

Señor

Director de la Dirección de Nuevas Creaciones

Superintendencia de Industria y Comercio

Ministerio de Comercio, Industria y Turismo

E. S. D.

Re.: Expediente **No. NC2019/0001967**

Solicitud de Patente PCT entrada en Fase Nacional, para: **“COMPUESTOS DE TIAZOLO-PIRIDINA SUSTITUIDA COMO INHIBIDORES DE MALT1”**

Solicitantes: **LUPIN LIMITED**

MEMORIAL SOBRE PRIORIDADES REIVINDICADAS

Yo, **MARGARITA CASTELLANOS ABONDANO**, mayor de edad, identificada y domiciliada como aparece al pie de mi firma, obrando en mi calidad de apoderada de la sociedad solicitante del asunto citado en la referencia, me permito aclarar que la fase nacional de la solicitud PCT/IB2017/054612 ha sido presentada reivindicando tres prioridades indias, teniendo en cuenta la aclaración con respecto a las mismas en la forma PCT/IB/345 adjunta de la fase internacional.

Adicionalmente, se adjunta copia de la declaración jurada firmada por el agente a cargo de la fase internacional, destacando las circunstancias bajo las cuales las reivindicaciones de prioridad fueron involuntariamente omitidas.

Así entonces, se solicita respetuosamente tener en cuenta la reivindicación de las tres prioridades:

- 201621026107 – 29 de julio de 2016 - India
- 201621043859 - 22 de diciembre de 2016 - India
- 201721009450 - 17 de marzo de 2017 - India

ANEXOS

- Forma PCT/IB/345
- Declaración jurada firmada por el agente a cargo de la fase internacional

Señor Director,


Margarita Castellanos Abondano
C.C. No. **39.779.654** de Bogotá
T.P.A. No. **70.819** del C.S.J.
Calle 94A No. 7A-09 - Bogotá, D.C.
Teléfono: 7560770

Bogotá, D.C.
MCA/mg
P5079

ADVANCE E-MAIL

PCT

COMMUNICATION IN CASES FOR WHICH
NO OTHER FORM IS APPLICABLE

From the INTERNATIONAL BUREAU

To:

MAJUMDAR, Subhatosh
S. Majumdar & Co., 5 Harish Mukherjee Road
State of West Bengal
Kolkata 700 025
INDE

Date of mailing (day/month/year) 25 January 2019 (25.01.2019)	
Applicant's or agent's file reference PCT00702	REPLY DUE see paragraph 1 below
International application No. PCT/IB2017/054612	International filing date (day/month/year) 28 July 2017 (28.07.2017)
Applicant LUPIN LIMITED	

1. ☐ REPLY DUE within months/days from the above date of mailing
☐ NO REPLY DUE, however, see below
☒ IMPORTANT COMMUNICATION
☐ INFORMATION ONLY

2. COMMUNICATION:

Following your request under Rule 26bis 2(e) dated 10 January 2019, please be informed that this latter is now available on patentscope under "documents".

Please see following link: <https://patentscope.wipo.int/search/en/detail.jsf?docId=WO2018020474&tab=PCTDOCUMENTS&maxRec=1000>

Regarding submission of the two priority documents, please be informed that they will also be available on patentscope next week. Please be also informed that if you wish us to transmit these purported priority documents to some designated Offices, please send us a request indicating to which designated Offices you want us to send them.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Gaud Fabienne e-mail ro.ib@wipo.int Telephone No. +4122 338 9175
Facsimile No. +41 22 910 06 10	



पश्चिमबङ्ग पश्चिम बंगाल WEST BENGAL

AB 529840

EXHIBIT A



I, Mr. Malay Banerjee, hereby declare and state the following:

1. I am a paralegal at S. Majumdar & Co. ("Majumdar"), a full-service Intellectual Property law firm located in India. I am responsible for filing PCT applications and communications through ePCT designating the International Bureau ("IB") as Receiving Office ("RO").
2. Majumdar is the agent of record before the IB for PCT/IB2017/054612 ("WO/2018/020474"), for which the present application is a national stage entry. Majumdar is not agent of record for the present application. I had handled the filing of the PCT Application No. PCT/IB2017/054612 at the IB, which was later published under no WO/2018/020474.
3. I have been asked to describe in this Declaration facts surrounding the unintentionally delayed foreign priority claims to Indian Provisional Patent Application Nos. 201621043859 ("IN 201621043859") and 201721009450 ("IN 201721009450").

4. The published Specification of WO/2018/020474, at page 1 lines 10-14, states the following:

“The present application claims the benefit of Indian Provisional Patent Application Nos. 201621026107, filed on 29th July 2016, 201621043859, filed on 22nd December 2016, and 201721009450 filed on 17th March 2017, the disclosures of which are incorporated herein by reference in their entirety for all purposes.”

5. However, the PCT Request form (**Exhibit A-1**) submitted by Majumdar only claimed priority to Indian Provisional Patent Application No. 201621026107 (“IN 201621026107”).

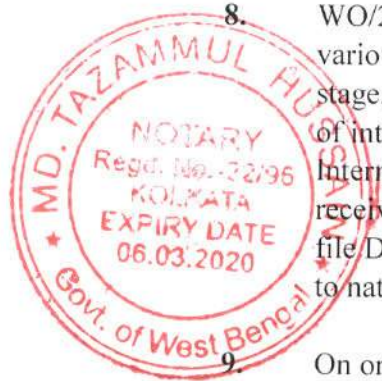
6. The earliest priority was IN 201621026107 dated July 29, 2016 which formed the basis for calculating the time line for filing WO/2018/020474 on or before July 29, 2017. Majumdar received instruction to file WO/2018/020474 from Lupin Limited (the “Applicant”) on or about July 28, 2017.

7. The PCT Request Form for WO/2018/020474 was prepared by me claiming priority from the same and was filed on July 28, 2017.

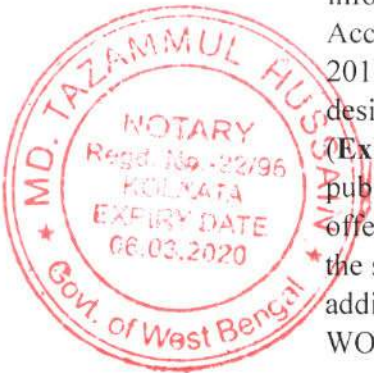
8. WO/2018/020474 proceeded at the international stage with Majumdar completing various formalities like filing of power of Attorney. During the international stage, Form PCT/RO/102 issued by the IB, which confirmed receipt of payment of international search and filing fees, Form PCT/IB/304 as well as favorable International Search Report and the Written Opinion under Chapter I of PCT were received by Majumdar and were forwarded to the Applicant, who did not wish to file Demand for International Preliminary Report on patentability, instead wishing to nationalize WO/2018/020474 in due course.

9. On or about November 30, 2017, while I was reviewing IN 201621043859 for a possible PCT or non-provisional filing, it was brought to my notice that the contents of IN 201621043859 had been combined with IN 201721009450 into WO/2018/020474. Prior to this, I had not appreciated that, in addition to IN 201621026107, the contents of IN 201621043859 and IN 201721009450 were also incorporated into WO/2018/020474 as the application was filed on an urgent basis.

10. Thus, under such circumstances, the incorporation of the two additional priority claims to IN 201621043859 and IN 201721009450 were unintentionally omitted from the PCT Request Form for WO/2018/020474.



11. I then discovered that while the Specification of WO/2018/020474 contained the above-cited reference to IN 201621026107, IN 201621043859, and IN 201721009450, neither of IN 201621043859 and IN 201721009450 were claimed on the PCT Request Form for WO/2018/020474, although such was intended as supported by the Specification of WO/2018/020474.
12. Shortly after realizing this error, Majumdar made a first request (**Exhibit A-2**) to the IB on December 18, 2017, for correction or addition of priority claim under Rule 26bis.1. However, as outside the time period provided by Rule 26bis.1(a), this first request was not granted by the IB. The first request is available in the WIPO PATENTSCOPE file wrapper for WO/2018/020474.
13. Additionally, before the expiry of the 30-month time period from the filing date of IN 201621026107, a second request (**Exhibit A-3**), specifically made under PCT Rule 26bis.2(e), was made to the IB to correct priority on January 10, 2019.
14. On January 15, 2019, a message from ePCT acknowledging the request of addition of priority claim under Rule 26bis 2(e) and requesting remittance for publication was received in response to the second request. This message also informed Majumdar of opportunity to submit both priority documents to the IB. Accordingly, the required fee was remitted and certified copies of IN 201621043859 and IN 201721009450 with the request to forward then to the designated offices were submitted. This second request was not granted by the IB (**Exhibit A-4**), however the IB did respond (**Exhibit A-5**) on January 25, 2019 by publishing certified copies of IN 201621043859 and IN 201721009450 and offering to transmit the priority documents to designated patent offices. Copies of the second request, certified priority documents, and responses from the IB are additionally available in the WIPO PATENTSCOPE file wrapper for WO/2018/020474.
15. I hereby declare further that all statements made herein by my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make these statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therein.



SIGNATURE PAGE FOLLOWS

Signed this 22nd day of Feb, 2019

Malay Banerjee
Malay Banerjee



Solemnly affirmed and declared
before me on Identification

[Signature]
MD. T. HUSSAIN Notary
City Civil Court
Kolkata
Regd. No. - 22/96 Govt. of W.B.

Identified by

H. Ahmed.
Advocate

22 FEB 2019

[BEFORE NOTARY PUBLIC]



PCT00702

1/6

PCT REQUEST

Print Out (Original in Electronic Form)

0	For receiving Office use only	
0-1	International Application No.	PCT/IB2017/054612
0-2	International Filing Date	28 July 2017 (28.07.2017)
0-3	Name of receiving Office and "PCT International Application"	RO/IB
0-4	Form PCT/RO/101 PCT Request	
0-4-1	Prepared Using	ePCT-Filing Version 4.1.006 MT/FOP 20151028/0.20.5.24
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	International Bureau of the World Intellectual Property Organization (RO/IB)
0-7	Applicant's or agent's file reference	PCT00702
I	Title of Invention	SUBSTITUTED THIAZOLO-PYRIDINE COMPOUNDS AS MALT1 INHIBITORS
II	Applicant	
II-1	This person is	Applicant only
II-2	Applicant for	All designated States
II-4	Name	LUPIN LIMITED
II-5	Address	Kalpataru Inspire, 3rd Floor, Off Western Express Highway, Santacruz (East), Maharashtra, 400 055 Mumbai India
II-6	State of nationality	IN
II-7	State of residence	IN
II-8	Telephone No.	+91 20 6674 9100
II-9	Facsimile No.	+91 20 6674 9560
II-10	e-mail	girijsingh@lupin.com
II-10(a)	E-mail authorization The receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority are authorized to use this e-mail address, if the Office or Authority so wishes, to send notifications issued in respect of this international application:	exclusively in electronic form (no paper notifications will be sent)



PCT REQUEST

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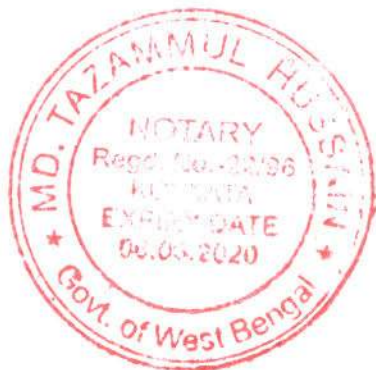
III-1	Applicant and/or inventor	
III-1-1	This person is	Inventor only
III-1-3	Inventor for	All designated States
III-1-4	Name (LAST, First)	KUKREJA, Gagan
III-1-5	Address	Lupin Limited (Research Park), 46A / 47A Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-2	Applicant and/or inventor	
III-2-1	This person is	Inventor only
III-2-3	Inventor for	All designated States
III-2-4	Name (LAST, First)	IRLAPATI, Nageswara, Rao
III-2-5	Address	Lupin Limited (Research Park), 46A / 47A Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-3	Applicant and/or inventor	
III-3-1	This person is	Inventor only
III-3-3	Inventor for	All designated States
III-3-4	Name (LAST, First)	JAGDALE, Arun, Rangnath
III-3-5	Address	Lupin Limited (Research Park), 46A / 47A Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-4	Applicant and/or inventor	
III-4-1	This person is	Inventor only
III-4-3	Inventor for	All designated States
III-4-4	Name (LAST, First)	DESHMUKH, Gokul, Keruji
III-4-5	Address	Lupin Limited (Research Park), 46A / 47A Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-5	Applicant and/or inventor	
III-5-1	This person is	Inventor only
III-5-3	Inventor for	All designated States
III-5-4	Name (LAST, First)	VYAVAHARE, Vinod, Popatrao
III-5-5	Address	Lupin Limited (Research Park), 46A / 47A, Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India



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III-6	Applicant and/or inventor	Inventor only All designated States KULKARNI, Kiran, Chandrashekhar Lupin Limited (Research Park), 46A / 47A, Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-6-1	This person is	
III-6-3	Inventor for	
III-6-4	Name (LAST, First)	
III-6-5	Address	
III-7	Applicant and/or inventor	Inventor only All designated States SINHA, Neelima Lupin Limited (Research Park), 46A / 47A, Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-7-1	This person is	
III-7-3	Inventor for	
III-7-4	Name (LAST, First)	
III-7-5	Address	
III-8	Applicant and/or inventor	Inventor only All designated States PALLE, Venkata, P. Lupin Limited (Research Park), 46A / 47A, Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-8-1	This person is	
III-8-3	Inventor for	
III-8-4	Name (LAST, First)	
III-8-5	Address	
III-9	Applicant and/or inventor	Inventor only All designated States KAMBOJ, Rajender, Kumar Lupin Limited (Research Park), 46A / 47A, Village Nande, Taluka Mulshi, Maharashtra, 412115 Pune India
III-9-1	This person is	
III-9-3	Inventor for	
III-9-4	Name (LAST, First)	
III-9-5	Address	



PCT REQUEST

Print Out (Original in Electronic Form)

IV-1	Agent or common representative; or address for correspondence The person identified below is hereby/ has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	Agent
IV-1-1	Name (LAST, First)	MAJUMDAR, Subhatosh
IV-1-2	Address	S. Majumdar & Co., 5 Harish Mukherjee Road, State of West Bengal, 700 025 Kolkata India
IV-1-3	Telephone No.	+91 33 2455 7484
IV-1-4	Facsimile No.	+91 332455 7487
IV-1-5	e-mail	cal@patentindia.com
IV-1-5(a))	E-mail authorization The receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority are authorized to use this e-mail address, if the Office or Authority so wishes, to send notifications issued in respect of this international application:	as advance copies followed by paper notifications
IV-2	Additional agent(s)	additional agent(s) with same address as first named agent
IV-2-1	Name(s)	GANGULI, Dr., Sanchita; SEN, Abhishek; VENKATESH, Mythili; MAJUMDAR, Amrita; KUNDU, Subarna; CHAUBEY, Priyanka
V	DESIGNATIONS	
V-1	The filing of this request constitutes under Rule 4.9(a), the designation of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.	
VI-1	Priority claim of earlier national application	
VI-1-1	Filing date	29 July 2016 (29.07.2016)
VI-1-2	Number	201621026107
VI-1-3	Country or Member of WTO	IN



PCT REQUEST

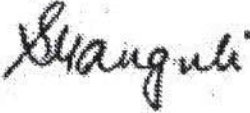
Print Out (Original in Electronic Form)

VI-2	Incorporation by reference : where an element of the international application referred to in Article 11(1)(iii)(d) or (e) or a part of the description, claims or drawings referred to in Rule 20.5(a) is not otherwise contained in this international application but is completely contained in an earlier application whose priority is claimed on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, that element or part is, subject to confirmation under Rule 20.6, incorporated by reference in this international application for the purposes of Rule 20.6.		
VII-1	International Searching Authority Chosen	European Patent Office (EPO) (ISA/EP)	
VIII	Declarations	Number of declarations	
VIII-1	Declaration as to the identity of the inventor	-	
VIII-2	Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent	-	
VIII-3	Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application	-	
VIII-4	Declaration of inventorship (only for the purposes of the designation of the United States of America)	-	
VIII-5	Declaration as to non-prejudicial disclosures or exceptions to lack of novelty	-	
IX	Check list	Number of sheets	Electronic file(s) attached
IX-1	Request (including declaration sheets)	6	✓
IX-2	Description	326	✓
IX-3	Claims	36	✓
IX-4	Abstract	1	✓
IX-5	Drawings	0	-
IX-7	TOTAL	369	
	Accompanying Items	Paper document(s) attached	Electronic file(s) attached
IX-8	Fee calculation sheet	-	✓
IX-20	Figure of the drawings which should accompany the abstract		
IX-21	Language of filing of the international application	English	



PCT REQUEST

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X-1	Signature of applicant, agent or common representative	
X-1-1	Name (LAST, First)	GANGULI, Dr., Sanchita
X-1-3	Capacity (if such capacity is not obvious from reading the request)	Agent

FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	28 July 2017 (28.07.2017)
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/EP
10-6	Transmittal of search copy delayed until search fee is paid	

FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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S. MAJUMDAR & CO.
PATENT & TRADEMARK ATTORNEYS

 Undertakings: Intellectual Property Laws,
 Patents, Trademarks, Designs, Copyrights,
 Licencing, Investigations, Litigations
DOMESTIC AND INTERNATIONAL

 5, Harish Mukherjee Road, Kolkata - 700 025, India
 Tel: 91-33-2455 7484/85/86, Fax: 91-33-2455-7487/88, E-mail : cal@patentindia.com

 Gaud Fabienne Esqr
 Authorized Officer
 The International Bureau of WIPO
 PCT Receiving Office Section
 34, chemin des Colombettes
 1211 Geneva 20, Switzerland
 Tel: 00 41 22 338 9175
 Fax: 00 41 22 910 0610
 Email: ro.ib@wipo.int

Via ePCT

December 18, 2017

Dear Sir/Madam,

 Re: PCT International Application No. PCT/IB2017/054612
 International Filing Date: July 28, 2017
 Applicant: LUPIN LIMITED
 Title: "SUBSTITUTED THIAZOLO-PYRIDINE COMPOUNDS
 AS MALT1 INHIBITORS"
 Priority: Indian Application No. 201621026107 dated July 29, 2016
 Agent's File Ref.: PCT00702

The present application was filed with the IB on July 28, 2017 under PCT International Application No. PCT/IB2017/054612.

 It has come to our notice that the present application ought to have claimed the priority from Indian Application Nos. 201621026107 dated 29th July 2016; 201621043859 dated on 22nd December 2016, and 201721009450 dated 17th March 2017.

The reference to the same is already provided in the specification submitted with the IB during filing of the present application under the heading "CROSS-REFERENCE TO RELATED APPLICATIONS" at page 1.

 However, while filing of the present application, only the earliest priority namely Indian Application No. 201621026107 dated 29th July 2016 has been inadvertently mentioned in the PCT Request Form and not Indian Application Nos. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017. The priority document for the said Indian application 201621026107 dated 29th July 2016 has already been filed and the applicant is in receipt of the PCT/IB/304 to that effect.

 The applicant wishes to add priorities from the Indian Application No. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017 to make the records straight and consistent with the specification referring to such applications.

 The authority is requested to kindly to add the above priorities to the present application and proceed accordingly. The certified copy of these two priority documents of the Application Nos. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017 will be submitted shortly.

 MUMBAI : bom@patentindia.com * DELHI : del@patentindia.com * HYDERABAD : hvd@patentindia.com




S. MAJUMDAR & CO.
PATENT & TRADEMARK ATTORNEYS

In view of the above the Ld Authority is requested to provide necessary direction/notice/requirements/fee (26 bis.3) requirements if any.

Yours faithfully,

Dr. Sanchita Ganguli
Of S. Majumdar & Co.
Applicant's Agent





S MAJUMDAR & CO

Patent & Trademark Attorneys

Kolkata | New Delhi | Mumbai | Hyderabad | Bengaluru
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Designs, Intellectual Property Laws
Licensing, Investigations, Litigations
DOMESTIC & INTERNATIONAL



Dr. Cecile Chatel
Authorized Officer
The International Bureau of WIPO
PCT Receiving Office Section
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Tel: 00 41 22 338 9222
Fax: 00 41 22 910 0610
Email: ro.ib@wipo.int

Urgent !

Via ePCT & Fax

EXHIBIT A-3

January 10, 2019

Dear Madam,

Re: **Addition of Priority Claim under Rule 26bis 2(e)**
PCT International Application No. PCT/IB2017/054612
International Filing Date: July 28, 2017
Applicant: LUPIN LIMITED
Title: "SUBSTITUTED THIAZOLO-PYRIDINE COMPOUNDS
AS MALT1 INHIBITORS"
Priority: Indian Application No. 201621026107 dated July 29, 2016
Agent's File Ref.: PCT00702

The present application was filed with the IB on July 28, 2017 under PCT International Application No. PCT/IB2017/054612.

Since we do not find any separate head for uploading request under Rule 26bis 2(e), the same is provided in the present letter.

It had come to our notice after 16 months that the present application ought to have claimed the priority from Indian Application Nos. 201621026107 dated 29th July 2016; 201621043859 dated on 22nd December 2016, and 201721009450 dated 17th March 2017.

The reference to the same was already provided in the specification submitted with the IB during filing of the present application under the heading "CROSS-REFERENCE TO RELATED APPLICATIONS" at page 1 (the said page from International Publication is attached).

However, while filing of the present application, only the earliest priority namely Indian Application No. 201621026107 dated 29th July 2016 has been inadvertently mentioned in the PCT Request Form and not Indian Application Nos. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017. The priority document for the said Indian application 201621026107 dated 29th July 2016 has already been filed and the applicant is in receipt of the PCT/IB/304 to that effect.

That the applicant had inadvertently not mentioned the priority Application Nos. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017 has also been informed to the IB, WIPO by our letter of December 18, 2017. The present request is in continuation to the same as the time line under PCT Rule 26bis.1 is over.

Accordingly, under the PCT Rule 26bis 2(e), the applicant wishes to add priorities from the Indian Application No. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017 to make the records straight and consistent with the specification referring to such applications.

Kolkata
Martin Burn Business Park
Suite # 901, BP Block, Sector V
Salt Lake, Kolkata 700 091, India
p: +91 33 4055 1111
f: +91 33 4055 1122
e: cal@patentindia.com

New Delhi
G48, LGF, Lajpat Nagar III
Ground Floor
New Delhi 110 024, India
p: +91 11 4610 8738 / 4109 7455
f: +91 11 4109 7456
e: del@patentindia.com

Mumbai
202 Elecon Chambers
Behind Sakinaka Tel Exchange
Mumbai 400 072, India
p: +91 22 2852 2901 / 2902
f: +91 22 2852 2903
e: bom@patentindia.com

Hyderabad
108 Block B, Kushal Towers
Khairatabad
Hyderabad 506 004, India
p: +91 40 3078 1294
f: +91 40 3052 3392
e: hyd@patentindia.com

Bengaluru
Suite # 1006, 10th Floor
A Wing, Mittal Tower, MG Road
Bengaluru 560 001, India
p: +91 80 4372 1870
f: +91 80 2558 6979
e: blr@patentindia.com

Registered Office: 5 Harish Mukherjee Road, Kolkata 700 025, India | p: +91 33 2455 7487 / 85 / 86 | f: +91 33 2455 7487 / 88 | e: cal@patentindia.com



S MAJUMDAR & CO

Patent & Trademark Attorneys

Kolkata | New Delhi | Mumbai | Hyderabad | Bengaluru

www.majumdarip.com

The 30 months deadline for national phase entry of the subject PCT international application is **January 29, 2019**. The authority is requested to kindly add the above priorities to the present application and republish the international application including two missing priority Application Nos. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017 along with the earlier priority application No. 201621026107 dated July 29, 2016. For the purpose the applicant is ready to remit the official fees to the IB, WIPO for republication of the aforesaid international application. For the purpose please issue a Notification indicating the official fees for republication of the international application so that the applicant is able to pay such fees within the 30 months deadline.

Also, if required, the Authority is requested to inform whether two missing priority Application Nos. 201621043859 dated 22nd December 2016, and 201721009450 dated 17th March 2017 are required to be submitted.

Considering the above circumstances and the 30 months deadline, the Ld Authority is requested to provide necessary direction/notice/requirements/fee, if any, according to the PCT Rule 26bis 2(e) immediately per return fax/email.

Your kind consideration on the above is respectfully requested.

Yours faithfully,

Dr. Sanchita Ganguli
Of S. Majumdar & Co.
Applicant's Agent

Encl. Pages from International Publication WO2018020474



ADVANCE E-MAIL

EXHIBIT A-4

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 402(c) and 409)

To:

MAJUMDAR, Subhatosh
S. Majumdar & Co., 5 Harish Mukherjee Road
State of West Bengal
Kolkata 700 025
INDE

Date of mailing (day/month/year) 17 January 2019 (17.01.2019)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference PCT00702	
International application No. PCT/IB2017/054612	International filing date (day/month/year) 28 July 2017 (28.07.2017)
Applicant LUPIN LIMITED	

The applicant is hereby **notified** of the following in respect of the priority claim identified as item () in Box No. VI of the request (Form PCT/RO/101).

1. ☐ **Correction of priority claim.** In accordance with the applicant's notice received on the following priority claim has been corrected to read as follows:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. ☐ **Addition of priority claim.** In accordance with the applicant's notice received on the following priority claim has been added:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. ☐ The priority claim is **considered void** (Rule 26bis.2(b)) because:
 - ☐ **at the expiration of the prescribed time limit under Rule 26bis.1(a)**, the International Bureau had **not received a notice** from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10, as notified in the invitation (Form PCT/RO/110 or Form PCT/IB/316).
 - ☐ the applicant's **notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a)**; and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.
 - ☐ the applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).
4. ☐ As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 being **considered void**, the **(earliest) priority date** is:

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

Authorized officer

Gaud Fabienne

e-mail ro.ib@wipo.int

Telephone No. +4122 338 9175

Facsimile No. +41 22 910 06 10

Form Form PCT/IB/318 (January 2009)

I/RLRECCXXAJKFN0

NOTIFICATION RELATING TO PRIORITY CLAIM

Date of mailing (day/month/year)

17 January 2019 (17.01.2019)

5. ☒ The priority claim IN 22 December 2016 (22.12.2016) 201621043859 cannot be corrected/added since the applicant's notice was received on 10 January 2019 (10.01.2019), that is, after the expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request **will not be considered void**.

The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(II).

6. ☐ In the case where **multiple priorities** have been claimed, the above item(s) relate(s) to the following priority claim(s):

A copy of this Notification has been sent to the receiving Office and

- ☐ to the International Searching Authority (where the international search report and the written opinion of the International Searching Authority have not yet been issued).
- ☐ to the Authority(ies) specified for supplementary search (where a request for supplementary search has been submitted and the supplementary international search report has not yet been issued).
- ☐ to the International Preliminary Examining Authority (where a demand for international preliminary examination has been made and the IPRP (Chapter II) has not yet been issued).
- ☐ to the designated Offices (in accordance with Rule 93bis).



ADVANCE E-MAIL

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION RELATING TO PRIORITY CLAIM

(PCT Rules 26bis.1 and 26bis.2 and
Administrative Instructions, Sections 402(c) and 409)

To:

MAJUMDAR, Subhatosh
S. Majumdar & Co., 5 Harish Mukherjee Road
State of West Bengal
Kolkata 700 025
INDE

Date of mailing (day/month/year) 17 January 2019 (17.01.2019)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference PCT00702	
International application No. PCT/IB2017/054612	International filing date (day/month/year) 28 July 2017 (28.07.2017)
Applicant LUPIN LIMITED	

The applicant is hereby **notified** of the following in respect of the priority claim identified as item () in Box No. VI of the request (Form PCT/RO/101).

1. ☐ **Correction of priority claim.** In accordance with the applicant's notice received on the following priority claim has been corrected to read as follows:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
2. ☐ **Addition of priority claim.** In accordance with the applicant's notice received on the following priority claim has been added:
 - ☐ even though the indication of the number of the earlier application is missing.
 - ☐ even though the following indication in the priority claim is not the same as the corresponding indication appearing in the priority document:
 - ☐ even though the international application has an international filing date which is later than the date on which the priority period expired, but is within two months from that date.
3. ☐ The priority claim is **considered void** (Rule 26bis.2(b)) because:
 - ☐ **at the expiration of the prescribed time limit under Rule 26bis.1(a)**, the International Bureau had **not received a notice** from the applicant correcting the priority claim so as to comply with the requirements of Rule 4.10, as notified in the invitation (Form PCT/RO/110 or Form PCT/IB/316).
 - ☐ the applicant's **notice was received after the expiration of the prescribed time limit under Rule 26bis.1(a)**, and consequently, the priority claim could not be corrected so as to comply with the requirements of Rule 4.10.
 - ☐ the applicant's notice failed to correct the priority claim so as to comply with the requirements of Rule 4.10.

The applicant may, before the technical preparations for international publication have been completed, submit information concerning the priority claim, which the International Bureau will publish together with the international application (Rule 26bis.2(d)).
4. ☐ As a **result of the correction and/or addition** of priority claim(s) under items 1 and/or 2, or of the priority claim(s) under item 3 being **considered void**, the (earliest) **priority date** is:

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

Authorized officer

Gaud Fabienne

e-mail ro.ib@wipo.int

Telephone No. +4122 338 9175

Facsimile No. +41 22 910 06 10

Form Form PCT/IB/318 (January 2009)

1/DCLZ3ZJERW6EQ0

NOTIFICATION RELATING TO PRIORITY CLAIM

Date of mailing (day/month/year)

17 January 2019 (17.01.2019)

5. ☒ The priority claim IN 17 March 2017 (17.03.2017) 201721009450 cannot be corrected/added since the applicant's notice was received on 10 January 2019 (10.01.2019), that is, after the expiration of the prescribed time limit under Rule 26bis.1(a). However, where the applicant's notice concerns a correction, in accordance with Rule 26bis.2(c)(i) to (iii), the priority claim(s) indicated in Box VI of the request **will not be considered void**.

The applicant may, prior to the expiration of 30 months from the priority date and subject to the payment of a fee, request the International Bureau to publish information concerning the matter. See Rule 26bis.2(e) and the *PCT Applicant's Guide*, Annex B2(IB).

6. ☐ In the case where **multiple priorities** have been claimed, the above item(s) relate(s) to the following priority claim(s):

A copy of this Notification has been sent to the receiving Office and

- ☐ to the International Searching Authority (where the international search report and the written opinion of the International Searching Authority have not yet been issued).
- ☐ to the Authority(ies) specified for supplementary search (where a request for supplementary search has been submitted and the supplementary international search report has not yet been issued).
- ☐ to the International Preliminary Examining Authority (where a demand for international preliminary examination has been made and the IPRP (Chapter II) has not yet been issued).
- ☐ to the designated Offices (in accordance with Rule 93bis).



ADVANCE E-MAIL

EXHIBIT A-5

From the INTERNATIONAL BUREAU

PCT

COMMUNICATION IN CASES FOR WHICH
NO OTHER FORM IS APPLICABLE

To:

MAJUMDAR, Subhatosh
S. Majumdar & Co., 5 Harish Mukherjee Road
State of West Bengal
Kolkata 700 025
INDE

Date of mailing (day/month/year) 25 January 2019 (25.01.2019)	
Applicant's or agent's file reference PCT00702	REPLY DUE see paragraph 1 below
International application No. PCT/IB2017/054612	International filing date (day/month/year) 28 July 2017 (28.07.2017)
Applicant LUPIN LIMITED	

1. ☐ REPLY DUE within months/days from the above date of mailing
☐ NO REPLY DUE, however, see below
☒ IMPORTANT COMMUNICATION
☐ INFORMATION ONLY

2. COMMUNICATION:

Following your request under Rule 26bis 2(e) dated 10 January 2019, please be informed that this latter is now available on patentscope under "documents".

Please see following link: <https://patentscope.wipo.int/search/en/detail.jsf?docId=WO2018020474&tab=PCTDOCUMENTS&maxRec=1000>

Regarding submission of the two priority documents, please be informed that they will also be available on patentscope next week. Please be also informed that if you wish us to transmit these purported priority documents to some designated Offices, please send us a request indicating to which designated Offices you want us to send them.



The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Gaud Fabienne e-mail ro.ib@wipo.int Telephone No. +4122 338 9175
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Facsimile No. +41 22 910 06 10