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ABOGADOS

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SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO



No. 07-098243- -00011-0000

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Act. 523 RESPUESTA Folios: 18

Doctor

JOSE LUIS SALAZAR LOPEZ

Jefe División de Nuevas Creaciones

Superintendencia de Industria y Comercio

E. S. D.

REF: Expediente No. **07-098.243**
Patente de Invención: **"COMPOSICION FARMACEUTICA PARA TRATAR LA DEPRESION Y PROCEDIMIENTO PARA SU PREPARACION"**
Solicitud Internacional No. **PCT/CN2005/001796**
Titular: **BEIJING WONNER BIOTECH LTD., CO. ZUOGUANG ZHANG YUH-FEN CHI**

RESPUESTA A REQUERIMIENTO ARTÍCULO 46

OFICIO No 4040 Y CONCEPTO TECNICO No. 226 NOTIFICADO EL 4 DE MARZO DE 2011

HUMBERTO RUBIO CAMACHO, mayor de edad, domiciliado en Bogotá, D.C., identificado con la cédula de ciudadanía número 17.192.062 de Bogotá, abogado en ejercicio, portador de la Tarjeta Profesional No. 50.007 expedida por el Consejo Superior de la Judicatura, actuando en carácter de **APODERADO** de **BEIJING WONNER BIOTECH LTD., CO., ZUOGUANG ZHANG y YUH-FEN CHI**, domiciliados en Room 406, Building B, Wang Jing Jia Run Hua Yuan, Zhao Yang Qu, Beijing 100102, China; Room 404, Floor 3 Door, No. 20 Pan Jia Yuan Dong Li, Zhao Yang Qu, Beijing 100021, China y 3 Fl., No. 9, Alley 27, Lane 67, Minzu St., Yonghe City, Taipei County, Taiwan 234, R.O.C., encontrándome dentro del término legal para dar contestación al auto proferido por su Despacho mediante Oficio No. 04040 y Concepto Técnico No. 0226 notificado por fijación en lista el 4 de marzo de 2011, me permito manifestar y anexar:

1. - Manifiesto y Anexo:

Para dar cumplimiento con lo solicitado por su Despacho y conforme a lo establecido en el Artículo 46 de la Decisión 486, estamos adjuntando publicaciones de los documentos:

- DATABASE TCM [Online] SIPO; 22 August 2001 (2001-08-22), "A medicine, Energy Pleasing and the depressed vital energy dispersing prescription, for the treatment of psychosis/A pharmaceutical composition for the treatment of psychosis" Database accession no. CN-01100556-A & CN 1 308 959 A (WANG DONGQIAO [CN] INT EPODOC Caesar accession number: CN1308959 WANG) 22 August 2001 (2001-08-22)
- A medicine, Energy Pleasing and the depressed vital energy dispersing prescription, for the treatment of psychosis/A pharmaceutical composition for the treatment of psychosis" TCM, 22 August 2001 (2001-08-22), XP002471316 & CN 1 308 959 A (WANG DONGQIAO [CN] INT EPODOC Caesar accession number: CN 1308959 WANG) 22 August 2001 (2001-08-22)
- NATIONAL PHARMACOPEIA COMMITTEE: 'Pharmacopeia of People's Republic of China', vol. 1ST PART, 31 January 2000 page 559

HUMBERTO RUBIO & CIA.

ABOGADOS

Expediente No. 07-098243

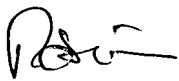
Pagina 2 de 2

- DATABASE TCM [Online] SIPO; 12 July 2000 (2000-07-12), Yang Yuechao: "A medicated wine XIONGSANXIAN WINE, and its preparation method/A Chinese medicinal preparation for promoting health of cardiovascular system, and its preparation method" XP002600659 Database accession no. CN-98121836-A & CN 1 259 359 A (YANG YUECHAO [CN]) 12 July 2000 (2000-07-12).
- DATABASE TCM [Online] SIPO; 26 March 1997 (1997-03-26), Liu Zengyuan: "Chinese medicine 'Jiaotai'/A Chinese herbal preparation for the treatment of anxiety state, and its preparation method" XP002600670 Database accession no. CN-95112014-A & CN 1 145 790 A (LIU ZENGYUAN [CN]) 26 March 1997 (1997-03-26).
- DATABASE TCM [Online] SIPO; 12 September 2001 (2001-09-12), Li Shillin: "A medicine osmosized through head acupoint for the treatment of depression/A pharmaceutical composition for the treatment of depression, and its preparation method" XP002600671 & CN 1 312 089 A (LI SHILIN [CN]) 12 September 2001 (2001-09-12)
- DATABASE TCM [Online] SIPO; 21 March 2001 (2001-03-21), D.A. Desantis: "Herba Hyperici perforati (Herba Hyperici Monogyni) and methyl donor composition and uses thereof / A pharmaceutical composition for the treatment of depression, anxiety and premenstrual tension syndrome" XP002600672 Database accession no. CN-99002145-A & CN 1 288 383 A (REXALL SUNDOWN INC [US]) 21 March 2001 (2001-03-21)
- DATABASE WPI Week 200519 Thomson Scientific, London, GB; AN 2005-173749 XP002600673 & CN 1 552 333 A (ZHANG J) 8 December 2004 (2004-12-08).

Por otra parte, nos permitimos manifestar que no se ha podido encontrar el documento "DATABASE TKDL [Online] CSIR India; 1 January 1995 (1995-01-01), Arkaprakasah by Lankapatiravana: "Jalayasti Arka Gunah" XP002600726 Database accession no. AK14/40A", por lo que respetuosamente solicitamos al examinador más información o detalles para poder conseguir el documento faltante.

Por separado el día 25 de Mayo de 2011, dimos respuesta al Oficio No 4039 notificado por estado de 4 de Marzo de 2011, como resultado del examen de fondo, realizado con fundamento en el artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina, solicitando a su Despacho continuar con el trámite de rigor.

Atentamente,



HUMBERTO RUBIO CAMACHO

C.C. 17'192.062 de Bogotá

**T.P. 50.007 Consejo Superior
de la Judicatura**

COD. 4134

CN1308959 Abstract

A Chinese medicine for treating mental diseases (psychosis), especially the depressive psychosis and mental obstruction, is prepared from 23 Chinese-medicinal materials including cyperus tuber, bupleurum root, Chinese angelica root, white peony root, etc. Its advantage is high curative effect.

[19]中华人民共和国国家知识产权局

[51]Int. Cl⁷
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A61P 25/24 A61P 25/00

[12] 发明专利申请公开说明书

[21] 申请号 01100556.4

[43]公开日 2001 年 8 月 22 日

[11]公开号 CN 1308959A

[22]申请日 2001.1.12 [21]申请号 01100556.4 [71]申请人 王东桥 地址 253023 山东省德州市三八路河东(山东德州第八号信箱)山东德州中医神志病研究所 [72]发明人 王东桥		[74]专利代理机构 北京科龙环宇专利事务所 代理人 孙皓晨	
		权利要求书 1 页 说明书 3 页 附图页数 0 页	

[54]发明名称 一种治疗神志病(精神病等)的药物 - 怡神解郁方剂

[57]摘要

本发明涉及一种治疗神志病(精神病等),尤其神志病中各类抑郁症及 心理障碍的药物。它包括柴胡、香附、当归、白芍、白术、茯苓、生麦芽、莪术、三棱、川军、半夏、陈皮、磁石、远志、菖蒲、郁金、珍珠母、益智 仁、生姜、内金、胆南星、枳实、竹茹等。它对治疗神志病中各类抑郁症及 心理障碍非常有效。

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Translation of pharmacopeia of People's Republic of China

Zanglian Wan

□Recipe□Coptis 25g Scutellaria 150g Rehmannia 75g red paeonia 50g
Angelica 50g Huaijiao (FRUCTUS SOPHORAE) 100g Huaihua(FLOS
SOPHORAE) 75g Fineleaf Schiznepeta Herb 50g Diyu(RADIX SANGUISORBAE)
75g Colla corii asini 50g

□Preparation□ The above-mentioned ten ingredients are ground into rough powder. Pig intestine 350 g is washed and cut into segments, and then are mixed well with the rough powder. The mixture is taken processes of steaming, drying, and grinding into fine powder, and then filtering and mixing. Every 100 g is mixed with 6~10 g honey and suitable amount of water to form pills, and then the pills are dried to become water-honey pills, or it is mixed with 80~100 g honey to form small honey pills or big honey pills, and that is it.

□Characters□The present item with bitter taste is a tan to dark brown water-honey pill, a dark brown small honey pill or a big honey pill.

□Distinguish□If the present item is put under a microscope to be observed, the fiber bundle with thicker fiber wall is bright yellow, and its pits are obvious. The fiber with spindle shape and thick fiber wall are yellow, and its pits are small. The fiber is slim, slightly bend, and its fiber wall is thicker without lignifying. Parenchyma is gray brown to dark brown, and its cells which contain a brown nuclear are shrinking mostly. The endocarp cells contain calcium oxalate crystals; one column of seed coat palisade cells is 100~190 μm. Under epidermal cells of petal are polygon and with changeable stomas; and Parenchyma cells contain calcium oxalate crystals.

□Examination□The pill should meet every related rules of pill. (Appendix I A)

□Functions and treatings□Clear intestines and stop bleeding. The pill is used for treating hot intestines, bloodystool, burning sensation of the anus and Swelling and

pain of hemorrhoids.

□Usage and dosage□For oral, taken water-honey pill 6~9 g each time, small honey pill 9 g each time, and one big honey pill each time, and each pill is taken twice a day.

□Specification□Per big honey pill is 9 g.

□Storage□Seal up

Naolejing

□Recipe□glycyrrhiza fluidextract 35.4 g jujuba 125g wheat 416 g

□Preparation□Regarding the above-mentioned three ingredients, the glycyrrhiza fluidextract is taken processes of adding suitable water, heating to dissolve, filtering, and condensing the filtrate until reaching suitable amount. The jujuba is taken processes of adding water to be boiled twice, each time for two hours, combining and filtering the boiled liquids, condensing the filtrate until reaching suitable amount, cooling down, adding equal amount of ethanol to the condensed filtrate, mixing, and settling for 24 hours. The wheat is taken processes of adding water to be boiled for 10 minutes, immersing in 70~80 ℃ water twice, each time for 2 hours, combining and filtering the immersed liquids, condensing the filtrate until reaching suitable amount, adding equal amount of ethanol to the condensed filtrate, mixing, and settling for 24 hours. The supernatants of the above-mentioned resulting liquids of jujuba and wheat are mixed, filtered, recycled ethanol, and condensed to suitable amount. Then, 750 g of sugar and suitable amount of the condensed filtrate of the glycyrrhiza fluidextract and the antiseptic are added to the condensed filtrate. After that, the mixture is taken processes of boiling to dissolve, filtering, adding water to 1000 ml, and mixing well, and that is it.

□Characters□The present item is a light brown viscous liquid with a lightly smell and a sweet taste.

□Distinguish□5 ml of the present item is mixed with 15 ml of water and shaken well,

and then is extracted by water saturated n-butanol 3 times, each time for 20ml. The n-butanol solutions are combined and washed by water 3 times, each time for 10ml. The resulting n-butanol solution is put on a water bath to be dried by evaporation. The residue is dissolved by adding methanol 1 ml for sample solution. Besides, 0.2 g of the control medical material, liquorice is added with 20 ml of water, and is heated for 1 hour. Then, the heated liquid is filtered, and the filtrate is treated with the same way as the above-mentioned method to produce control medical solution. Furthermore, the control material, glycyrrhizic acid ammonium, is added with methanol to become a solution with a concentration of glycyrrhizic acid ammonium 0.5mg/ 1ml for control solution. Thin layer chromatography test is applied (Appendix VI B). 5 µl of each 1 of the above-mentioned three solutions are sucked and dropped respectively on the same silica gel G thin layer plate which is prepared with 1% sodium hydroxide solution. Ethyl acetate - formic acid - acetic acid - water (15: 1: 1: 2) is used as the developer. The solutions are developed, and the plate is taken to be dried. Then, the plate is sprayed with 10 % Sulfuric acid in ethanol solution and is heated in 105°C until color development of the spots is clear. After that, the plate is examined under UV light (365 nm). In the chromatography of the sample solution, compared with the position of the chromatography of the control medical solution, the color of the fluorescent spots is the same; compared with the position of the chromatography of the control solution, the fluorescent spots present the same orange color.

□Examination□Relative density: it should be no less than 1.27(Appendix VII A)

Others: it should meet every related rules of sirup. (Appendix I H)

□Functions and treatings□Nourishing the heart,, strengthening the brain, soothing the nerves. Use for anxiety, panic, sleeplessness, fidgety and children's sleeplessness.

□Usage and dosage□For oral, three times a day, taken 30ml each time; for children, deliberately reduce the amount.

【规格】 大蜜丸每丸重 9g
【贮藏】 密封。

脏 连 丸
Zonglian Wan

【处方】 黄连 25g 黄芩 150g 地黄 75g 赤芍 50g
 当归 50g 槐角 100g 槐花 75g 荆芥穗 50g
 地榆炭 75g 阿胶 50g

【制法】 以上十味，粉碎成粗粉。另取猪大肠 350g，洗净，切段，与粗粉拌匀，蒸透，干燥，粉碎成细粉，过筛，混匀。每 100g 粉末用炼蜜 6~10g，加适量的水泛丸，干燥，制成水蜜丸；或加炼蜜 80~100g 制成小蜜丸或大蜜丸，即得。

【性状】 本品为棕褐色至黑褐色的水蜜丸、黑褐色的小蜜丸或大蜜丸；味苦。

【鉴别】 取本品，置显微镜下观察：纤维束鲜黄色，壁稍厚，纹孔明显。纤维淡黄色，梭形，壁厚，孔沟细。纤维细长，微弯曲，壁稍厚，非木化。薄壁组织灰棕色至黑棕色，细胞多皱缩，内含棕色核状物。内果皮细胞含草酸钙方晶；种皮栅状细胞 1 列，长 100~190μm。花瓣下表皮细胞多角形，有不定式气孔；薄壁细胞含草酸钙方晶。

【检查】 应符合丸剂项下有关的各项规定（附录 I A）。

【功能与主治】 清肠止血。用于肠热便血，肛门灼热，痔疮肿痛。

【用法与用量】 口服，水蜜丸一次 6~9g，小蜜丸一次 9g，大蜜丸一次 1 丸，一日 2 次。

【规格】 大蜜丸每丸重 9g

【贮藏】 密封。

脑 乐 静
Naolejing

【处方】 甘草浸膏 35.4g 大枣 125g 小麦 416g

【制法】 以上三味，取甘草浸膏，加水适量，加热溶化，滤过，滤液浓缩至适量。取大枣，加水煎煮二次，每次 2 小时，合并煎液，滤过，滤液浓缩至适量，冷却后加等量的乙醇，搅匀，静置 24 小时。取小麦，加水煮沸 10 分钟后，于 70~80℃ 温浸二次，每次 2 小时，合并浸液，滤过，滤液浓缩至适量，加等量的乙醇，搅匀，静置 24 小时。取上述大枣和小麦的上清液，合并，滤过，回收乙醇，浓缩至适量，加入蔗糖 750g、甘草浸膏浓缩液及防腐剂适量，煮沸使溶解，滤过，加水至 1000ml，混匀，即得。

【性状】 本品为淡棕色的黏稠液体；气微，味甜。

【鉴别】 取本品 5ml，加水 15ml，摇匀，用水饱和的正丁醇提取 3 次，每次 20ml，合并正丁醇液，用水洗涤 3 次，每次 10ml，正丁醇液置水浴上蒸干，残渣加甲醇 1ml 使溶解，作为供试品溶液。另取甘草对照药材 0.2g，加水 20ml，加热回流 1 小时，滤过，取滤液同法制成对照药材溶液。再取甘草酸铵对照品，加甲醇制成每 1ml 含 0.5mg 的溶液，作为对照品溶液。照薄层色谱法（附录 V B）试验，吸取上述三种溶液各 5μl，分别点于同一用 1% 氢氧化钠溶液制备的硅胶 G 薄层板上，以醋酸乙酯-甲酸-冰醋酸-水（15：1：1：2）为展开剂，展开，取出，晾干，喷以 10% 硫酸乙醇溶液，于 105℃ 加热至斑点显色清晰，置紫外光灯（365nm）下检视。供试品色谱中，在与对照药材色谱相应的位置上，显相同颜色的荧光斑点；在与对照品色谱相应的位置上，显相同的橙黄色荧光斑点。

【检查】 相对密度 应不低于 1.27（附录 VII A）。

其他 应符合糖浆剂项下有关的各项规定（附录 I H）。

【功能与主治】 养心，健脑，安神。用于精神忧郁，易惊失眠，烦躁及小儿夜不安寐。

【用法与用量】 口服，一次 30ml，一日 3 次；小儿酌减。

CN1256359 Abstract

The invented "Xiongsanxian medical liquor" is made from edible liquor, fel ursi, notoginseng extract, henbane seed extract, caulis fibraureae, extract, licorice extract, and crystal sugar. The prepn.method is as follows: the different extracts are filtered to remove impurity, then added into edible liquor, stirred and precipitated, filtered, inspected, bottled and sealed. The invented liquor cantreat many kinds of diseases and possesses health care action.

[19]中华人民共和国国家知识产权局

[51]Int. Cl⁷

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[11]公开号 CN 1259359A

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[71]申请人 杨悦超
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[74]专利代理机构 云南省专利事务所
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权利要求书 2 页 说明书 4 页 附图页数 0 页

[54]发明名称 一种熊三仙药酒及其制备工艺
[57]摘要
一种熊三仙酒,含有以下组份中草药:食用酒及君药:熊胆、三七提取物,臣药:天仙子提取物,佐药:大黄藤提取物,使药:甘草提取物,可加入冰糖。其制备方法为:食用酒、沉淀去杂质,按比例取上述食用酒及熊胆、三七、天仙子提取物,搅拌均匀,沉淀,过滤去杂质,按比例取大黄藤及甘草提取物,加入上述酒中,搅拌均匀,沉淀,过滤,再次检验,灌装、封口。熊三仙酒具有理气辅之理血,理血辅以理气的综合治疗功能,且按君、臣、佐、使配伍,使得本发明所述药酒配伍合理、完全,各药能协同作用,可用于多种疾病的治疗和保健作用。

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CN1145790 Abstract

The Chinese medicine Jiaotai'an is prepared with 12 kinds of Chinese medicinal material. During prepn, 4 kinds of material, red sage, lily, malt and roast licorice, are ground and sieved to obtain medicine powder, other 8 kinds of material including Chinese date, wild jujube kernel, Acorus gramineus, etc. are decocted to obtain decoction, and the medicine powder and the decoction are mixed to obtain the said medicine. The medicine is used in curing anxiety disease with high effective rate.



[12] 发明专利申请公开说明书

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[11] 公开号 CN 1145790A

[22]申请日 95.9.22
[71]申请人 刘增垣
地址 116013辽宁省大连市西岗区南石道街丙寅巷 3 号
[72]发明人 刘增垣 马德锡 王选圣

[74]专利代理机构 大连市专利服务中心
代理人 郭丽华

权利要求书 1 页 说明书 4 页 附图页数 0 页

[54]发明名称 中药焦泰安

[57]摘要

一种用于治疗焦虑症的中药焦泰安，其每副药中包含如下组分：炙甘草 5~10 克、生麦芽 15~50 克、大枣 7~15 枚、酸枣仁 10~25 克、石菖蒲 10~30 克、红参 5~10 克、百合 15~30 克、白茯苓 10~20 克、生龙骨 10~25 克、栀子 10~15 克、知母 10~20 克、合欢花 10~15 克。将上述配方中的红参、百合、麦芽、炙甘草粉碎后过筛，取其药粉与余下的八味药的煎煮液混合即可得到本发明的药品。本发明的药品无毒无副作用，治疗焦虑症的有效率在 92%。

(BJ)第 1456 号

CN1312089 Abstract

The medicine for curing depression by utilizing permeation medication through head acupoint of made from several Chinese medicinal materials of licorice, wheat, jujube and root poria through a scientific preparation process. Said invention prescription possesses the functions of relieving the depressed liver, soothing the liver and regulating the circulation of qi, fortifying spleen, draining fire and quieting spirit, so it can obtain good therapeutic effect for various depressions.

[19]中华人民共和国国家知识产权局

[51]Int. Cl⁷

A61K 35/78
A61P 25/24

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[11]公开号 CN 1312089A /

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[74]专利代理机构 陕西省发明专利服务中心
代理人 李中群

权利要求书 1 页 说明书 3 页 附图页数 0 页

[54]发明名称 可通过头部穴位渗透法治疗抑郁症的药物

[57]摘要
一种根据“病根在脑,从脑医治”的近取法治疗原则研制的可通过头部穴位 渗透用药实现治疗抑郁症的药物,它以甘草、小麦、大枣、茯神等多味中药为基 本配方并经科学加工而制成,全方具有疏肝解郁、健脾合营、泻火安神的功效,在对各种抑郁症的治疗方面具有极好的效果。

I S S N 1 0 0 8 - 4 2 7 4

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(54) Title: ST. JOHN'S WORT AND METHYL DONOR COMPOSITION AND USES THEREOF			
(57) Abstract A therapeutic composition and method are provided for mood enhancement, regulation and the treatment of depression and anxiety, and the relief of PMS associated symptoms in mammals. The composition comprises St. John's Wort (<i>Hypericum perforatum</i>) and a methyl donor, such as S-adenosylmethionine.			

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[54] 发明名称 贯叶金丝桃和甲基供体组合物及其用途

[57] 摘要

本发明提供了用于情绪提高,调节并治疗抑郁症及焦虑症,和哺乳动物的经前 综合症相关症状的缓解的治疗组合物和方法。该组合物含有贯叶金丝桃(Hypericum perforatum) 和一种甲基供体,例如 S-腺苷甲硫氨酸。

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CN1552333 Abstract

A Chinese medicine for treating melancholia is prepared from 3 Chinese-medicinal materials including forsythia fruit, ginseng, etc through extracting, proportional mixing, pulverizing, sieving and granulating. Its advantages are high curative effect and quickly taking its effect.

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[54] 发明名称 一种防治忧郁症的药物

[57] 摘要

一种防治忧郁症的药物，属于以植物中草药提取物为原料的一种防治忧郁症的中药制剂。由下列重量百分比的组分组成：卡瓦提取物占 1 - 60%，贯叶连翘提取物占 1 - 60%，人参提取物占 1 - 40%；将上述组分混合、粉碎透筛，造粒，制成中药制剂。这三种药物联合应用，防治忧郁症，比单一药物疗效好，效果快，患者普遍欢迎。用于防治忧郁症。

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