

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

|                                                    |                                                                                                  |                                                                                     |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Applicant's or agent's file reference<br>X20718    | <b>FOR FURTHER ACTION</b><br>see Form PCT/ISA/220<br>as well as, where applicable, item 5 below. |                                                                                     |
| International application No.<br>PCT/US2017/017290 | International filing date ( <i>day/month/year</i> )<br>10 February 2017 (10-02-2017)             | (Earliest) Priority Date ( <i>day/month/year</i> )<br>18 February 2016 (18-02-2016) |
| Applicant<br><br>ELI LILLY AND COMPANY             |                                                                                                  |                                                                                     |

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 7 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the **language**, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed  
☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6**bis**(a)).

c. ☒ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box No. II)

3. ☒ **Unity of invention is lacking** (see Box No III)

4. With regard to the **title**,

- ☒ the text is approved as submitted by the applicant  
☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- ☒ the text is approved as submitted by the applicant  
☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_  
☐ as suggested by the applicant  
☐ as selected by this Authority, because the applicant failed to suggest a figure  
☐ as selected by this Authority, because this figure better characterizes the invention  
b. ☒ none of the figures is to be published with the abstract

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US2017/017290

## Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.c of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of a sequence listing:
- a. ☒ forming part of the international application as filed:
- ☒ in the form of an Annex C/ST.25 text file.
- ☐ on paper or in the form of an image file.
- b. ☐ furnished together with the international application under PCT Rule 13~~ter~~.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.
- c. ☐ furnished subsequent to the international filing date for the purposes of international search only:
- ☐ in the form of an Annex C/ST.25 text file (Rule 13~~ter~~.1(a)).
- ☐ on paper or in the form of an image file (Rule 13~~ter~~.1(b) and Administrative Instructions, Section 713).
2. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US2017/017290

## Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-19(partially)

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- ☐ No protest accompanied the payment of additional search fees.

## INTERNATIONAL SEARCH REPORT

International application No  
PCT/US2017/017290

A. CLASSIFICATION OF SUBJECT MATTER  
INV. A61K39/12 C12N7/00  
ADD.

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

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
A61K C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EPO-Internal, WPI Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages                                                                                                                                                                                                                              | Relevant to claim No. |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| Y         | RENUKARADHYA GOURAPURA J ET AL: "Live porcine reproductive and respiratory syndrome virus vaccines: Current status and future direction", VACCINE, vol. 33, no. 33, 4 July 2015 (2015-07-04), pages 4069-4080, XP029518287, ISSN: 0264-410X, DOI: 10.1016/J.VACCINE.2015.06.092 pages 4069, 4070, 4077<br>----- | 1-19                  |
| X         | WO 2015/140774 A1 (NUTECH VENTURES [US]; VU HIEP LAI XUAN [US]; OSORIO FERNANDO [US]; LAE) 24 September 2015 (2015-09-24) claims 1-9, 17, 22-29; examples 4, 5; sequence 1<br>-----                                                                                                                             | 1,2,4-8,<br>10-19     |
| Y         | -----<br>-/--                                                                                                                                                                                                                                                                                                   | 3,9                   |



Further documents are listed in the continuation of Box C.



See patent family annex.

## \* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

29 March 2017

Date of mailing of the international search report

30/05/2017

Name and mailing address of the ISA/

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040,  
Fax: (+31-70) 340-3016

Authorized officer

Heder, Andreas

## INTERNATIONAL SEARCH REPORT

International application No

PCT/US2017/017290

| C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT |                                                                                                                                                                                                                                                                                                                                                                                              |                       |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| Category*                                            | Citation of document, with indication, where appropriate, of the relevant passages                                                                                                                                                                                                                                                                                                           | Relevant to claim No. |
| Y                                                    | <p>ZHI-JUN TIAN ET AL: "An attenuated live vaccine based on highly pathogenic porcine reproductive and respiratory syndrome virus (HP-PRRSV) protects piglets against HP-PRRS",<br/>VETERINARY MICROBIOLOGY,<br/>vol. 138, no. 1-2,<br/>1 July 2009 (2009-07-01), pages 34-40,<br/>XP055359481,<br/>NL<br/>ISSN: 0378-1135, DOI:<br/>10.1016/j.vetmic.2009.03.003<br/>abstract<br/>-----</p> | 1-19                  |

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2017/017290

| Patent document<br>cited in search report | Publication<br>date | Patent family<br>member(s) | Publication<br>date |
|-------------------------------------------|---------------------|----------------------------|---------------------|
| WO 2015140774 A1                          | 24-09-2015          | CA 2943478 A1              | 24-09-2015          |
|                                           |                     | EP 3119429 A1              | 25-01-2017          |
|                                           |                     | JP 2017510276 A            | 13-04-2017          |
|                                           |                     | KR 20170002393 A           | 06-01-2017          |
|                                           |                     | PH 12016501854 A1          | 09-01-2017          |
|                                           |                     | WO 2015140774 A1           | 24-09-2015          |
| -----                                     |                     |                            |                     |

**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-19(partially)

Modified PRRSV strain ND99-14 having 90% or more identity with SEQ ID NO: 4, 10, or 11, and uses thereof

---

2. claims: 1-19(partially)

Modified PRRSV strain SD11-21 having 90% or more identity with SEQ ID NO: 9, 12, or 13, and uses thereof

---

3. claim: 19(partially)

Vaccine comprising a modified live PRRSV having an unspecified sequence for use in the treatment of a pig

---