

OLARTE RAISBECK

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159
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
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Act 444 RESPUESTAREQUE Folio 5

Señores

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

DIVISIÓN DE NUEVAS CREACIONES

E S D

Ref Expediente N° 06-033 245

Solicitud de Patente de Invención titulada "DERIVADOS BICICLICOS[3 1 0] COMO INHIBIDORES DEL TRANSPORTADOR DE GLICINA "

Solicitante PFIZER PRODUCTS INC

RESPUESTA AL OFICIO N° 7735 NOTIFICADO

POR FIJACION EN LISTA No 242, DE FECHA 21 DE JULIO DE 2006,

(EXAMEN DE FORMA)

CARLOS R OLARTE, mayor de edad y vecino de Bogotá, identificado tal como aparece al pie de mi firma, en mi carácter de apoderado de la sociedad en referencia, me permito dar respuesta al auto emanado de ese Despacho, dentro del término de prórroga solicitado en mi memorial de fecha 15 de agosto de 2006, en los siguientes términos

1 En respuesta a la única observación del Examinador, me permito aclarar al despacho que la presente solicitud entra en Fase Nacional Capítulo I y no Capítulo II como inicialmente se presentó Para tal efecto, adjunto copia del Reporte Preliminar Internacional de Patentabilidad, el cual, valga aclarar, no contiene anexos

Atentamente,



CARLOS R. OLARTE
C C N° 79 782 747 de Bogotá
T P 74 295

Anexos

Copia del Reporte Preliminar Internacional de Patentabilidad

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 16803	FOR FURTHER ACTION		See item 4 below
International application No. PCT/US2004/034083	International filing date (day/month/year) 14 October 2004 (14.10.2004)	Priority date (day/month/year) 14 October 2003 (14.10.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant PFIZER PRODUCTS INC.			

1 This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis 1(a).

2 This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3 This report contains indications relating to the following items

☒ Box No. I	Basis of the report
☐ Box No. II	Priority
☐ Box No. III	Non-establishment of opinion with regard to novelty inventive step and industrial applicability
☐ Box No. IV	Lack of unity of invention
☒ Box No. V	Reasoned statement under Article 35(2) with regard to novelty inventive step or industrial applicability citations and explanations supporting such statement
☐ Box No. VI	Certain documents cited
☐ Box No. VII	Certain defects in the international application
☐ Box No. VIII	Certain observations on the international application

4 The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis 1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

	Date of issuance of this report 18 April 2006 (18.04.2006)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Simin Baharlou
Facsimile No. +41 22 740 14 35	Telephone No. +41 22 338 71 30

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 27 JUN 2005

PCT
WIPO PCTTo:
PETER I. REINSTEIN
SCULLY, SCOTT, MURPHY & PRESSER
400 GARDEN CITY PLAZA
GARDEN CITY, NY 11530WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 28 JUN 2005

Applicant's or agent's file reference

FOR FURTHER ACTION

See paragraph 2 below

16903

International application No.

International filing date (day/month/year)

Priority date (day/month/year)

PCT/US04/34083

14 October 2004 (14.10.2004)

14 October 2003 (14.10.2003)

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

IPC(7): A61K 31/5375; C07D 413/12 and US CL. 544/106, 111, 143; 514/231.2, 235.2

Applicant

JOHN LOWE

1 This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis 1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3 For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US

Mail Stop PCT AIA: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (703) 305-3230

Authorized officer

Galen M. M. Shumway, Ph.D.

Telephone No. (571) 272-1600

Form PCT/ISA/237 (cover sheet) (January 2004)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/34083

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purpose of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequences disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, was furnished.

4. Additional comments:

5
163

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US04/34083

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement

1 Statement

Novelty (N)

Claims 1 YES

Claims NONE NO

Inventive step (IS)

Claims 1 YES

Claims NONE NO

Industrial applicability (IA)

Claims 1 YES

Claims NONE NO

2. Citations and explanations:

Claim 1 meets the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the compounds as described in this application. The closest prior art of record is Cox et al.

Claim 1 meets the criteria set out in PCT Article 33(4), and thus claim 1 has industrial applicability because the subject matter claimed can be made or used in industry.