

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

16
206
277

3024/PCT.

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

E. S. D.

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad: 06-129592- -00002-0000
Fec: 2007-02-05 14:20:18 Dep. 2020 NUECREACIONES
Tra. 11 PATENTEIYII
Eve: 379 FASENACIONALII
Act 329 CTOINFORMACION - Folios 94

Ref.: Expediente No. 06-129.592
Solicitud de Patente a nombre de
Janssen Pharmaceutica N.V.

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 **Janssen Pharmaceutica N.V.**, domiciliada en Beerse, Bélgica, solicitante de la patente de la referencia, atentamente me permito presentar copia certificada de la solicitud de patente número 60/582,929 presentada en Estados Unidos de América el día 25 de junio de 2004, con la debida traducción de lo pertinente.

Señor Superintendente,


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

OTRO
EXFED.

DIVISIÓN DE NUEVAS CREACIONES

RADICACIÓN EXPEDIENTE No. 06-129592

EL EXTRACTO DE LA PRESENTE SOLICITUD DE **PATENTE DE INVENCION**

FUE PUBLICADO EN LA GACETA DE PROPIEDAD INDUSTRIAL No **583** DE

FECHA **18 DE DICIEMBRE DE 2007** EL TÉRMINO HÁBIL SEÑALADO POR LA

LEY EXPIRA EL **14 DE MARZO DE 2008**

NOTA: Dentro del plazo de los seis (6) meses siguientes a partir de la fecha de publicación en la gaceta de Propiedad Industrial, deberá solicitar y cancelar el examen de patentabilidad so pena de que la solicitud caiga en abandono, de acuerdo con lo establecido en el Artículo 44 de la Decisión 486/2000.

SE PRESENTARON OPOSICIONES POR PARTE DE TERCEROS.

SI _____

NO X



202
207

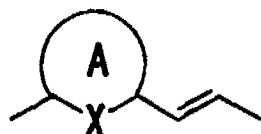
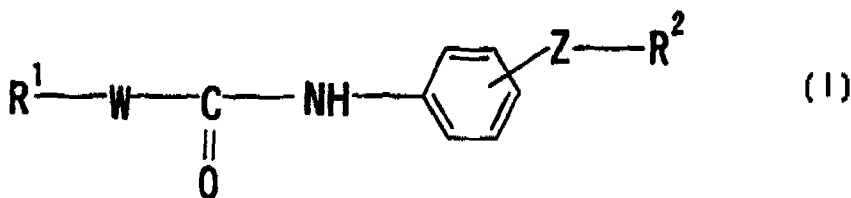
INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification 6 : C07D 295/12, A61K 31/16, 31/33, 31/66, C07C 233/62, C07D 213/20, 213/61, 213/84, 213/85, C07F 9/44, 9/54, 9/6584, 9/6568, 9/655, 9/53, C07D 313/08, 407/12		A1	(11) International Publication Number: WO 99/32468
			(43) International Publication Date: 1 July 1999 (01.07.99)
(21) International Application Number: PCT/JP98/05707		(81) Designated States: AL, AM, AU, AZ, BA, BB, BG, BR, BY, CA, CN, CU, CZ, EE, GD, GE, HR, HU, ID, IL, IN, IS, JP, KG, KR, KZ, LC, LK, LR, LT, LV, MD, MG, MK, MN, MX, NO, NZ, PL, RO, RU, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UZ, VN, YU, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).	
(22) International Filing Date: 17 December 1998 (17.12.98)			
(30) Priority Data: 9/351481 19 December 1997 (19.12.97) JP			
(71) Applicant: TAKEDA CHEMICAL INDUSTRIES, LTD. [JP/JP]; 1-1, Doshomachi 4-chome, Chuo-ku,, Osaka-shi, Osaka 541-0045 (JP).			
(72) Inventors: SHIRAIISHI, Mitsuru; 33-26, Tsukaguchi-cho 4-chome, Amagasaki-shi, Hyogo 661-0002 (JP). KI-TAYOSHI, Takahito; 41-5-911, Yamadahigashi 4-chome, Suita-shi, Osaka 565-0821 (JP). ARAMAKI, Yoshio; 3-5-602, Nishidai 1-chome, Itami-shi, Hyogo 664-0858 (JP). HONDA, Susumu; 6-22, Izumi-cho, Nishinomiya-shi, Hyogo 662-0932 (JP). ODA, Tsuneo; 15-8, Tamakushi 1-chome, Ibaraki-shi, Osaka 567-0895 (JP).			
(74) Agents: ASAHINA, Tadao et al.; Osaka Plant of Takeda Chemical Industries, Ltd., 17-85, Jusohonmachi 2-chome, Yodogawa-ku, Osaka-shi, Osaka 532-0024 (JP).		Published With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.	

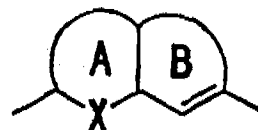
(54) Title: ANILIDE DERIVATIVE, PRODUCTION AND USE THEREOF

(57) Abstract

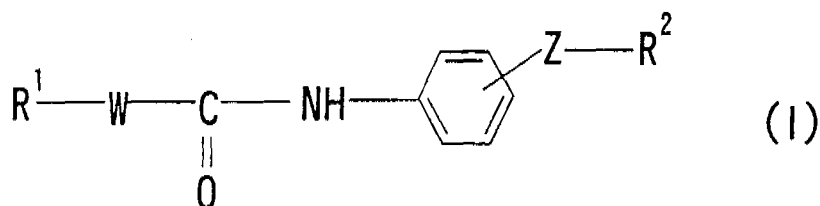
This invention is provide a compound of formula (I) wherein R^1 is an optionally substituted 5- to 6-membered ring; W is a divalent group of formula (a) or (b) wherein the ring A is an optionally substituted 5- to 6-membered aromatic ring, X is an optionally substituted C, N or O atom, and the ring B is an optionally substituted 5- to 7-membered ring; Z is a chemical bond or a divalent group; R^2 is (1) an optionally substituted amino group in which a nitrogen atom may form a quaternary ammonium, etc., or a salt thereof, which is useful for antagonizing MCP-1 receptor.



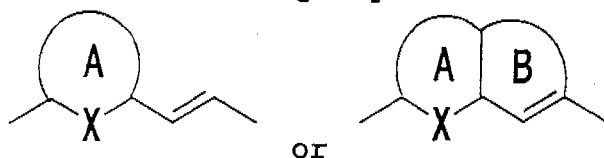
(a)



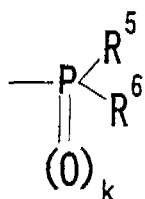
(b)



wherein R^1 is an optionally substituted 5- to 6-membered ring, W is a divalent group of the formula:



- 5 wherein the ring A is an optionally substituted 5- to 6-membered aromatic ring, X is an optionally substituted carbon atom, an optionally substituted nitrogen atom, sulfur atom or oxygen atom, the ring B is an optionally substituted 5- to 7-membered ring, Z is a chemical bond or a divalent group, R^2 is (1) an optionally substituted amino group in
 10 which a nitrogen atom may form a quaternary ammonium, (2) an optionally substituted nitrogen-containing heterocyclic ring group which may contain a sulfur atom or an oxygen atom as ring constituting atoms and wherein a nitrogen atom may
 15 form a quaternary ammonium, (3) a group binding through a sulfur atom or (4) a group of the formula:



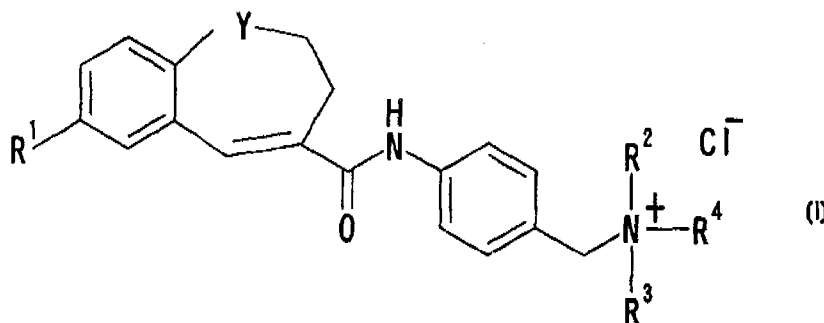
- wherein k is 0 or 1, and when k is 0, a phosphorus atom may form a phosphonium; and R^5 and R^6 are independently an
 20 optionally substituted hydrocarbon group or an optionally substituted amino group, and R^5 and R^6 may bind to each other to form a cyclic group together with the adjacent phosphorus atom, or a salt thereof;
 (2) a compound of the above (1), wherein R^1 is benzene, furan,
 25 thiophene, pyridine, cyclopentane, cyclohexane, pyrrolidine, piperidine, piperazine, morpholine, thiomorpholine or tetrahydropyran, each of which may be



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁷ : C07C 233/00	A2	(11) International Publication Number: WO 00/10965 (43) International Publication Date: 2 March 2000 (02.03.00)
(21) International Application Number: PCT/JP99/04454 (22) International Filing Date: 19 August 1999 (19.08.99) (30) Priority Data: 10/234388 20 August 1998 (20.08.98) JP (71) Applicant: TAKEDA CHEMICAL INDUSTRIES, LTD. [JP/JP]; 1-1, Doschomachi 4-chome, Chuo-ku, Osaka-shi, Osaka 541-0045 (JP). (72) Inventors: SHIRAISHI, Mitsuru; 33-26, Tsukaguchicho 4-chome, Amagasaki-shi, Hyogo 661-0002 (JP). BABA, Masanori; 54-19, Kotokujidai 3-chome, Kagoshima-shi, Kagoshima 891-0103 (JP). ARAMAKI, Yoshio; 3-5-602, Nishidai 1-chome, Itami-shi, Hyogo 664-0858 (JP). NISHIMURA, Osamu; 586-2, Higashihiratsuka, Tsukuba-shi, Ibaraki 305-0812 (JP). KANZAKI, Naoyuki; 2-15-203, Taishomachi, Ibaraki-shi, Osaka 567-0867 (JP). (74) Agents: ASAHINA, Tadao et al.; Osaka Plant of Takeda Chemical Industries, Ltd., 17-85, Jusohonmachi 2-chome, Yodogawa-ku, Osaka-shi, Osaka 532-0024 (JP).	(81) Designated States: AE, AL, AM, AU, AZ, BA, BB, BG, BR, BY, CA, CN, CR, CU, CZ, DM, EE, GD, GE, HR, HU, ID, IL, IN, IS, JP, KG, KR, KZ, LC, LK, LR, LT, LV, MD, MG, MK, MN, MX, NO, NZ, PL, RO, RU, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UZ, VN, YU, ZA, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG). Published <i>Without international search report and to be republished upon receipt of that report.</i>	

(54) Title: QUATERNARY AMMONIUM SALTS AND THEIR USE



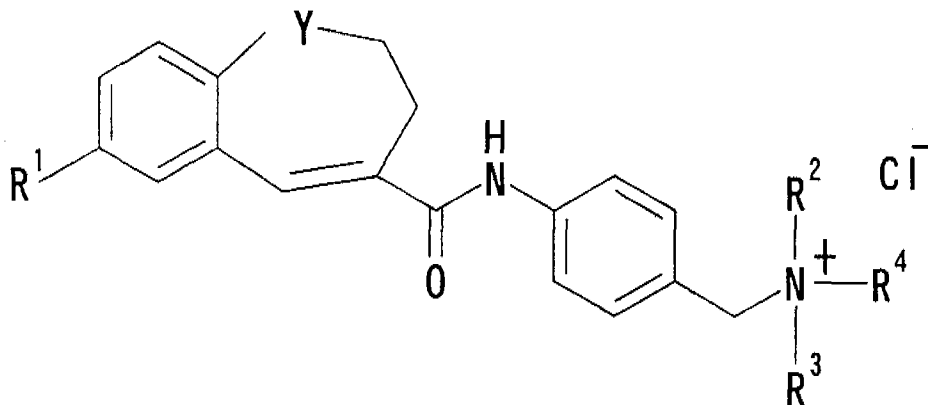
(57) Abstract

This invention is to provide a compound for antagonizing CCR5, said compound being represented by formula (I), wherein R¹ is an optionally substituted phenyl or an optionally substituted thienyl; Y is -CH₂-, -S- or -O-; and R², R³ and R⁴ are independently an optionally substituted aliphatic hydrocarbon group or an optionally substituted alicyclic heterocyclic ring group, and being effective for the prevention and treatment of infectious disease of HIV.

The present invention is to provide a quaternary ammonium salt having CCR5 antagonistic activity and less toxicity; and a composition for antagonizing CCR5 (a drug for the treatment or prevention of infectious disease of HIV (in particular, AIDS), etc.) comprising said quaternary ammonium salt.

The present inventors diligently made extensive studies on compounds having CCR5 antagonistic activity and less toxicity, as a result, they found that a quaternary ammonium salt of the following formula (I) [hereinafter, referred to as Compound (I)] unexpectedly possesses potent CCR5 antagonistic activity and clinically desirable pharmaceutical effect (e.g. remarkable inhibition of HIV infection to human peripheral mononuclear cells, etc.) and also that Compound (I) has superior solubility, physicochemical properties (stability, anti-coloring effect, etc.), etc. and is useful for applying as an injection. Based on the finding, the present invention was accomplished.

More specifically, the present invention relates to (1) a compound of the formula:



wherein R¹ is an optionally substituted phenyl or an optionally substituted thienyl; Y is -CH₂-, -S- or -O-; and R², R³ and R⁴ are independently an optionally substituted aliphatic hydrocarbon group or an optionally substituted alicyclic heterocyclic ring group; or a pro-drug thereof;

284
281

- (2) a compound of the above (1), wherein R^2 and R^3 are independently an optionally substituted acyclic hydrocarbon group;
- (3) a compound of the above (1), wherein R^2 and R^3 are independently an optionally substituted alkyl group;
- 5 (4) a compound of the above (1), wherein R^4 is an optionally substituted alicyclic hydrocarbon group or an optionally substituted alicyclic heterocyclic ring group;
- (5) a compound of the above (4), wherein the alicyclic hydrocarbon group is cycloalkyl;
- 10 (6) a compound of the above (4), wherein the alicyclic hydrocarbon group is cyclohexyl;
- (7) a compound of the above (4), wherein the alicyclic heterocyclic ring group is a saturated alicyclic heterocyclic ring group;
- 15 (8) a compound of the above (4), wherein the alicyclic heterocyclic ring group is tetrahydropyranyl, tetrahydrothiopyranyl or piperidyl;
- (9) N,N-Dimethyl-N-(4-(((2-(4-methylphenyl)-6,7-dihydro-5H-benzocyclohepten-8-yl)carbonyl)amino)benzyl)-N-(4-tetrahydropyranyl)ammonium chloride;
- 20 (10) N,N-Dimethyl-N-(((7-(4-methylphenyl)-2,3-dihydro-1-benzoxepin-4-yl)carbonyl)amino)benzyl)-N-(4-oxocyclohexyl)ammonium chloride;
- 25 (11) N-(4-(((7-(4-Ethoxyphenyl)-2,3-dihydro-1-benzoxepin-4-yl)carbonyl)amino)benzyl)-N,N-dimethyl-N-(4-tetrahydropyranyl)ammonium chloride;
- (12) a pharmaceutical composition which comprises a compound of the above (1);
- 30 (13) a pharmaceutical composition for antagonizing CCR5 which comprises a compound of the above (9);
- (14) a composition of the above (13), which is for the treatment or prevention of infectious disease of HIV;
- 35 (15) a composition of the above (13), which is for the treatment or prevention of AIDS;



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

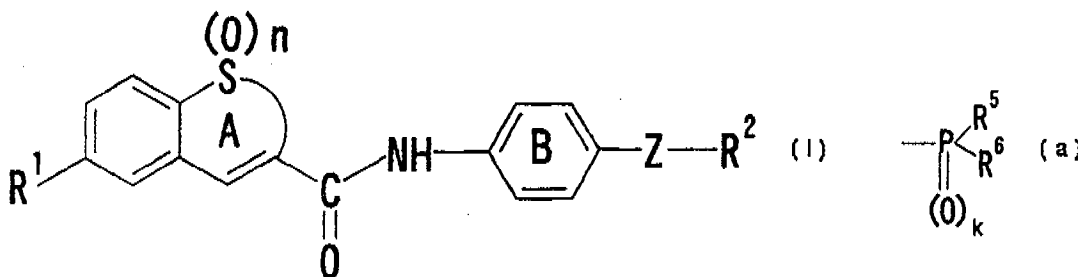
(51) International Patent Classification ⁷ : C07D 337/08, A61K 31/38, A61P 35/00, 31/18		A1	(11) International Publication Number: WO 00/37455
			(43) International Publication Date: 29 June 2000 (29.06.00)
(21) International Application Number: PCT/JP99/07148		(74) Agents: TAKAHASHI, Shuichi et al. ; Osaka Plant of Takeda Chemical Industries, Ltd., 17-85, Jusohonmachi 2-chome, Yodogawa-ku, Osaka-shi, Osaka 532-0024 (JP).	
(22) International Filing Date: 20 December 1999 (20.12.99)			
(30) Priority Data: 10/363404 21 December 1998 (21.12.98) JP 11/170212 16 June 1999 (16.06.99) JP		(81) Designated States: AE, AL, AM, AU, AZ, BA, BB, BG, BR, BY, CA, CN, CR, CU, CZ, DM, EE, GD, GE, HR, HU, ID, IL, IN, IS, JP, KG, KR, KZ, LC, LK, LR, LT, LV, MA, MD, MG, MK, MN, MX, NO, NZ, PL, RO, RU, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, US, UZ, VN, YU, ZA, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).	
(71) Applicant (for all designated States except US): TAKEDA CHEMICAL INDUSTRIES, LTD. [JP/JP]; 1-1, Doshomachi 4-chome, Chuo-ku, Osaka-shi, Osaka 541-0045 (JP).			
(72) Inventors; and (75) Inventors/Applicants (for US only): SHIRAISHI, Mitsuru [JP/JP]; 33-26, Tsukaguchicho 4-chome, Amagasaki-shi, Hyogo 661-0002 (JP). BABA, Masanori [JP/JP]; 54-19, Kotokujidai 3-chome, Kagoshima-shi, Kagoshima 891-0103 (JP). SETO, Masaki [JP/JP]; 7-1-202, Miyadachochi 1-chome, Takatsuki-shi, Osaka 569-1142 (JP). KANZAKI, Naoyuki [JP/JP]; 2-15-203, Taishomachi, Ibaraki-shi, Osaka 567-0867 (JP). NISHIMURA, Osamu [JP/JP]; 586-2, Ooaza-Higashihiratsuka, Tsukuba-shi, Ibaraki 305-0812 (JP).			

Published

With international search report.

Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.

(54) Title: BENZOTHIPIPIN-ANILIDE DERIVATIVES, THEIR PRODUCTION AND THEIR USE FOR ANTAGONIZING CCR-5



(57) Abstract

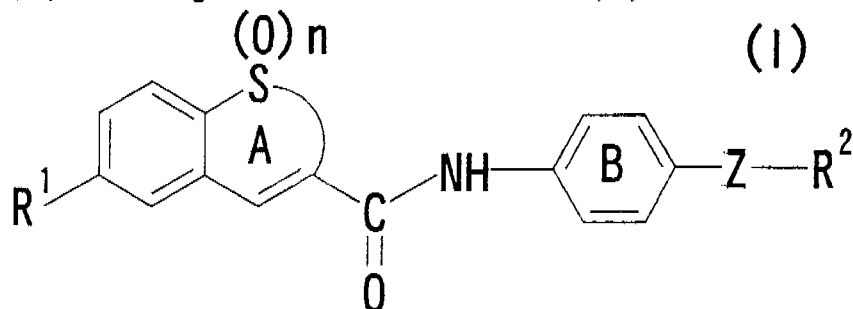
This invention is to provide compound of formula (I) wherein R^1 is an optionally substituted 5- to 6-membered ring; the ring A is an optionally substituted 6- to 7-membered ring; the ring B is an optionally substituted benzene ring; n is an integer of 1 or 2; Z is a chemical bond or a divalent group; R^2 is (1) an optionally substituted amino group in which a nitrogen atom may form a quaternary ammonium, (2) an optionally substituted nitrogen-containing heterocyclic ring group which may contain a sulfur atom or an oxygen atom as ring constituting atoms and wherein a nitrogen atom may form a quaternary ammonium, (3) a group binding through a sulfur atom or (4) a group of formula (a); wherein k is 0 or 1, and when k is 0, a phosphorus atom may form a phosphonium; and R^5 and R^6 are independently an optionally substituted hydrocarbon group, an optionally substituted hydroxy group or an optionally substituted amino group, and R^5 and R^6 may bind to each other to form a cyclic group together with the adjacent phosphorus atom, or a salt thereof, which is useful for antagonizing CCR5 and also for the prevention and treatment of infectious disease of HIV.

said gene into animal cells and to obtain cells expressing CCR5. In addition, with using this transformant, it is necessary to screen a compound which strongly inhibits binding of CC chemokine RANTES, natural ligand, to CCR5
 5 (which strongly antagonizes CCR5). However, so far there has been no report on a low molecule compound having CCR5 antagonistic activity. The present invention is to provide a novel anilide derivative which is useful for the treatment or prevention of infectious disease of HIV and,
 10 in particular, AIDS and also which is suitable for oral administration, production and use thereof.

Disclosure of Invention

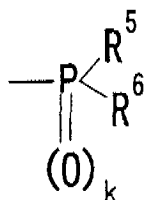
The present inventors diligently made extensive
 15 studies on compounds having CCR5 antagonistic activity and, as a result, they found that an anilide derivative of the following formula (I) or a salt thereof [hereinafter, referred to as Compound (I)] unexpectedly possesses potent CCR5 antagonistic activity and clinically desirable
 20 pharmaceutical effect (e.g. remarkable inhibition of HIV infection to human peripheral mononuclear cells, etc.) and also that Compound (I) has superior absorbability when orally administered. Based on the finding, the present invention was accomplished.

25 More specifically, the present invention relates to
 (1) A compound of the formula (I):



wherein R^1 is an optionally substituted 5- to 6-membered ring; the ring A is an optionally substituted 6- to 7-
 30 membered ring; the ring B is an optionally substituted benzene ring; n is an integer of 1 or 2; Z is a chemical

bond or a divalent group; R² is (1) an optionally substituted amino group in which a nitrogen atom may form a quaternary ammonium, (2) an optionally substituted nitrogen-containing heterocyclic ring group which may contain a sulfur atom or an oxygen atom as ring constituting atoms and wherein a nitrogen atom may form a quaternary ammonium, (3) a group binding through a sulfur atom or (4) a group of the formula:

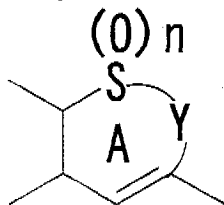


wherein k is 0 or 1, and when k is 0, a phosphorus atom may form a phosphonium; and R⁵ and R⁶ are independently an optionally substituted hydrocarbon group, an optionally substituted hydroxy group or an optionally substituted amino group, and R⁵ and R⁶ may bind to each other to form a cyclic group together with the adjacent phosphorus atom, or a salt thereof; and a pro-drug of the compound or a salt thereof as described in the above (1);

(2) A compound as described in the above (1), wherein R¹ is benzene, furan, thiophene, pyridine, cyclopentane, cyclohexane, pyrrolidine, piperidine, piperazine, morpholine, thiomorpholine or tetrahydropyran, each of which may be substituted;

(3) A compound as described in the above (1), wherein R¹ is an optionally substituted benzene;

(4) A compound as described in the above (1), wherein the ring A is a group of the formula:



wherein Y is $-(\text{CH}_2)_m-$ (m is an integer of 1 or 2), $-\text{CH}=\text{CH}-$ or $-\text{N}=\text{CH}-$, which may have a substituent at any possible

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

2020
Bogotá, D.C.,

Abogado
JIMENA ESCOBAR URIBE

ASUNTO	Radicación	06-129592
	Trámite	002
	Evento	001
	Actuación	430
	Oficio	3083
	Folios	9

Patente de Invención	☒	Patente de Modelo de Utilidad	☐
Vía Nacional	☐		
Vía PCT (fase nacional)	☒	Cap. I	☐
		Cap. II	☒

No. Sol. Internacional	PCT/US2005/022034
Fecha de Presentación Internal.	22-06-2005

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

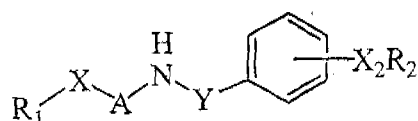
<u>Descripción:</u>	Folios: 7 a 157	(como se radicó inicialmente)
<u>Reivindicaciones:</u>	Folios 158 a 166	(como se radicó inicialmente)
<u>Prioridad:</u>	Fecha: 25-06-2004; país y número: US60/582,929.	

2. Objeto de la Invención

Título de la invención: "ANTAGONISTAS DEL RECEPTOR 2 DE CITOCINA QUIOATRAYENTE DE SALES CUATERNARIAS"

Problema Técnico Planteado: la necesidad de antagonistas de CCR2 de molécula pequeña para prevenir, tratar o aminorar un síndrome, trastorno o enfermedad inflamatoria mediada por CCR2.

Solución: derivados de la fórmula (I):



IPC: C07D309/14; A61K31/341; A61K31/351.

3. De la solicitud de Patente

a. Reivindicaciones (artículo 30 D 486)

Las reivindicaciones 1, 2, 3, 5, 8, 9, 10 y 11 contiene términos ambiguos tales como: arilo, alquilo inferior, alcoxi inferior, alcoxycarbonilo, heterociclilo, alquilarilo inferior, alquenilo inferior. El solicitante no limita el tamaño de las cadenas o anillos y la cantidad y tipo de heteroátomos, por lo cual existe una elevada cantidad de alternativas posibles que le restan concisión a la solicitud.

La reivindicación 14 caracteriza una composición por su vía de aplicación. El uso que se le de a una composición no se considera una característica técnica de la misma ya que las composiciones pueden definirse de manera inequívoca a partir de los elementos que las constituyen.

Las reivindicaciones mencionadas no cumplen con el requisito de concisión de acuerdo al art. 30 de la Decisión 486.y/o art.22 Tratado PCT.

4. Excepción a la patentabilidad (artículo 20 D486 literal d)

Las reivindicaciones 16 a 25 reclaman un método para prevenir, tratar o aminorar un síndrome trastorno o enfermedad. Estas reivindicaciones no son patentables.

5. Determinación del Estado de la Técnica

La fecha que se ha tenido en cuenta para determinar el Estado de la Técnica es:

Fecha de presentación de la solicitud prioritaria 25-06-2004

Teniendo en cuenta la fecha indicada se realizó la búsqueda en el estado de la técnica de documentos relacionados con la solicitud encontrándose los siguientes documentos más relevantes:

Nº	Documento	Título	Fecha de publicación*
D1	WO99/32468	ANILIDE DERIVATIVE, PRODUCTION AND USE THEREOF	01-07-1999
D2	WO00/10965	QUATERNARY AMMONIUM SALTS AND THEIR USE	02-03-2000
D3	WO00/37455	BENZOTHIOPIN-ANILIDE DERIVATIVES, THEIR PRODUCTION AND THEIR USE FOR ANTAGONIZING CCR-5	29-06-2000

7. Conclusión

Los requisitos de Patentabilidad de la presente Solicitud se encuentran afectados así:

N°	Documento	Reivindicaciones afectadas	Requisito que afecta
D1	WO99/32468	1-15	Novedad
D2	WO00/10965	1-15	Novedad
D3	WO00/37455	1-15	Novedad

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 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.

ALIX CARMENZA CÉSPEDES DE VERGEL
Directora de Nuevas Creaciones (C)

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

CONCEPTO TÉCNICO No.612	EXAMINADOR TÉCNICO Código No. 202073
-----------------------------------	--

201
202
203
204
205
206

6. Análisis de Patentabilidad (Art 14 D486)

Novedad (Art 16 D486)

Características esenciales de la Solicitud	D1	D2	D3
	WO99/32468	WO00/10965	WO00/37455
R ₁ = arilo, cicloalquilo C ₅₋₁₅ , heterociclilo. Sustituídos con fenilo	W = A = anillo aromático de 5 a 6 miembros B = anillo de 5 a 7 miembros X = C, N, S u O. R₁ = anillo de 5 a 6 miembros opcionalmente sustituido. pp. 3 líneas 4 a 9	R¹ = fenilo o tienil sustituidos. Y = CH₂, S, O pp. 2 línea 23	R¹ = anillo de 5 a 6 miembros opcionalmente sustituido. pp. 2 línea 28
R ₂ = -N ⁺ (R ₄ R ₅)-Z-R ₃	R² = grupo amino en que el átomo de nitrógeno forma un amonio cuaternario. pp. 3 línea 10 a 12.	R², R³, R⁴ = son independientemente un hidrocarburo alifático, un anillo alicíclico heterocíclico pp. 25-26	R² = un grupo amino opcionalmente sustituido en el que el nitrógeno puede formar un amonio cuaternario.
A = carbonilo			
X = enlace			
Y = enlace			
X ₂ = (CH ₂) _m			Z = alquilo C₁₋₆ pp. 25 línea 11

Como se puede evidenciar en la tabla anterior, los compuestos reclamados en la presente solicitud ya se habían divulgado en D1, D2 y D3. En consecuencia las reivindicaciones 1 a 12 carecen de novedad.

La reivindicación 13 reclama una composición que comprende una cantidad efectiva del compuesto de la reivindicación 1. D1 (pp. 95 reiv. 13), D2 (pp. 72 reiv. 12) y D3 (pp. 338 reiv. 22), reclaman composiciones que contienen los compuestos reclamados en la presente solicitud, por lo cual las reivindicaciones 13 y 14 carecen de Novedad.

La reivindicación 15 reclama un procedimiento que consiste en mezclar el compuesto de la reivindicación 1 y un portador farmacéuticamente aceptable. D2 (pp. 16, líneas 3 a 6) y D3 (pp. 45 línea 35), divulgan que las composiciones que contienen los compuestos reclamados se pueden obtener mediante mezclas con otros excipientes farmacéuticamente aceptables. Por lo anterior, la reivindicación 15 carece de novedad.