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FNPCT 20018/58086

Señora
Jefe de la División de Nuevas Creaciones
Superintendencia de Industria y Comercio
Ministerio de Comercio, Desarrollo Industria y Turismo

SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
Rad 08-119/02- -00002-0000
REC. JUV-UG-2/ TSCM-1/ Desp. JUV NUCLEACIONES
INL 11 PATENTE
EVS JIV PATENTACIONAL
Act 444 RESPUESTA EXAMEN DE FORMA

E S D

Ref Expediente No 08 119702

Solicitud de Patente PCT entrada fase nacional para DERIVADOS SUSTITUIDOS DEL
DIOXIDO DE OXAZOL-BENZOISOTIAZOL, METODO PARA SU PRODUCCION Y USO
Solicitante SANOFI-AVENTIS DEUTSCHLAND GMBH

RESPUESTA A EXAMEN DE FORMA

LUIS PATIÑO LEYVA, mayor de edad, identificado y domiciliado como aparece al plé de mi
firma en atención a su oficio No 1873 Notificado el 9 de Febrero de 2007, atentamente me permito
dar repuesta al mismo de la siguiente manera

Presento copia del documento de cesión debidamente notarializado y legalizado por Apostilla con
su respectiva traducción oficial

Por otro lado, le informo a su Despacho que la presente solicitud corresponde a capítulo I del
PCT y no al capítulo II como se indicó erróneamente en el petitorio Para tal efecto, adjunto copia del
Reporte Preliminar Internacional sobre Patentabilidad

De la Señora Jefe,


Luis Patiño Leyva

C C No 2.930 816 de Bogotá
T P.A No 2898 del C Sup de la Judicatura
Carrera 11A No 94-76 Oficina 305 Santa Fe de Bogotá
Teléfonos 6181948

27 FEB 2007

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DEAV2004/0037CO PCT

Los suscritos
(We, the undersigned)

- 1) Dr Stefan Petry, Sendelbacher Weg 46, 65779 Kelkheim, Germany
- 2) Dr Norbert Tennagels, Wilhelmstrasse 16, 53721 Siegburg, Germany
- 3) Dr Reinhard Kirsch, Steintorwall 17, 38100 Braunschweig, Germany
- 4) Dr Karl-Heinz Baringhaus, Weingartenstraße 31, 61200 Wölfersheim, Germany

declaramos que somos los inventores de la invención que lleva el título
(declare that we are the inventors of the invention titled)

**Substituted oxazolobenzolothiazole dioxide derivatives method for
production and use thereof**

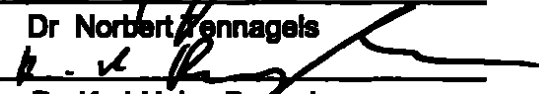
y que hemos cedido el derecho sobre esta invención en Colombia, junto con los
privilegios y
(and that we have assigned our rights over this invention in Colombia, together
with its privileges and

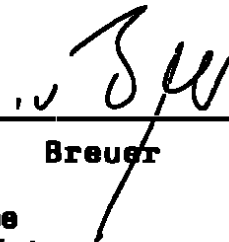
anexidades a favor de **SANOFI-AVENTIS DEUTSCHLAND GMBH**, domiciliada en
Frankfurt am Main, Alemania
(attachments, to Sanofi-Aventis Deutschland GmbH domiciled in Frankfurt,
Germany)

Firma de los cedentes
Firmado en Frankfurt
El

Signatures of Assignors
Signed at
on

INVENTORS

1st		2nd	
	Dr Stefan Petry		Dr Norbert Tennagels
3rd		4th	
	Dr Reinhard Kirsch		Dr Karl-Heinz Baringhaus

	
Dr Wein	Breuer

Signature of Assignee
Signed at Frankfurt
On

Firma del Cesionario
Firmado en
el

Nummer 1622 /2006 der Urkundenrolle

Der Notar versichert, dass er die Beteiligten nach einer Vorbefassung im Sinne des § 3 Abs 1 Satz 1 Nr 7 BeurkG gefragt hat. Die Frage wurde verneint.

The Notary Public confirms, that he has asked the participants, if there has been a prior involvement in the meaning of § 3 section 1 sentence 1 No 7 BeurkG (Law on Notarization). This question was answered in the negative.

Die vorstehenden, heute vor mir anerkannten Unterschriften der Herren

It is officially certified that Messrs

- 1 Dr Stefan Petry,
wohnhaft/resident Sandelbacher Weg 46, 65779 Kelkheim,
- 2 Dr Norbert Tennagels,
wohnhaft/resident Wilhelmstrasse 16, 53721 Siegburg,
- 3 Dr Reinhard Kirsch,
wohnhaft/resident Steintorwall 17, 38100 Braunschweig,
- 4 Dr Karl-Heinz Beringhaus,
wohnhaft/resident Weingartenstrasse 31, 61200 Wölfersheim,
- 5 Prokurist Dr Elmar-Michael Wein,
wohnhaft/resident 65527 Niedernhausen,
- 6 Handlungsbevollmächtigter Dieter Breuer,
wohnhaft/resident Frankfurt am Main,

werden hiermit beglaubigt.
Sie sind mir persönlich bekannt.

have signed this document.
They are personally known to me.

Gleichzeitig wird bestätigt, dass die Personen zu 5) und 6) gemeinsam zeichnungs- und vertretungsberechtigt sind für die

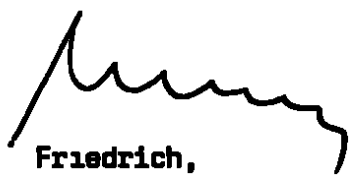
At the same time it is confirmed that the persons 5) and 6) are entitled to jointly sign and represent in legally binding manner the

Sanofi-Aventis Deutschland GmbH laut Eintragung im Handelsregister -HR B 40661-, das vom Notar am 15.12.2006 eingesehen wurde, bzw. lt. vorliegender Vollmacht.

in Frankfurt am Main according to the Commercial Register -HR B 40661-, which has been inspected by the Notary Public on 15.12.2006 or according to the letter of authorization, which I have before me.

Frankfurt am Main, den 27. Dezember 2006




Friedrich,
Notar/Notary

Kostenrechnung

Wert	10 000,-- EUR	
Gebühr §§ 141, 32, 45 Kost O	13,50 EUR	
Gebühr § 150 Kost O	13,-- EUR	
Mehrwertsteuer 16 %	4,24 EUR	
	<u>30,74 EUR</u>	
	=====	


Notar

APOSTILLE

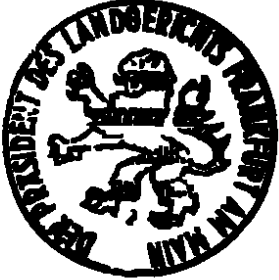
(Convention de la Haye du 5 octobre 1961)

- 1 Land Bundesrepublik Deutschland
Diese öffentliche Urkunde
- 2 ist unterschrieben von Klaus Peter Friedrich
- 3 in seiner Eigenschaft als amtlich bestellter Notar
- 4 sie ist versehen mit dem Siegel/Stempel des(der)
Notars



Bestätigt

- 5 in Frankfurt/Main
- 6 am 29 12 06
- 7 durch den Herrn Präsidenten des Landgerichts
- 8 unter Nr 91 Ea A 11830
- 9 Siegel/Stempel
- 10 Unterschrift



Frank
i V Franke

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Traducción Oficial del Alemán de la certificación (Registro Notarial Número 1622/2006), la nota de gastos y la apostilla adjuntas al documento de cesión mediante el que los inventores de la invención titulada "Derivados substituidos de dióxido oxazolobenzoisotiazol, método para su producción y uso de ellos" ceden el derecho sobre esta invención en Colombia a la compañía SANOFI-AVENTIS DEUTSCHLAND GMBH domiciliada en Frankfurt am Main, Alemania

Registro Notarial Número 1622/2006

El Notario Público confirma que él les preguntó a los participantes acerca de algún eventual impedimento previo en el sentido del Artículo 3 inciso 1 párrafo 1 No 7 de la Ley de Notarización La pregunta fue contestada negativamente

Se autentican oficialmente las firmas que aparecen anteriormente, las cuales fueron reconocidas el día de hoy en mi presencia como las suyas propias por

- 1 Doctor Stefan Petry,
domiciliado en Sendelbacher Weg 46, 65779 Kelkheim,
- 2 Doctor Norbert Tennagels,
domiciliado en Wilhelmstrasse 16, 53721 Siegburg,
- 3 Doctor Reinhard Krisch,
domiciliado en Steintorwall 17, 38100 Braunschweig,
- 4 Doctor Karl-Heinz Baringhaus,
domiciliado en Weingartenstrasse 31, 61200 Wölfersheim,
- 5 Apoderado Doctor Elmar-Michael Wein,
domiciliado en 65527 Niedernhausen,
- 6 Apoderado Dieter Breuer,
domiciliado en Frankfurt am Main

Todos ellos son conocidos personalmente por el suscrito Notario

Al mismo tiempo se confirma que las personas mencionadas en los numerales 5) y 6) se encuentran autorizadas para firmar conjuntamente de forma vinculante en nombre y representación de la compañía

Sanofi-Aventis Deutschland GmbH
domiciliada en Frankfurt am Main,

según consta en la correspondiente entrada del Registro Comercial HRB 40661, el cual fue inspeccionado por el Notario el día 15 12 2006 o según consta en el poder que he tenido a la vista

Frankfurt am Main, 27 de Diciembre de 2006

KLAUS PETER FRIEDRICH, NOTARIO EN FRANKFURT AM MAIN

(Firma y Sello Oficial)

Nota de gastos

Valor del negocio	10 000,00 EUROS	
Impuesto Artículo 141, 32, 45 Disp Impuestos		13,50 EUROS
Impuesto Artículo 150 Disposición Impuestos		13,-- EUROS
16% I V A		4,24 EUROS
	Total	30,74 EUROS

Klaus Peter Friedrich, Notario en Frankfurt am Main

(Firma)

APOSTILLA

(Convención de La Haya del 5 de Octubre de 1961)

- 1 País República Federal de Alemania
- Este documento público
- 2 Ha sido firmado por Klaus Peter Friedrich
- 3 En su calidad de Notario Público nombrado oficialmente
- 4 Y lleva el sello oficial del Notario

Confirmado

- 5 En Frankfurt/Main
- 6 El día 29 12 06
- 7 Por El Señor Presidente del Tribunal Regional
- 8 Bajo el No 91 Ea A 11830
- 9 Sello EL PRESIDENTE DEL TRIBUNAL REGIONAL
FRANKFURT AM MAIN
- 10 Firma En representación Franke



Adolf Watzke

Traductor oficial

Res. 2433 Min Justicia

MINISTERIO DE RELACIONES
EXTERIORES

625338
Adolf Watzke
CUYA FIRMA APARECE EN EL
DOCUMENTO SE EMPLEA
EN LAS FUNCIONES INDICADAS

NO SE ASUME
RESPONSABILIDAD DEL TEXTO

2001 FEB 16 A 11 16
Cup
OFICINA DE LEGALIZACIONES
BOGOTA D C

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 2004/0037	FOR FURTHER ACTION		See item 4 below		
International application No PCT/EP2005/005321	International filing date (day/month/year) 14 May 2005 (14.05.2005)	Priority date (day/month/year) 29 May 2004 (29.05.2004)			
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237					
Applicant SANOFI AVENTIS DEUTSCHLAND GMBH					

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: <table border="0"><tr><td>☒ Box No. I</td><td>Basis of the report</td></tr><tr><td>☐ Box No. II</td><td>Priority</td></tr><tr><td>☐ Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td>☐ Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td>☒ Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td>☐ Box No. VI</td><td>Certain documents cited</td></tr><tr><td>☐ Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td>☐ Box No. VIII</td><td>Certain observations on the international application</td></tr></table>			☒ 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
☒ 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).																		

The International Bureau of WIPO 34 chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No +41 22 338 82 70	Date of issuance of this report 04 December 2006 (04.12.2006)
	Authorized officer Ellen Moyse e-mail: pt05@wipo.int

Form PCT/IB/373 (January 2004)

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PATENT COOPERATION TREATY

TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis 1)

From the
INTERNATIONAL SEARCHING AUTHORITY

To

Date of mailing (day/month/year) See form PCT/ISA/210

Applicant's or agent's file reference 2004/0037 FOR FURTHER ACTION See paragraph 2 below

International application No. PCT/EP2005/005321	International filing date (day/month/year) 14 05 2005	Priority date (day/month/year) 29 05 2004
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International Patent Classification (IPC) or both national classification and IPC
C07D417/12, A61 K31/428, A61 P3/10

Applicant
SANOFI-AVENTIS DEUTSCHLAND GMBH

1 This opinion contains indications relating to the following items:

☒	Box No. I	Basics 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)(1) 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 66.1b(a)(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/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2005/005321

Box No. 1 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 purposes of international search (under Rule 12.3 and 23.1(b)).
- 2 With regard to any nucleotide and/or amino acid sequence 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 the 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(s) 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, were furnished.
4. Additional comments.

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No
PCT/EP2005/005321

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		
1 Statement			
Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO
2 Citations and explanations			
In relation to the international search report, and also to the documents cited by the applicant in the description, the subject matter of the application differs from			
D1 WO 02/11722 A (AVENTIS PHARMA DEUTSCHLAND GMBH) 14 February 2002 (2002-02-14), in which benzoxathiazoles are disclosed which still differ additionally owing to the N-oxazolyl substituent in the subject matter of the application,			
D2 WO 01/74812 A (PHARMACIA & UPJOHN COMPANY, CISKE, FRED, L, GENIN, MICHAEL, J) 11 October 2001 (2001-10-11), owing to n=1-3, compared with the present directly N-bonded oxazolyl group,			
D3 WO 92/05164 A (PFIZER INC) 2 April 1992 (1992-04-02) has a directly bonded oxazolone group			
The prerequisites of PCT Article 33(2) are thus fulfilled			
The object underlying the application appears to be the provision of novel compounds of the formula (I) which are used in the treatment of diabetes. (D1)/(D2) disclose different activity and are not taken into account. Moreover, the antihyperglycaemic compounds disclosed in (D3) differ structurally owing to the N-oxazolyl substituent. A person skilled in the art would not have expected the qualitative properties to be maintained on introduction of the N-oxazolyl group. An inventive step can be acknowledged on the basis of the substantiation in table 2, page 26 of the description, wherein it is stated that all compounds claimed under formula (I) exhibit the desired activity.			