realizado con fundamento en el artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le comunica:

1. Documentos estudiados:

1.1. <u>Descripción:</u>	Folios: 8 a 48	2/12/2009
1.2. <u>Reivindicaciones:</u>	Folios: 49 a 33	2/12/2009
1.3. <u>Prioridad:</u>	US 11/799524	02/05/2007

2. Análisis de la prioridad:

La prioridad de la presente solicitud corresponde al objeto reivindicado.

3. Objeto de la invención:

Título de la solicitud: aislados antimicrobianos y anti-inflamatorios de extracto de regaliz.

El problema planteado en esta solicitud consiste en la necesidad de un método para la extracción de la raíz de Glycyrrhiza sp., que produzca menos desperdicio y cause un impacto menor sobre el ambiente de los extractos del arte previo mientras que al

mismo tiempo se produzca un extracto que es más efectivo para proporcionar propiedades anti-inflamatorias, antibacterianas y anti-adherentes mediante el aislar un porcentaje mayor de los componentes lipofílicos disponibles totales de la raíz de planta y, en particular, un porcentaje total mayor de los flavonoides prenilatados disponibles de la raíz de planta.

Para resolver este problema técnico la solicitud en estudio proporciona una composición para el cuidado del cuerpo o para el cuidado oral que comprende un extracto de la raíz de Glycyrrhiza sp, obtenido por un proceso de extracción CO2 super crítico.

El objeto de la presente Solicitud se relaciona con la Clasificación Internacional de Patentes (CIP): A61K 8/97, 31/185; A61Q 11/00.

4. No es una invención (artículo 15 D 486 literal a)-f))

La (s) reivindicación (es) 1 a 33 (Fls: 49 a 55) que se refiere(n) a una composición que comprende un extracto de la raíz de la planta Glycyrrhiza sp, no es una invención porque proviene de una parte de una planta, es decir, forma parte de la naturaleza por lo que se encuentra excluida de patentabilidad.

En cumplimiento del artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, se le indica que debe dar respuesta dentro del término de sesenta días contados a partir de la fecha de la notificación de la presente comunicación. En caso de no dar respuesta al presente requerimiento o si a pesar de la respuesta subsistieran los impedimentos para la concesión, se denegará la patente.

Notifíquese el presente oficio conforme a lo dispuesto en el numeral 5.2, literal e), del capítulo quinto del título primero de la Circular Única N° 10 de 2001.



JOSÉ LUIS SALAZAR LÓPEZ
Director de Nuevas Creaciones (c)

El anterior requerimiento fue notificado por fijación en lista, de fecha 02 OCT. 2012

Elaborado por: Lina Patricia Forero T.
Revisado por: Gloria Jacqueline Alfonso R.

