

ay 1

ESCOBAR - URIBE ASOCIADOS

A B O G A D O S

Carrera 11A No. 94 -76 - Of.305 - P.O. Box 94948, Bogotá, D.C. - Colombia

Tels: (571) 6162051 - Fax (571) 6161889

www.escobaruribe.com - info@escobaruribe.com

2814/PCT.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISION DE NUEVAS CREACIONES

E.

S.

D.

SUPERINDUSTRIA Y COMERCIO
Radicación : 05034500 00000004 Folios: 9
Fecha (AMD): 2005-09-15 14:26:37
Trámite : 011 PCI-PATENT 379 FASE NACI 329 COMPLEMEN
Dependencia: 2000 DIVISION DE NUEVAS CREACIONES

Ref.: Expediente No. 05-034.500
Solicitud de Patente a nombre de
Ortho-McNeil Pharmaceutical, Inc.

Yo, JIMENA ESCOBAR URIBE, identificada como aparece al pie de mi firma, domiciliada en la Carrera 11 A No. 94-76, of. 305, obrando como apoderada de la sociedad **Ortho-McNeil Pharmaceutical, Inc.**, domiciliada en Raritan, New Jersey, Estados Unidos de América, solicitante de la patente de la referencia, atentamente me permito manifestar que dando alcance a mi memorial de 8 de septiembre de 2005, presento copia de las declaraciones hechas en Fase Internacional bajo la regla 4.17 del PCT.

Señor Superintendente,


JIMENA ESCOBAR URIBE
C.C.39.779.452 de Usaquén
T.P. 68228
Cód. 5376

95
12

Docket No. PRD-2110-PCT

BEFORE THE INTERNATIONAL BUREAU (IB)

Applicant: 3-Dimensional Pharmaceuticals, Inc.
International Publication No.:
International Publication Date:
International Application No.: PCT/US03/29701
International Filing Date: 18 Sep 2003
For: METHODS OF INCREASING PLATELET AND
HEMATOPOIETIC STEM CELL PRODUCTION

I hereby certify that this correspondence is being transmitted via facsimile and Federal Express
to The International Bureau of WIPO, 34, chemin des Colombettes, 1211 Geneva 20,
Switzerland, Fax No. 011-41-22-338-87-20 on

January 20, 2004

(Date of facsimile transmission)

Laura A. Donnelly

(Name of applicant, assignee, or Registered Representative)

Laura A. Donnelly

(Signature)

January 20, 2004

(Date of Signature)

VIA FACSIMILE AND FEDERAL EXPRESS

International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Attn: Isabella Buloz

RESPONSE TO INVITATION TO CORRECT DECLARATION(S)
MADE IN THE REQUEST UNDER PCT RULE 4.17

In response to the Invitation to Correct Declaration(s) Made in the Request Under PCT Rule 4.17, attached hereto are (1) a copy of the Invitation; and (2) two executed Declarations as to the Identity of the Inventors.

Should the International Bureau require anything further, please contact applicants' representative at the telephone number listed below.

Respectfully Submitted,

Laura A. Donnelly

Laura A. Donnelly
Registration No. 38,435

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
(732) 524-1729

PATENT COOPERATION TREATY

PCT

INVITATION TO CORRECT DECLARATION(S) MADE IN THE REQUEST UNDER PCT RULE 4.17

(PCT Rules 4.17 and 26ter.2(a))

From the INTERNATIONAL BUREAU

To:

JOHNSON, Philip, S.
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)	27 November 2003 (27.11.03)
Applicant's or agent's file reference PRD-2110-PCT	REPLY DUE See below
International application No. PCT/US03/29701	International filing date (day/month/year) 18 September 2003 (18.09.03)
Applicant 3-DIMENSIONAL PHARMACEUTICALS, INC.	

1. The applicant is hereby invited to submit to the International Bureau a corrected declaration within the time limit indicated below and as explained in the Annex. The applicant's attention is drawn to the fact that the declaration has not been examined for compliance with national law requirements of the designated State(s) for which that declaration is made.

When? Within 16 months from the priority date, provided that any corrected declaration which is received by the International Bureau after the expiration of that time limit shall be considered to have been received on the last day of that time limit if it reaches it before the technical preparations for international publication have been completed (Rule 26ter.1)

How? By submitting a replacement sheet containing a corrected declaration accompanied by a letter explaining the correction (see Section 216). See Sections 211 to 215 for the applicable standardized wording.

Where? Directly to the International Bureau at the address indicated below.
If the corrected declaration is submitted to the receiving Office, that Office shall mark the date of receipt on it and transmit it promptly to the International Bureau. The declaration shall be considered to have been submitted to the International Bureau on the date marked (see Section 317).

2. Failure to correct the declaration within the time limit will result in copies of the declaration, as originally filed, being communicated by the International Bureau to the designated Offices concerned according to Rule 47.1 (a-ter).

Any declaration received after the expiration of the time limit under Rule 26ter.1 will have to be submitted by the applicant directly to the designated Offices concerned; it is only in the case of a signed declaration of inventorship for the purposes of the designation of the United States of America (Rule 4.17(iv)) that the original declaration will be returned to the applicant (see Section 419(d)).

3. In respect of national phase processing, the applicant's attention is drawn to Rule 51bis.2 which provides that the designated Office shall not, unless it may reasonably doubt the veracity of the declaration concerned, require any document or evidence relating to the subject matter of any declaration complying with Rule 4.17(i) to (iv) which is contained in the request or submitted to the International Bureau or directly to the designated Office. Note, however, that Rule 51bis.2 may not apply in respect of certain States. For further information, see Notes to the request form, Box No. VIII.

4. A copy of this invitation is being sent to the receiving Office.

The International Bureau of WIPO 34, chemin des Colombettes, 1211 Geneva 20, Switzerland	Authorized officer Isabella BULOZ
Facsimile No. (41-22) 338.87.20	Telephone No. (41-22) 338.84.79

The International Bureau has found the following defect(s) in the declaration(s) listed below :

1. ☒ declaration as to the identity of the inventor (Rules 4.17(i) and 51bis.1(a)(i) and Section 211), in respect of:
- a. (name(s) included in the declaration): no name indicated
- ☒ is not in the prescribed wording
- ☐ other (specify):
- b. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ other (specify):
2. ☐ declaration as to the applicant's entitlement, as at the international filing date, to apply for or be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii) and Section 212), in respect of:
- a. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ other (specify):
- b. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ other (specify):
3. ☐ declaration as to the applicant's entitlement, as at the international filing date, to claim priority of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii) and Section 213), in respect of:
- a. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ other (specify):
- b. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ other (specify):
4. ☐ declaration of inventorship (only for the purposes of the designation of the United States of America) (Rules 4.17(iv) and 51bis.1(a)(iv) and Section 214), in respect of:
- a. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ is not signed by all inventors named in the declaration
- ☐ other (specify):
- b. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ is not signed by all inventors named in the declaration
- ☐ other (specify):
5. ☐ declaration as to non-prejudicial disclosures or exceptions to lack of novelty (Rules 4.17(v) and 51bis.1(a)(v) and Section 215), in respect of:
- a. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ other (specify):
- b. (name(s) included in the declaration):
- ☐ is not in the prescribed wording
- ☐ other (specify):

98
\$10

Docket No. PRD-2110-P CT

BEFORE THE INTERNATIONAL BUREAU (IB)

Applicant: 3-Dimensional Pharmaceuticals, Inc.
International Publication No.:
International Publication Date:
International Application No.: PCT/US03/29701
International Filing Date: 18 Sep 2003
For: METHODS OF INCREASING PLATELET AND
HEMATOPOIETIC STEM CELL PRODUCTION

International Bureau of WIPO
P.O. Box 18
1211 Geneva 20
SWITZERLAND

**DECLARATION AS TO THE IDENTITY OF THE INVENTOR
(RULES 4.17(i) and 51bis.1(a)(i))**

Kenneth Kaushansky is entitled to apply for and be granted a patent by virtue of
the following:

- (i) Kenneth Kaushansky of 336 Pine Needles Drive, Del Mar, CA 92014 is an
inventor of the subject matter for which protection is sought by way of this international
application.
- (ii) This declaration is made for the purpose of the following designations for national
an/or regional patents:

Regional Patent:

AP: GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW and any other State which is a
Contracting State of the Harare Protocol and of the PCT
EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State
of the Eurasian Patent Convention and of the PCT

EP: AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT
RO SE SI SK TR and any other State which is a Contracting State of the European Patent
Convention and of the PCT
OA: BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG and any other State
which is a member State of the OAPI and a Contracting State of the PCT

National Patent:

AE AG AL AM AT AU AZ BA BB BG BR BY BZ CA CH&LI CN CO CR CU CZ DE
DK DM DZ EC EE EG ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP
KR KZ LC LK LR LS LT LU LV MA MD MG MK MN MW MX MZ NI NO NZ OM
PG PH PL PT RO RU SC SD SE SG SK SL SY TJ TM TN TR TT TZ UA UG UZ VC
VN YU ZA ZM ZW

Citizenship

U.S.

Inventor Signature

Kenneth Kausha

Dated:

1/5/04

150
Docket No. PRD-2110-PCT

BEFORE THE INTERNATIONAL BUREAU (IB)

Applicant: 3-Dimensional Pharmaceuticals, Inc.
International Publication No.:
International Publication Date:
International Application No.: PCT/US03/29701
International Filing Date: 18 Sep 2003
For: METHODS OF INCREASING PLATELET AND
HEMATOPOIETIC STEM CELL PRODUCTION

International Bureau of WIPO
P.O. Box 18
1211 Geneva 20
SWITZERLAND

DECLARATION AS TO THE IDENTITY OF THE INVENTOR
(RULES 4.17(i) and 51bis.1(a)(i))

Brian R. MacDonald is entitled to apply for and be granted a patent by virtue of the following:

(i) Brian R. MacDonald of 280 South Roberts Road, Bryn Mawr, PA 19010 is an inventor of the subject matter for which protection is sought by way of this international application.

(ii) This declaration is made for the purpose of the following designations for national an/or regional patents:

Regional Patent:

AP: GH GM KE LS MW MZ SD SL SZ TZ UG ZM ZW and any other State which is a Contracting State of the Harare Protocol and of the PCT
EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT

181

EP: AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT
RO SE SI SK TR and any other State which is a Contracting State of the European Patent
Convention and of the PCT
OA: BF BJ CF CG CI CM GA GN GQ GW ML MR NE SN TD TG and any other State
which is a member State of the OAPI and a Contracting State of the PCT

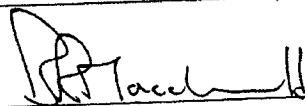
National Patent:

AE AG AL AM AT AU AZ BA BB BG BR BY BZ CA CH&LI CN CO CR CU CZ DE
DK DM DZ EC EE EG ES FI GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP
KR KZ LC LK LR LS LT LU LV MA MD MG MK MN MW MX MZ NI NO NZ OM
PG PH PL PT RO RU SC SD SE SG SK SL SY TJ TM TN TR TT TZ UA UG UZ VC
VN YU ZA ZM ZW

Citizenship

United Kingdom

Inventor Signature



Dated:

Jan 8th 2004

102

Circular Única

5.2.13 Oportunidad para ejercer la facultad prevista en los artículos 28 y 41 del Tratado.

El solicitante podrá modificar las reivindicaciones, la descripción y los dibujos presentados con motivo de la entrada en la fase nacional, dentro del mismo plazo que prevé la Decisión 486 para la presentación de modificaciones.

5.2.14 Falta de unidad de invención de la solicitud internacional en virtud de la búsqueda internacional o del examen preliminar internacional.

Si la Superintendencia encuentra justificados los requerimientos por falta de unidad de invención mencionados en los artículos 17.3)a) y 34.3)a) del Tratado, procederá de conformidad con lo dispuesto en la Decisión 486 para los casos de falta de unidad de invención. Si el solicitante no paga las tasas respectivas a las solicitudes fraccionarias la Superintendencia considerará retiradas, sin necesidad de declaración, las partes de la solicitud internacional que no hayan sido objeto de búsqueda o de examen preliminar.

5.2.15 Declaraciones presentadas en virtud de la regla 4.17 del Reglamento.

El alcance de estas declaraciones se determinará según indiquen claramente una cesión de derechos del inventor al solicitante o a su causante, de conformidad con lo señalado en el literal k) del artículo 26 de la Decisión 486.

Las declaraciones sobre las divulgaciones no perjudiciales tendrán el alcance que prevé el artículo 17 de la citada Decisión andina.

5.3 Tasas Fase Internacional

5.3.1 Hoja de cálculo de tasas.

El solicitante podrá en el momento de la presentación de la solicitud internacional presentar diligenciada la hoja de cálculo de tasas que se acompaña como anexo del formulario PCT/RO/101 o del formato PCT-EASY, para identificar y calcular las cantidades que ha de pagar.

5.3.2 Moneda y valor de las tasas.

El solicitante deberá cancelar a favor de la Superintendencia la tasa de transmisión prevista en la regla 14.1a) del Reglamento. El valor será el establecido en la resolución de tasas de la Superintendencia.

Las tasas internacional y de búsqueda previstas en las reglas 15 y 16 del Reglamento, serán percibidas por la Superintendencia a favor de la Oficina Internacional y de la Administración encargada de la búsqueda internacional, respectivamente.