

Clarke, Modet & C^o

COLOMBIA

SEÑORES
DIVISIÓN DE NUEVAS CREACIONES
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO
E S D

REF EXPEDIENTE No 07003351
FECHA DE LA SOLICITUD enero 15 de 2007
SOLICITANTE REPROS THERAPEUTICS, INC
TITULO TRNAS-CLOMIFENO PARA EL TRATAMIENTO DE
HIPERTROFIA DE PRÓSTATA BENIGNA, CÁNCER DE
PRÓSTATA, HIPOGONADISMO, TRIGLICERIDOS ELEVADOS Y
COLESTEROL ALTO

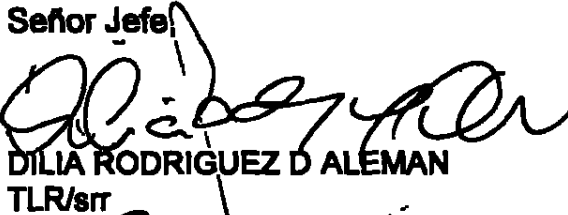
ASUNTO CONTESTACIÓN A REQUERIMIENTO OFICIAL

DILIA RODRIGUEZ D ALEMAN, en mi condición de apoderada de la sociedad solicitante, por el presente escrito doy respuesta a su auto notificado por estado de Febrero 2 de 2007, que vence Abril 2 de 2007, y me permito presentar los siguientes documentos

- El documento de PODER otorgado a mi favor, junto con la prueba de existencia y representación legal del solicitante, debidamente legalizados
- Su traducción oficial al Español debidamente avalada por el Ministerio de Relaciones Exteriores
- El documento en el que consta la CESIÓN del derecho a la patente otorgado por los inventores al solicitante, debidamente legalizado
- IPER Capítulo I

Ruego a usted continuar con el presente trámite

Señor Jefe


DILIA RODRIGUEZ D ALEMAN
TLR/srr
P 894

TRADUCCION OFICIAL NO. 122/2007 -

EL TEXTO QUE SIGUE ES TRADUCCIÓN FIEL Y COMPLETA DE UN DOCUMENTO ESCRITO EN INGLES LLEVA SELLO Y FIRMA DE HELENA URIBE DE LEMOINE, TRADUCTORA E INTERPRETE OFICIAL, SEGÚN RESOLUCION No. 3818 EXPEDIDA POR EL MINISTERIO DE JUSTICIA EL 8 DE SEPT DE 1972.

TRADUCCION DE LOS SELLOS QUE SE ENCUENTRAN EN EL PODER OTORGADO POR REPROS THERAPEUTICS INC , UNA ORGANIZACIÓN QUE EXISTE BAJO LAS LEYES DEL ESTADO DE DELAWARE DOMICILIADA EN 2408 TIMBERLOCH DRIVE B-7 THE WOODLANDS TEXAS 77380 , A LAS DOCTORAS DILIA MARIA RODRIGUEZ D ALEMAN Y CLAUDIA LUCIA CARO RAMIREZ OTORGADO Y FIRMADO LOS 27 DIAS DEL MES DE ENERO DE 2007 FIRMADO JOSEPH S PODOLSKI PRESIDENTE Y DIRECTOR EJECUTIVO

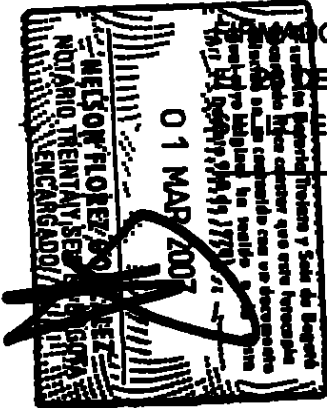
CERTIFICADO NOTARIAL
CUANDO EL SOLICITANTE ES UNA CORPORACIÓN

EL 27 de Enero de 2007

El suscrito Notario certifica que

- 1 Joseph S Podolski, de edad legal y domiciliado en 3 Pebble Hollow Court The Woodlands Texas, 77381 firmó de su puño y letra el documento que antecede
- 2 Conoce al otorgante quien está legalmente capacitado para el otorgamiento
- 3 El otorgante ha firmado el anterior documento de Presidente y Director Ejecutivo de la persona jurídica Repros Therapeutics, Inc
- 4 La citada persona jurídica tiene su sede en 2408 Timberloch Drive B-7 The Woodlands, Texas 77380, está debidamente constituida y tiene actualmente existencia legal (El resto del certificado está en español)
- 5 El otorgante tiene efectivamente la representación que ostenta, que esta es legítima y que está facultado para otorgar este poder
- 6 Las anteriores certificaciones de los puntos 3, 4 y 5 me constan porque he tenido a la vista los documentos auténticos

FIRMADO POR TARA F STEWART NOTARIO PUBLICO, CON COMISION HASTA
DE FEBRERO DE 2008
FIRMADO EN RELIEVE DEL NOTARIO



ESTAD DE TEXAS
SECRETARIO DE ESTADO
APOSTILLA

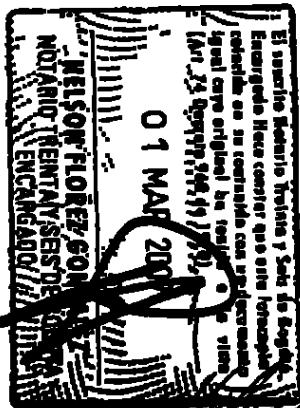
(CONVENCIÓN DE LA HAYA DEL 5 DE OCTUBRE DE 1961)

- 1 PAÍS ESTADOS UNIDOS DE AMERICA
EL PRESENTE DOCUMENTO PUBLICO
- 2 HA SIDO FIRMADO POR TARA F STEWART
- 3 ACTUANDO EN SU CAPACIDAD DE NOTARIO PUBLICO, ESTADO DE TEXAS
- 4 LLEVA EL SELLO DE TARA F STEWART, NOTARIO PUBLICO, ESTADO DE TEXAS CON COMISION HASTA EL 26 DE FEBRERO, 2009

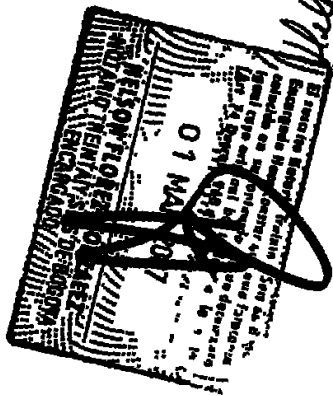
CERTIFICADO

- 5 EN AUSTIN, TEXAS 6 EL 8 DE FEBRERO, 2008
- 7 POR EL SECRETARIO DE ESTADO, ESTADO DE TEXAS
- 8 NUMERO **N-571634**
- 9 SELLO HAY SELLO DEL ESTADO DE TEXAS
- 10 FIRMADO ROGER WILLIAMS, SECRETARIO DE ESTADO

LA TRADUCTORA OFICIAL



Helena Uribe de Lemoine



MINISTERIO DE
RELACIONES
EXTERIORES

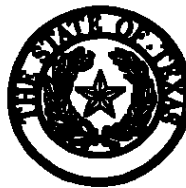
828741

BOGOTA D.C.
DOCUMENTO DE EMISIÓN
LAS FUNCIONES SEGUROS

NO ASUME
RESPONSABILIDAD
DEL TEXTO

2007 FEB 27 A 1 22

JEFE DE LEGALIZACIONES
BOGOTA D.C.



98
P 894 #

The State of Texas

Secretary of State

APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

1 Country United States of America

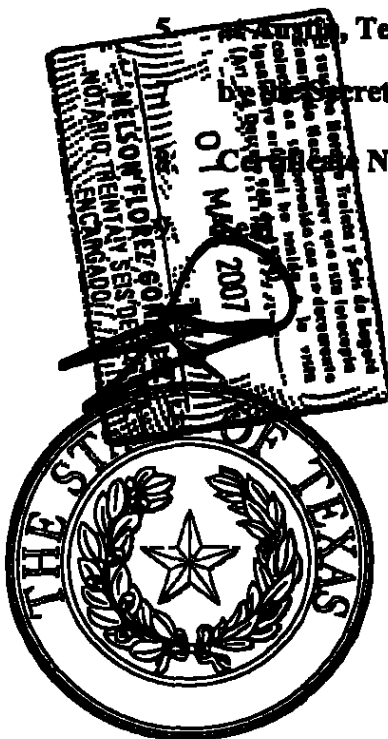
This public document

2 has been signed by TARA F STEWART

3 acting in the capacity of Notary Public, State of Texas

4 and bears the seal/stamp of TARA F STEWART, Notary Public, State of Texas, Commission Expires 02-26-09

CERTIFIED



6. on February 8, 2007

10 Signature

Roger Williams

Roger Williams
Secretary of State
ST/mb

99 11

POWER OF ATTORNEY

I (we), the undersigned

legal representative(s) of Repros Therapeutics Inc.

an organization existing under the laws of State of Delaware

and in present execution of its business activity domiciled at
2408 Timberloch Drive, B-7
The Woodlands, Texas 77380

do hereby grant POWER OF ATTORNEY to DILIA MARIA RODRIGUEZ D'ALEMAN identification card No. 41 654 882 of Bogotá, and to CLAUDIA LUCIA CARO RAMIREZ, tp. 36448 identification card No. 40 017.374 of Tunja, residing in Bogotá, Colombia, to act in the order of their appointment in behalf of grantor before any entity authority and/or natural or juridical person, specially before those Administrative Administrative-Contentious, Judicial arbitration courts and/or any other in all matters concerning the following:

- 1) To apply process, obtain and/or register any of the modalities of Industrial Property such as Patents of Invention, Utility Model Designs, plant varieties Marks, Slogans, Trade Names and emblems and appellations of Origin, as well as their renewals, assignments, changes of name and/or domicile, agreements and licenses.
- 2) To apply process, obtain and/or register copyrights of any kind as well as protection of industrial secrets or know-how
- 3) To apply process, obtain and/or register sanitary registrations, operating authorizations and/or licenses, as well as their renewals or assignments changes of name and/or domicile agreements and licenses.
- 4) To bring actions of opposition, observations, claims, reconsideration, appeal or legal remedies, cancellations, nullity protection to the consumer granting of licenses, protection of trade secrets and other actions related with rights derived from the above-mentioned matters and against the unfair competition, actions resulting from the obtaining or exploitation of licenses recovering damages actions. They can also intervene or participate in Civil Commercial, Criminal or Contentious-Administrative Trials; the actions for writ mandamus, police actions; in actions, lawsuits or litigations instituted by the grantor or against him.
- 5) To register domain names before the competent entity
- 6) To the effect of this mandate the above-named proxy are empowered to: conclude, cancel, settle, submit to arbitration, withdraw and to receive and take possession of the litigation related objet and waive or renounce the rights granted or in process of granting, admit the facts of the case.
- 7) To ratify or not the officious agency
- 8) I (we) hereby appoint the afore mentioned attorneys with powers to receive notifications and to designate judicial and extrajudicial attorneys, substitute this Power of Attorney and to revoke such institutions.

5. Los señores jueces sustituyen a los mencionados apoderados para recibir notificaciones y designar apoderados judiciales o extrajudiciales sustituir el presente poder y revocar las sustituciones que hicieren.

on this 27th day of January of 2007

Firm's signature: JOSEPH S. PODOLSKI, President and Chief Executive Officer

100 \$

CERTIFICADO NOTARIAL

(Cuando el solicitante es SOCIEDAD)

(Poderes otorgados en: El Salvador, Estados Unidos, México y Venezuela)

A los _____ días del mes de _____ de _____
el Notario que suscribe DA FE de que

1 _____
(nombre de la persona que firma el poder)

mayor de edad y domiciliado en _____
firmó de su puño y letra el documento que antecede.

2 Conoce al (a la) otorgante y que este (a) está legalmente capacitado para el otorgamiento.

3 El otorgante ha firmado el referido documento en su carácter de _____
de la persona jurídica _____

4 La citada persona jurídica con sede en _____
está legalmente constituida, que tiene actualmente existencia legal y que el acto para el cual se ha otorgado este poder está comprendido entre los que constituyen su objeto social.

5 El otorgante tiene efectivamente la representación que ostenta, que esta es legítima y que está facultado para otorgar este poder

6 Las anteriores certificaciones de los puntos 3, 4 y 5 me constan porque he tenido a la vista los documentos auténticos.

Notario Público

NOTA: A continuación de lo anterior el Cónsul de Colombia debe autenticar la firma del Notario Público.

CERTIFICADO NOTARIAL (Cuando el solicitante es INDIVIDUO)

A los _____ días del mes de _____ de _____
el Notario que suscribe DA FE de que

1 _____
(nombre de la persona que firma el poder)

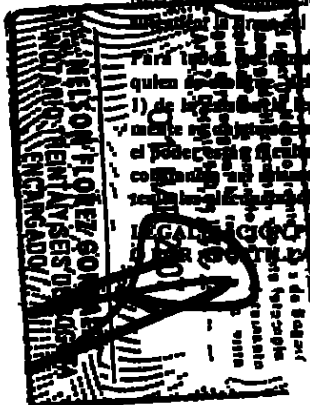
mayor de edad y domiciliado en _____
firmó en su presencia el documento que antecede, conoce al otorgante y que este está legalmente capacitado para el otorgamiento.

Notario Público

NOTA: A continuación de lo anterior el Cónsul de Colombia debe autenticar la firma del Notario Público.

Para todos los países el Señor Cónsul de Colombia o ante quien se presente debe expedir una certificación dejando constancia 1) de la legalidad legal de la sociedad 2) de que esta ejerce actualmente sus actividades, y 3) de que la persona o personas que otorgan el Poder están facultadas para hacerlo, dejando constancia así mismo de que tuvo a la vista las pruebas que acreditan las afirmaciones.

LEGALIZACIÓN POR EL CONSUL DE COLOMBIA



NOTARIAL CERTIFICATE

(When the applicant is a CORPORATION)

(Powers of attorney granted in: El Salvador, Mexico, U.S.A. and Venezuela)

This 27th day of January of 2007
the undersigned Notary CERTIFIES that

1 Joseph S. Pedraza
(name of the person who signs the power of attorney)

of legal age and domiciled in 3 Pebble Hollow Court
The Woodlands, Texas, 77381 set his hand on the foregoing document

2 The grantor is to him personally known and that he/she has legal capacity to execute the document.

3 The grantor has executed the foregoing document in his capacity of President and Chief Executive Officer
of the juridical person Recom Therapeutics, Inc.

4 The mentioned juridical person with place of business in 2408 Timberloch Drive, B-7 The Woodlands, Texas 77380 is duly organized has actual legal existence and that the purposes for which the power of attorney is granted are within the scope of its corporate purposes.

5 The grantor has in fact the referred quality and that his/her representation is legal and that he/she is empowered to grant this power of attorney

6 I have based the above certifications 3, 4 and 5 on the authentic documents which for such purpose were exhibited to me.

Tara F. Stewart
Notary Public

NOTA: Then the Colombian Consul must legalize the signature of the Notary Public.

NOTARIAL CERTIFICATE (When the applicant is an INDIVIDUALS)

On this _____ day of _____
the undersigned Notary CERTIFIES that

1 _____
(name of the person who signs the Power of Attorney)

of legal age and domiciled at _____
signed in his presence the foregoing document, the grantor is to him personally known and that he/she has legal capacity to execute the document.

Notary Public

NOTA: Then the Colombian Consul must legalize the signature of the Notary Public.

For all other countries the Colombian Consul or before who it is granted must have a certification stating 1) the legal existence of the corporation 2) that the corporate purposes are actually being accomplished 3) that the person or persons who grant this Power of Attorney are empowered to do it. The Consul will certify also that the documents evidencing those circumstances were exhibited to him.

LEGALIZATION BY THE COLOMBIAN CONSUL OR BY APOSTILLE.



TRADUCCION OFICIAL NO. 122/2007 -

EL TEXTO QUE SIGUE ES TRADUCCION FIEL Y COMPLETA DE UN DOCUMENTO ESCRITO EN INGLES LLEVA SELLO Y FIRMA DE HELENA URIBE DE LEMOINE, TRADUCTORA E INTERPRETE OFICIAL, SEGUN RESOLUCION No. 3818 EXPEDIDA POR EL MINISTERIO DE JUSTICIA EL 6 DE SEPTIEMBRE DE 1972

CLARKE, MODET & CO COLOMBIA

CESION

El abajo firmante (en adelante EL CEDENTE)

RONALD WIEHLE

En su carácter de Inventor/diseñador de

Trans-clomifeno para el tratamiento de hipertrofia prostática benigna,
cáncer de próstata, hipogonadismo, triglicéridos elevados y colesterol
alto

Domiciliados en

13903 Viewfield Court Houston, Texas 77059

Por el presente documento declara que cede todos y cada uno de los derechos que le correspondan o puedan corresponderle sobre la siguiente invención modelo de utilidad o diseño industrial

Colombia Patent Application No 07003351

A REPOS THERAPEUTICS, INC

con domicilio en 2408 Timberloch Drive B-7 The Woodlands, Texas 77380

En prueba de la mutua aceptación de esta cesión ambas partes, CEDENTE y CESIONARIO firman el presente documento

Dado y firmado este día 31 de Enero de 2007

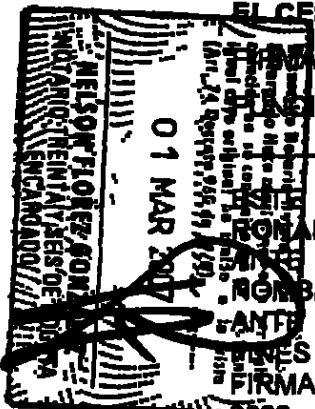
EL CEDENTE

FIRMADO RONALD WIEHLE INVENTOR

EL CESIONARIO

FIRMADO JOSEPH S PODOLSKI PRESIDENTE,
CESIONARIO EJECUTIVO

DIA 31 DE ENERO DE 2007 ANTE MI PERSONALMENTE COMPARECIO
RONALD WIEHLE, A QUIEN CONOZCO PERSONALMENTE O QUIEN COMPROBÓ
MI CON BASE EN EVIDENCIA SATISFACTORIA SER LA PERSONA
DENOMINADA Y QUE SUSCRIBIÓ EL ANTERIOR INSTRUMENTO Y RECONOCIÓ
ANTE MI QUE SUSCRIBIÓ EL MISMO POR SU PROPIA VOLUNTAD PARA LOS
EFECTOS ESTIPULADOS Y POR UNA CONSIDERACIÓN DE VALOR
FIRMADO TARA F STEWART, CON COMISION HASTA EL 28 DE FEBRERO DE
2009 HAY SELLO DEL NOTARIO



102 k

ESTAD DE TEXAS
SECRETARIO DE ESTADO
APOSTILLA

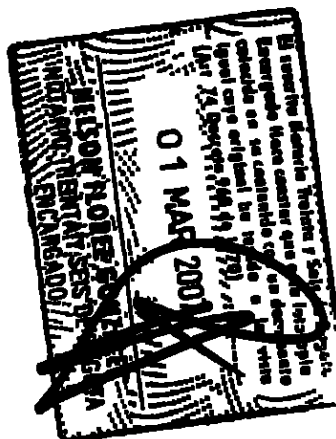
(CONVENCIÓN DE LA HAYA DEL 5 DE OCTUBRE DE 1961)

- 1 PAÍS ESTADOS UNIDOS DE AMERICA
EL PRESENTE DOCUMENTO PUBLICO
- 2 HA SIDO FIRMADO POR TARA F STEWART
- 3 ACTUANDO EN SU CAPACIDAD DE NOTARIO PUBLICO, ESTADO DE TEXAS
- 4 LLEVA EL SELLO DE TARA F STEWART, NOTARIO PUBLICO ESTADO DE TEXAS, CON COMISION HASTA EL 26 DE FEBRERO, 2009

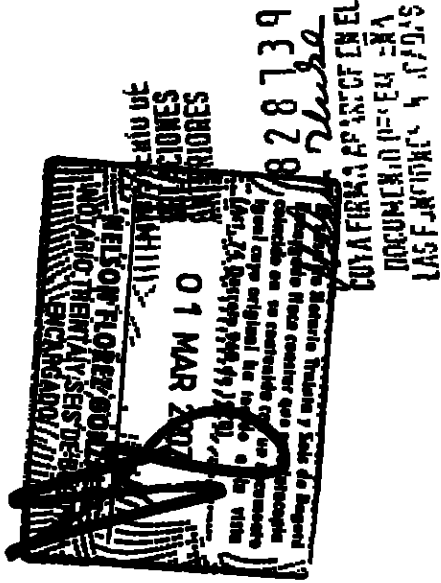
CERTIFICADO

- 5 EN AUSTIN, TEXAS 6 El 8 DE FEBRERO, 2006
- 7 POR EL SECRETARIO DE ESTADO, ESTADO DE TEXAS
- 8 NUMERO **N-571636**
- 9 SELLO HAY SELLO DEL ESTADO DE TEXAS
- 10 POR ROGER WILLIAMS SECRETARIO DE ESTADO

LA TRADUCTORA OFICIAL



Helena Uribe de Lemoine



NO ASUME
RESPONSABILIDAD
DEL TEXTO

2007 FEB 27 A 1 21

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EFE DE LEGALIZACIONES
BOGOTA D C



P 894
103

The State of Texas

Secretary of State

APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

1 Country United States of America

This public document

2 has been signed by TARA F STEWART

3 acting in the capacity of Notary Public, State of Texas

4 and bears the seal/stamp of TARA F STEWART, Notary Public, State of Texas, Commission Expires 02-26-09

CERTIFIED

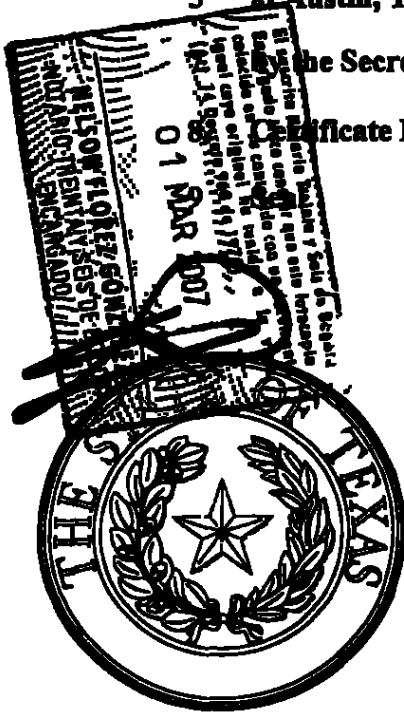
5 at Austin, Texas

6. on February 8, 2007

the Secretary of State of Texas

Certificate No. N-571636

10. Signature




Roger Williams
Secretary of State
ST/mb

Clarke, Modet & C^o

COLOMBIA

E-MAIL: info@clarkemodet.com.co
SANTAFÉ DE BOGOTÁ A.A. 92397 COLOMBIA

CESION

ASSIGNMENT

El (la) abajo firmante (En adelante EL CEDENTE)

The undersigned (Hereinafter THE ASSIGNOR)

Ronald Wiehle

en su caracter de inventor /diseñador

Inventor /designor of
Trans-Clomiphene For The Treatment of
Benign Prostate Hypertrophy, Prostate
Cancer, Hypogonadism, Elevated Triglycerides
and High Cholesterol
domiciled at
13903 Viewfield Court
Houston, Texas 77059

con domicilio en

por el presente documento declara que
cede todos y cada uno de los derechos que
le corresponden o puedan corresponderle
sobre la siguiente invencion , modelo de
utilidad, diseño industrial

do hereby declares that it assigns all and
each of his rights and privileges on the
following invention, industrial design,
utility model

Colombia Patent Application No. 07003351

to

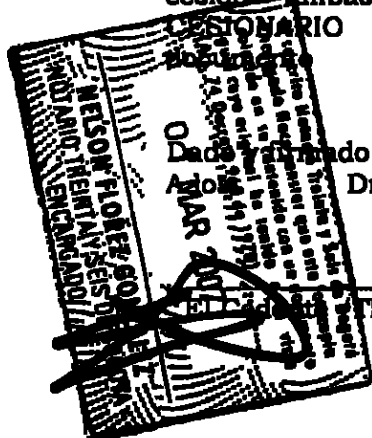
REPROS THERAPEUTICS INC

with domicile in
2408 Timberloch Drive, B-7
The Woodlands, Texas 77380

con domicilio en

En prueba de la mutua aceptación de esta
cesion ambas partes CEDENTE y
CESIONARIO firman el presente

As a proof of the mutual acceptance of
this assignment, both parties ASSIGNOR
and ASSIGNEE sign the present
document



Dado y firmado en
A los 21 dias de

De

Granted and signed at
on this 21 day of January of 2007

El Cedente /The Assignor
Ronald Wiehle, Inventor

El Cesionario/The Assignee

El Cesionario/The Assignee
Joseph S. Podolski, President/Chief Executive
Officer, Repros Therapeutics Inc.

Este documento debe ser otorgado ante Notario
público y legalizado por el Cónsul de Colombia)
o por Apostilla

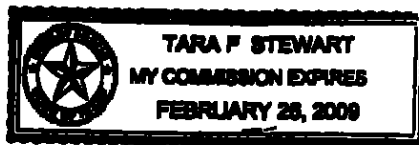
(This document must be signed before Notary Public
and legalized before the colombian Consul) or by
Apostille

104 \$

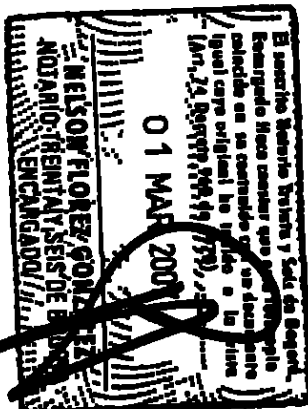
State of Texas
County of Montgomery SS

105 #1

On this 31st day of January, 2007, before me personally appeared RONALD WIEHLE, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person named in and who executed the foregoing instrument and thereupon acknowledged to me that they executed the same of their own free will for the purposes set forth, and for a valuable consideration



Tara F. Stewart
Notary Public



EL TEXTO QUE SIGUE ES TRADUCCION FIEL Y COMPLETA DE UN DOCUMENTO ESCRITO EN INGLES, LLEVA SELLO Y FIRMA DE HELENA URIBE DE LEMOINE, TRADUCTORA E INTERPRETE OFICIAL, SEGUN RESOLUCION No. 3618 EXPEDIDA POR EL MINISTERIO DE JUSTICIA EL 6 DE SEPTIEMBRE DE 1972

CLARKE, MODET & CO COLOMBIA

CESION

El abajo firmante (en adelante EL CEDENTE),

JOSEPH S PODOLSKI

En su carácter de Inventor/diseñador de

**Trans-Clomifeno para el Tratamiento de Hipertrofia Prostática Benigna,
Cáncer de Próstata, Hipogonadismo, Triglicéridos Elevados y Colesterol
Alto**

Domiciliados en

3 Pebble Hollow Court The Woodlands, Texas, 77381

Por el presente documento declara que cede todos y cada uno de los derechos que le correspondan o puedan corresponderle sobre la siguiente invención, modelo de utilidad o diseño industrial,

Solicitud de Patente en Colombia No. 07003351

A REPROS THERAPEUTICS, INC

con domicilio en 2408 Timberloch Drive, B-7 The Woodlands Texas 77380

En prueba de la mutua aceptación de esta cesión ambas partes, CEDENTE y CESIONARIO firman el presente documento

Dado y firmado este día 27 de Enero de 2007

EL CEDENTE

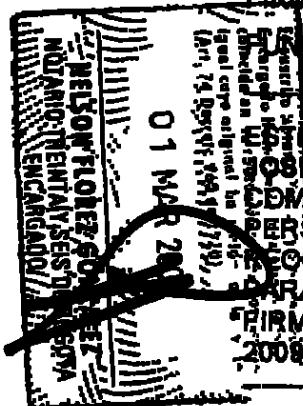
FIRMADO JOSEPH S PODOLSKI, INVENTOR

EL CESIONARIO

FIRMADO JOSEPH S PODOLSKI, PRESIDENTE,

FUNCIONARIO EJECUTIVO

ESTE DIA 27 DE ENERO DE 2007 ANTE MI PERSONALMENTE COMPARECIO JOSEPH S PODOLSKI, A QUIEN CONOZCO PERSONALMENTE O QUIEN COMPROBÓ ANTE MI CON BASE EN EVIDENCIA SATISFACTORIA SER LA PERSONA NOMBRADA Y QUE SUSCRIBIÓ EL ANTERIOR INSTRUMENTO, Y RECONOCIÓ ANTE ME QUE SUSCRIBIÓ EL MISMO POR SU PROPIA VOLUNTAD PARA LOS FINES ESTIPULADOS Y POR UNA CONSIDERACIÓN DE VALOR FIRMADO TARA F STEWART, CON COMISION HASTA EL 26 DE FEBRERO DE 2008 HAY SELLO DEL NOTARIO



107 A

ESTADO DE TEXAS
SECRETARIO DE ESTADO

APOSTILLA

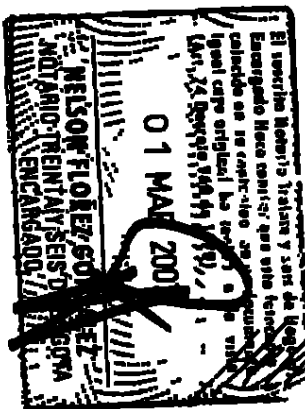
(CONVENCIÓN DE LA HAYA DEL 5 DE OCTUBRE DE 1961)

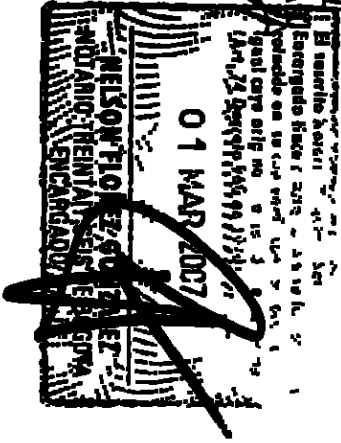
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- 4 LLEVA EL SELLO DE TARA F STEWART, NOTARIO PUBLICO, ESTADO DE TEXAS, CON COMISION HASTA EL 26 DE FEBRERO 2009

CERTIFICADO

- 5 EN AUSTIN, TEXAS 6 EL 8 DE FEBRERO, 2006
- 7 POR EL SECRETARIO DE ESTADO, ESTADO DE TEXAS
- 8 NUMERO N-571635
- 10 SELLO HAY SELLO DEL ESTADO DE TEXAS
- 10 POR ROGER WILLIAMS, SECRETARIO DE ESTADO

LA TRADUCTORA OFICIAL





MINISTERIO DE
RELACIONES
EXTERIORES

8 2 8 7 4 0

Nelson Flores
HA FIRMADO POR EL
DOCUMENTO DE LEGALIZACION
LAS FUNCIONES LEGITIMAS

NO ASUME
RESPONSABILIDAD
DEL TEXTO

2007 FEB 27 A 1 22

WCS
JEFE DE LEGALIZACIONES
, BOGOTÁ D.C.



P 894
108

The State of Texas

Secretary of State

APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

1 Country United States of America

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2 has been signed by TARA F STEWART

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4 and bears the seal/stamp of TARA F STEWART, Notary Public, State of Texas, Commission Expires 02-26-09

CERTIFIED

5 at Austin, Texas

6. on February 8, 2007

7 by the Secretary of State of Texas

10. Signature



Roger Williams

Roger Williams
Secretary of State
ST/mb

Clarke, Modet & C^o

COLOMBIA

E-MAIL info@clarkemodet.com.co
SANTAFÉ DE BOGOTÁ, A.A. 92397 COLOMBIA

109 ~~109~~

CESION

ASSIGNMENT

El (la) abajo firmante (En adelante EL CEDENTE)

The undersigned (Hereinafter THE ASSIGNOR)

Joseph S. Podolski

en su carácter de inventor /diseñador

Inventor /designor of
Trans-Clomiphene For The Treatment of
Benign Prostate Hypertrophy, Prostate
Cancer, Hypogonadism, Elevated Triglycerides
and High Cholesterol
domiciled at
3 Pebble Hollow Court
The Woodlands, Texas, 77381

con domicilio en

por el presente documento declara que
cede todos y cada uno de los derechos que
le corresponden o puedan corresponderle
sobre la siguiente invención, modelo de
utilidad, diseño industrial

do hereby declares that it assigns all and
each of his rights and privileges on the
following invention, industrial design,
utility model

Colombia Patent Application No. 07003351

a

to

REPROS THERAPEUTICS INC

con domicilio en

with domicile in
2408 Timberloch Drive, B-7
The Woodlands, Texas 77380

En prueba de la mutua aceptación de esta
cesión ambas partes CEDENTE y
CESIONARIO firman el presente
documento

As a proof of the mutual acceptance of
this assignment, both parties ASSIGNOR
and ASSIGNEE sign the present
document

Dado y firmado en

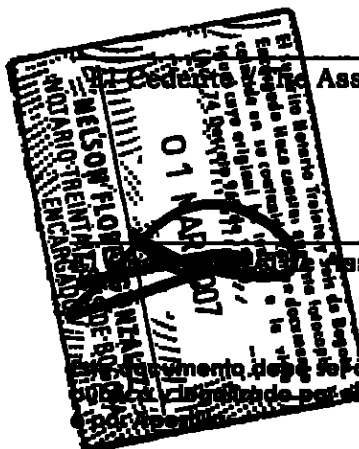
A los

Días de

De

Granted and signed at

on this 27th day of January of 2007



Assignor

Assignee

El Cedente /The Assignor

Joseph S. Podolski, Inventor

El Cesionario /The Assignee

Joseph S. Podolski, President/Chief Executive
Officer, Repros Therapeutics Inc.

(This document must be signed before Notary Public
and legalized before the colombian Consul) or by
Apostille

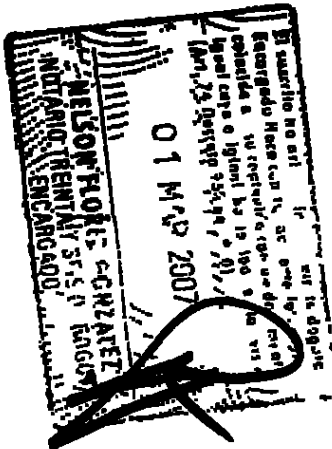
State of Texas
County of Montgomery SS

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On this 27th day of January, 2007, before me personally appeared JOSEPH S. PODOLSKI, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person named in and who executed the foregoing instrument and thereupon acknowledged to me that they executed the same of their own free will for the purposes set forth, and for a valuable consideration



T. F. Stewart
Notary Public



PCT

NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)
(PCT Rule 44bis.1(c))

To

SCOTT Teddy C. Jr
Howrey LLP
2841 Fairview Park Drive
Box No 7
Falls Church, VA 22042
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)

25 January 2007 (25 01 2007)

Applicant's or agent's file reference

07189 0003 00PC01

IMPORTANT NOTICE

International application No

PCT/US2005/025000

International filing date (day/month/year)

14 July 2005 (14 07 2005)

Priority date (day/month/year)

14 July 2004 (14 07 2004)

Applicant

REPROS THERAPEUTICS INC et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

RECEIVED
PCT/IB/07/01

14 JUL 2007

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer

Beate Giffo-Schmitt

e-mail: pb03@wipo.int

PCT

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

(PCT Rule 44bis)

112 #1

Applicant's or agent's file reference 07189.0003.00PC01	FOR FURTHER ACTION		See item 4 below
International application No. PCT/US2005/025000	International filing date (day/month/year) 14 July 2005 (14.07.2005)	Priority date (day/month/year) 14 July 2004 (14.07.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant REPROS THERAPEUTICS 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 8 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 issues.
- | | |
|--|---|
| ☒ 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.3).

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 18 January 2007 (18.01.2007)
	Authorized officer Beate Gliffo-Schmitt e-mail: p03@wipo.int

Form PCT/IB/373 (January 2004)

PATENT C OPERATION TREATY

REC'D 22 NOV 2005

WIPO

PCT

From the
INTERNATIONAL SEARCHING AUTHORITY

To

see form PCT/ISA/220

26/1

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis 1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2005/025000

International filing date (day/month/year)
14.07.2005

Priority date (day/month/year)
14.07.2004

International Patent Classification (IPC) or both national classification and IPC
A61K31/138, A61P3/06, A61P15/08, A61P35/00

Applicant
ZONAGEN, INC

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 usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, 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 68 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 three 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



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No
PCT/US2005/025000

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Box No I Basis of the 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 Rules 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 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.

Box No II Priority

- 1 ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or where required a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date
- 2 ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date
- 3 Additional observations, if necessary

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2005/025000

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Box No III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious) or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos 1-18

because

☒ the said international application, or the said claims Nos 1-18 (industrial applicability) relate to the following subject matter which does not require an international preliminary examination (specify):

see separate sheet

☒ the description, claims or drawings (indicate particular elements below) or said claims Nos. 1-18 (1-8, 8-18 in part) are so unclear that no meaningful opinion could be formed (specify):

see separate sheet

☒ the claims, or said claims Nos. 18 are so inadequately supported by the description that no meaningful opinion could be formed

☐ no international search report has been established for the whole application or for said claims Nos

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions

☐ See separate sheet for further details

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No
PCT/US2005/025000

**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)	Yes	Claims	10
	No	Claims	1-6,8,9,11-15,17,18
Inventive step (IS)	Yes	Claims	1-6,8-15,17,18
	No	Claims	1-6,8-15,17,18
Industrial applicability (IA)	Yes	Claims	
	No	Claims	

2 Citations and explanations

see separate sheet

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Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

III 1 Claims 1-18 relate to subject-matter considered by this Authority to be covered by the provisions of Rule 67 1(iv) PCT. Consequently, no opinion will be formulated with respect to the industrial applicability of the subject-matter of these claims (Article 34(4)(a)(i) PCT)

III 2 The term "analog" in claims 1-3 is considered not to meet the requirements of Art.6 PCT, because it lacks clear, explicit boundaries and the scope of it needs interpretation. In particular, it could mean salts, or chemically similar derivatives, but could also include all compounds having the same mode of action, independently from the chemical structure. As a result of this, the skilled person is unable to establish the scope of these claims, which therefore have to be considered as unclear. Mutatis mutandis dependent claims 4-18. Accordingly, the term "analog" will not be taken into account for the assessment of novelty and inventive step of claims 1-18.

III 3. Claim 7 does not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. The claim attempts to define the subject-matter in terms of the result to be achieved ("[] to give rise to peak serum testosterone levels at around 8 am"). Such a definition is only allowable under the conditions elaborated in the PCT Preliminary examination Guidelines, chapter 5.35. In this instance, however, such a formulation is not acceptable because the result cannot be achieved without undue in vivo experimentation. The same objection applies to dependent claim 11.

Accordingly, novelty and inventive step issues cannot be discussed for claim 7, whereas the examination of claim 11 will be limited to the treatment of hypogonadism in patients suffering from a symptom selected from the group consisting of reduction of muscle mass, limitation of body performance capacity, reduction of bone density, reduction of libido, reduction of potency.

III 4. Claim 16 is drafted as a dependent claim of claim 12, the latter being dependent of claim 4. However, the claimed uses indicated in claim 4 only apply to male patients (with respect to hypogonadism see p.3, paragraph 11 of the description). Claim 16 is therefore not supported.

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by the description as required by Article 6 PCT, and can not be further examined

Re Item V

Reasoned statement under Rule 68.2(a)(II) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The following documents (D1-D6) are referred to in this report, the numbering results from the order of citations found in the Search Report (SR) and will be adhered to in the rest of the procedure. The cited passage(s) for each citation will be considered unless otherwise specified.

V 1 Novelty

V 1 1 Claims 1-6, 8, 9, 11-15, 17, 18 do not appear to be novel in the sense of Article 33 (2) PCT, the reasons being as follows:

a) D3 discloses the use of a composition comprising trans-clomiphene for the treatment of male hypogonadism. The composition may be for oral use, it may provide sustained-release of the active agent and it may further contain up to 29% of cis-clomiphene. The serum cholesterol lowering effect of trans-clomiphene is also mentioned in D3.

Thus, D3 anticipates the subject-matter of claims 1-6, 11-15, 17, 18.

b) D4 describes the use of an antiestrogen (clomiphene citrate) for the treatment of benign prostate hypertrophy. The composition may i.e. be administered orally or transdermally. Hence, D4 takes away the novelty of claims 1, 4-6, 8, 12, 13, 15, 17, 18.

c) D6 mentions the use of clomiphene in a clinical trial involving patients suffering from prostate cancer and prostate hypertrophy, and is therefore prejudicial to the novelty of claims 1, 4, 8, 9, 12, 13, 15.

V 1 2 Claim 10 appears to be novel over the available prior art.

+

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V 2 Inventive step

V 2 1 Claims 1-6, 8, 9, 11-15, 17, 18

Being not new, the subject-matter of present claims 1-6, 8, 9, 11-15, 17, 18 cannot be considered as inventive either

V 2 2 Claim 10

Dependent claim 10 does not contain any additional feature(s) which, in combination with the features of any claim to which it refers, meet(s) the requirements of the PCT with respect to inventive step. The further feature(s) disclosed therein represent selections from the usual range of possibilities (see D5) for which no unexpected effect can be seen.

V.3 Industrial Applicability

For the assessment of the present claims 1-18 on the question whether they are industrially applicable, no unified criteria exist in the PCT Contracting States. The patentability can also be dependent upon the formulation of the claims. The EPO, for example, does not recognize as industrially applicable the subject-matter of claims to the use of a compound in medical treatment, but may allow, however, claims to a known compound for first use in medical treatment and the use of such a compound for the manufacture of a medicament for a new medical treatment.