

PATENT COOPERATION TREATY

RECEIVED
PROSKAUER ROSE

APR 04 2019

PCT

DOCKETING DEPARTMENT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

From the INTERNATIONAL SEARCHING AUTHORITY

To:

Espino, Christine G.
PROSKAUER ROSE LLP
One International Place
Boston, MA 02110
ETATS-UNIS D'AMERIQUE

(PCT Rule 44.1)

Applicant's or agent's file reference TSR-032WO	Date of mailing (day/month/year) 28 March 2019 (28-03-2019)
International application No. PCT/US2018/054606	International filing date (day/month/year) 5 October 2018 (05-10-2018)
Applicant TESARO, INC.	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

How? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 338.82.70

For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

The applicant may **submit comments on an informal basis on the written opinion of the International Searching Authority** to the International Bureau. These comments will be made available to the public after international publication. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established.

Shortly after the expiration of **18 months from the priority date, the international application will be published** by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90*bis*.1 and 90*bis*.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for **entry into the national phase** before those designated Offices. In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months. For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Within **22 months from the priority date, the applicant may request that a supplementary international search be carried out** by a different International Searching Authority that offers this service (Rule 45*bis*.1). The procedure for requesting supplementary international search is described in the *PCT Applicant's Guide*, International Phase, paragraphs 8.006-8.032.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer FORAL, Christine Tel: +49 (0)89 2399-5432
--	--

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference TSR-032WO	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2018/054606	International filing date (<i>day/month/year</i>) 5 October 2018 (05-10-2018)	(Earliest) Priority Date (<i>day/month/year</i>) 6 October 2017 (06-10-2017)
Applicant TESARO, INC.		

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 5 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. 1
☒ 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/US2018/054606**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.:

2, 3(completely); 1, 6-78(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.

A. CLASSIFICATION OF SUBJECT MATTER
 INV. A61K45/00 A61P35/00
 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

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, BIOSIS, EMBASE, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2017/142871 A1 (ASTRAZENECA AB [SE]; NAT INST HEALTH [US]) 24 August 2017 (2017-08-24) page 11, paragraph 2; claims 1, 10-12; example 6	1-3, 6-42, 44-56, 67-75,77
X	----- US 2009/123419 A1 (SHERMAN BARRY M [US] ET AL) 14 May 2009 (2009-05-14) paragraph [0105]; claims 18, 19	1-3,6-78
X	----- WO 2009/064738 A2 (BIPAR SCIENCES INC [US]; SHERMAN BARRY [US]; BRADLEY CHARLES [US]; OSS) 22 May 2009 (2009-05-22) paragraphs [0008] - [0083] -----	1-3,7-78



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

22 January 2019

Date of mailing of the international search report

28/03/2019

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

Cattell, James

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 2017142871	A1	24-08-2017	
		AU 2017221268 A1	30-08-2018
		CA 3014674 A1	24-08-2017
		CN 109073650 A	21-12-2018
		EP 3417294 A1	26-12-2018
		JP 2019504860 A	21-02-2019
		KR 20180125456 A	23-11-2018
		WO 2017142871 A1	24-08-2017

US 2009123419	A1	14-05-2009	
		AU 2008321382 A1	22-05-2009
		CA 2705417 A1	22-05-2009
		CN 101918003 A	15-12-2010
		CO 6290649 A2	20-06-2011
		CR 11486 A	09-08-2013
		DO P2010000142 A	31-07-2010
		DO P2012000290 A	31-03-2013
		EC SP10010235 A	30-07-2010
		EP 2217244 A2	18-08-2010
		GT 201000137 A	23-04-2012
		JP 2011503071 A	27-01-2011
		KR 20100102607 A	24-09-2010
		MA 32748 B1	01-11-2011
		NZ 586123 A	21-12-2012
		SG 185954 A1	28-12-2012
		TN 2010000209 A1	11-11-2011
		US 2009123419 A1	14-05-2009
		US 2010009930 A1	14-01-2010
		WO 2009064444 A2	22-05-2009

WO 2009064738	A2	22-05-2009	
		AR 069291 A1	13-01-2010
		AU 2008321128 A1	22-05-2009
		CA 2705537 A1	22-05-2009
		CN 101917982 A	15-12-2010
		CN 103169973 A	26-06-2013
		CO 6290650 A2	20-06-2011
		CR 11485 A	13-09-2010
		DO P2010000141 A	31-07-2010
		DO P2012000291 A	15-04-2013
		EC SP10010240 A	30-07-2010
		EP 2217227 A2	18-08-2010
		GT 201000140 A	23-04-2012
		JP 2011503111 A	27-01-2011
		KR 20100102609 A	24-09-2010
		MA 31909 B1	01-12-2010
		NZ 586125 A	21-12-2012
		RU 2010123884 A	20-12-2011
		RU 2012153963 A	20-06-2014
		SG 185952 A1	28-12-2012
		TN 2010000208 A1	11-11-2011
		TW 200924739 A	16-06-2009
		TW 201249430 A	16-12-2012
		US 2009131529 A1	21-05-2009
		US 2010003192 A1	07-01-2010
		US 2012269861 A1	25-10-2012
		WO 2009064738 A2	22-05-2009

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

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

1. claims: 2, 3(completely); 1, 6-78(partially)

Methods of treating tumour cell growth

2. claims: 4, 5(completely); 1, 6-78(partially)

Methods of inducing or enhancing an immune response

Information on Search Strategy - Pilot phase (see OJ 2015, A86)

The type of information contained in this sheet may change during the pilot for improving the usefulness of this new service.

Application Number

PCT/US2018/054606

TITLE:

APPLICANT: TESARO, INC.

IPC CLASSIFICATION: A61K45/00, A61P35/00

EXAMINER: Cattell, James

CONSULTED DATABASES: BIOSIS, EMBASE, MEDLINE, NPL

CLASSIFICATION SYMBOLS DEFINING EXTENT OF THE SEARCH:

IPC:

CPC: A61K45/00

FI/F-TERMS:

KEYWORDS OR OTHER ELEMENTS FEATURING THE INVENTION: