

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
see form PCT/ISA/220

PCT

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/US2023/012521	International filing date (day/month/year) 07.02.2023	Priority date (day/month/year) 08.02.2022
International Patent Classification (IPC) or both national classification and IPC INV. C07D401/04 C07D401/14 C07D471/04 C07D471/10 C07D487/04 C07D495/04 C07D498/04 C07D513/04 C07D519/00 A61K31/4365 A61K31/437 A61K31/4375 A61K31/472 A61K31/4985 A61K31/519 A61P35/00		
Applicant THERAS, 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 and 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") except that 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 66.1bis(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 3 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.

Name and mailing address of the ISA:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Date of completion of this opinion see form PCT/ISA/210	Authorized Officer Sotoca Usina, E Telephone No. -0	
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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.
 - ☐ 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)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:
 - a. ☐ forming part of the international application as filed.
 - b. ☐ furnished subsequent to the international filing date for the purposes of international search (Rule 13ter.1(a)),
 - ☐ accompanied by a statement to the effect that the sequence listing does not go beyond the disclosure in the international application as filed.
4. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established to the extent that a meaningful opinion could be formed without a WIPO Standard ST.26 compliant sequence listing.
5. 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:

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. 32-34(completely); 1-30, 35-213(partially)

because:

- ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international search (*specify*):
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☒ the claims, or said claims Nos. 32-34 are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

see separate sheet

- ☒ no international search report has been established for the whole application or for said claims Nos. 32-34(completely); 1-30, 35-213(partially)
- ☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:
 - ☐ furnish a sequence listing complying with WIPO Standard ST.26, and such listing was not available to the International Searching Authority in the form, language and manner acceptable to it.
 - ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13~~ter~~.1(a).
- ☒ See Supplemental Box for further details

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	
	No: Claims	<u>31(completely); 1-30, 35-213(partially)</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>31(completely); 1-30, 35-213(partially)</u>
Industrial applicability (IA)	Yes: Claims	<u>31(completely); 1-30, 35-213(partially)</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VI Certain documents cited

1. Certain published documents (Rules 43bis.1 and 70.10)

and / or

2. Non-written disclosures (Rules 43bis.1 and 70.9)

see form 210

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item III

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

Reference is made to the following documents:

- D1 MA JUN-RUI ET AL: "Efficient approach to 2-hydroxy-2,3-dihydrofuran derivatives and its application for the synthesis of novel 4-(1H-pyrazol-4-yl)pyridazines",
ORGANIC & BIOMOLECULAR CHEMISTRY,
vol. 13, no. 17, 1 January 2015 (2015-01-01), pages 4976-4980,
XP093044181,
ISSN: 1477-0520, DOI: 10.1039/C5OB00163C
Retrieved from the Internet:
URL:<https://pubs.rsc.org/en/content/articlepdf/2015/ob/c5ob00163c?page=search>
- D2 WO 2010/011772 A2 (VERTEX PHARMA [US]; JIMENEZ JUAN-MIGUEL [GB]; STUDLEY JOHN [GB]) 28 January 2010 (2010-01-28)
- D3 COOKE GARETH ET AL: "Substituted pyridazines as ligands in homoleptic (fac and mer) and heteroleptic Ru(ii) complexes",
DALTON TRANSACTIONS,
vol. 40, no. 32, 1 January 2011 (2011-01-01), page 8206, XP093044346,
Cambridge
ISSN: 1477-9226, DOI: 10.1039/c1dt10340g
- D4 AZIZIAN J. ET AL: "Synthesis of Trisubstituted 1,2,4-Triazines in Presence of NaHSO₄/SiO₂",
ASIAN JOURNAL OF CHEMISTRY,
vol. 23, no. 3, 1 January 2011 (2011-01-01), pages 980-982, XP93044357,
- D5 VARUGHESE SUNIL ET AL: "Pyridazines in Crystal Engineering. A Systematic Evaluation of the Role of Isomerism and Steric Factors in Determining Crystal Packing and Nano/Microcrystal Morphologies",
CRYSTAL GROWTH & DESIGN,
vol. 10, no. 6, 4 May 2010 (2010-05-04), pages 2571-2580, XP93044361,
US
ISSN: 1528-7483, DOI: 10.1021/cg9015383

- D6 US 6 509 469 B1 (SHINTOU TAICHI [JP] ET AL) 21 January 2003
(2003-01-21)
- D7 ZHAO Z ET AL: "Broadening the scope of 1,2,4-triazine synthesis by the
application of microwave technology",
TETRAHEDRON LETTERS, ELSEVIER, AMSTERDAM , NL,
vol. 44, no. 6, 3 February 2003 (2003-02-03), pages 1123-1127,
XP004736108,
ISSN: 0040-4039, DOI: 10.1016/S0040-4039(02)02845-9

The present application contains 213 claims. There are so many dependent claims, and they are drafted in such a way that the claims as a whole are not in compliance with the provisions of clarity and conciseness of Article 6 PCT, as they create a smoke screen in front of the skilled reader when assessing what should be the subject-matter to search,. The non-compliance with the substantive provisions is to such an extent, that the search would be performed taking into consideration the non-compliance in determining the extent of the search (PCT Guidelines 9.19).

The present claims relate to an extremely large number of possible compounds. Support and disclosure in the sense of Article 6 and 5 PCT is to be found however for only a very small proportion of the compounds claimed, see the examples. From all possible B cycles, only thieno[3,2-c]pyridine, furo[3,2-c]pyridine, 6,7-dihydro-5H[2]pyrindine and [1,3]-thiazolo[4,5-c]pyridine have been exemplified, and the particular linking points to rings A, C and D at clearly defined points ring A at C-7 (for thienopyridine), ring C at C-4 (for thienopyridine) and ring D at C-6 (for thienopyridine). Furthermore, the atom at ring position 5 (for thienopyridine) is always a N and the atoms at ring positions 4, 6 and 7 (for thienopyridine) are always C.

Furthermore, the initial phase of the search revealed a very large number of documents relevant to the issue of novelty. So many documents were retrieved that it is impossible to determine which parts of the claims may be said to define subject-matter for which protection might legitimately be sought (Article 6 PCT).

D1 discloses compounds 4a-k which are seen as novelty hindering for at least claims 1-3, 21-25, 37, 38 under Article 33(2) PCT.

D2 discloses compounds 49 and 50 which are seen as novelty hindering for at least claims 1-3, 14, 16, 21-25, 32, 33, 40 under Article 33(2) PCT.

D3 discloses compounds 1a, 1b, 2a, 2b, 5a, 3a, 4a, 3b, 4b which are seen as novelty hindering for at least claims 1, 14, 26, 32, 38 under Article 33(2) PCT.

D4 discloses on pages 981-982 table 1 compounds 6a, 6b, 6c, 6e, 6f, 7b, 8a, 8b which are novelty hindering for at least claims 1-3, 23, 25 under Article 33(2) PCT.

D5 discloses compounds 1a, 1b, 1c which are seen as novelty hindering for at least claims 1-3, 23, 25 under Article 33(2) PCT.

D6 discloses in column 13 compound B-6, in columns 19-20 table 2 examples 15 - triazine + pyridine derivative which are seen as novelty hindering for at least claims 1-3, 14, 21-23, 25, 32, 33, 38, 42, 57 under Article 33(2) PCT.

D7 discloses in page 1123 compound 3, in page 1124 Table 1 - entries 1-7 and in page 1125 Table 2 - entries 1-2 which are seen as novelty hindering for claims 1-3, 21-23, 25, 26, 37, 38, 42, 57, 58, 69 under Article 33(2) PCT.

The applicant was therefore invited to file a statement indicating the subject-matter to be searched within the time limit indicated in the present communication.

The applicant answered with date of 24.05.2023, as a main request, she requests the search to be carried out on the scope of claim 30 and as an auxiliary request, the search to be carried out in the scope of claim 31.

The search has been restricted to the subject-matter indicated by the applicant in her reply of 24.05.2023 auxiliary request, that is the scope of claim 31 filed in reply to the invitation.

The following assessment relates to the searched subject matter, that is the scope of claim 31 (the formula of claim 1 where ring B has the meanings seen in claim 31).

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

- D8 HANS NEUNHOEFFER ET AL: "Cycloaddition Reactions with Azabenzenes, XVIII. Synthesis of [2]Pyridines", HETEROCYCLES, JAPAN INSTITUTE OF HETEROCYCLIC

CHEMISTRY, JP,
vol. 35, no. 2, 1 January 1993 (1993-01-01), pages 1089-1101,
XP009181046,
ISSN: 0385-5414, DOI: 10.3987/COM-92-S(T)109

- D9 MOSEEV TIMOFEY D ET AL: "Direct CH/CLi coupling of 1,2,4-triazines with C₆F₅Li followed by aza-Diels-Alder reaction as a pot, atom, and step economy (PASE) approach towards novel fluorinated 2,2'-bipyridine fluorophores",
JOURNAL OF FLUORINE CHEMISTRY, ELSEVIER, NL,
vol. 224, 26 May 2019 (2019-05-26), pages 89-99, XP085736043,
ISSN: 0022-1139, DOI: 10.1016/J.JFLUCHEM.2019.05.008
[retrieved on 2019-05-26]
- D10 PALACIOS FRANCISCO: "FULL PAPER Cycloaddition Reactions of Neutral 2-Azadienes with Enamines ? Regiospecific Synthesis of Highly Substituted Dihydropyridines and Pyridines",
EUROPEAN JOURNAL OF ORGANIC CHEMISTRY,
vol. 2001, no. 11, 1 January 2001 (2001-01-01), pages 2115-2122,
XP093050967,
- D11 YOLANDA FERNÁNDEZ SAINZ ET AL: "Improved Methodologies for the Preparation of Highly Substituted Pyridines",
THE JOURNAL OF ORGANIC CHEMISTRY,
vol. 70, no. 24, 1 November 2005 (2005-11-01), pages 10086-10095,
XP055355205,
ISSN: 0022-3263, DOI: 10.1021/jo0518304
- D12 NOGUCHI TEPPEI ET AL: "Rhodium-catalyzed Synthesis of 1-Arylisoquinoline Derivatives through Annulative Coupling of 3-Aryl-1,2-benzisoxazoles and Alkynes",
CHEMISTRY LETTERS,
vol. 46, no. 10, 5 October 2017 (2017-10-05), pages 1512-1514,
XP093050973,
JP
ISSN: 0366-7022, DOI: 10.1246/cl.170618 ; & Noguchi Teppei ET AL:
"Rhodium-catalyzed Synthesis of 1-Arylisoquinoline Derivatives through Annulative Coupling of 3-Aryl-1,2-benzisoxazoles and Alkynes Electronic Supporting Information",

Chemistry Letters,
24 June 2017 (2017-06-24), pages S1-s37, XP93051030,
[retrieved on 2023-06-01]

- D13 WANG CHANG-SHENG ET AL: "Robust Cobalt Catalyst for Nitrile/Alkyne [2+2+2] Cycloaddition: Synthesis of Polyarylpyridines and Their Mechanochemical Cyclodehydrogenation to Nitrogen-Containing Polyaromatics**",
ANGEWANDTE CHEMIE INTERNATIONAL EDITION,
vol. 60, no. 17, 12 March 2021 (2021-03-12), pages 9627-9634,
XP093050993,
Hoboken, USA
ISSN: 1433-7851, DOI: 10.1002/anie.202017220
Retrieved from the Internet:
URL:<https://onlinelibrary.wiley.com/doi/full-xml/10.1002/anie.202017220>
- D14 MOSHKINA TATYANA N ET AL: "Synthesis and photophysical properties of pyridyl- and quinolinyl-substituted bis(arylthienyl)pyridines",
JOURNAL OF PHOTOCHEMISTRY, ELSEVIER, AMSTERDAM, NL,
vol. 427, 19 January 2022 (2022-01-19), XP086976007,
ISSN: 1010-6030, DOI: 10.1016/J.JPHOTOCHEM.2022.113805
[retrieved on 2022-01-19]
- D15 KHASANOV A F ET AL: "Complex of Cadmium(II) Iodide with 3,4-Diphenyl-1-(Pyridin-2-yl)-6,7-Dihydro-5H-Cyclopenta[c]pyridine: Synthesis and X-ray Diffraction Study",
RUSSIAN JOURNAL OF COORDINATION CHEMISTRY, CONSULTANTS BUREAU, NEW YORK, NY, US,
vol. 45, no. 2, 22 April 2019 (2019-04-22), pages 92-96, XP036762572,
ISSN: 1070-3284, DOI: 10.1134/S1070328419010032
[retrieved on 2019-04-22]
- D16 WO 2022/199662 A1 (SICHUAN HUIYU PHARMACEUTICAL CO LTD [CN] ET AL.) 29 September 2022 (2022-09-29)
- D17 KATO YOSHIMI ET AL: "Iron/Photosensitizer Hybrid System Enables the Synthesis of Polyaryl-Substituted Azafluoranthenes",
JOURNAL OF THE AMERICAN CHEMICAL SOCIETY,
vol. 144, no. 40, 27 September 2022 (2022-09-27), pages 18450-18458,
XP093050995,

ISSN: 0002-7863, DOI: 10.1021/jacs.2c06993

Retrieved from the Internet:

URL: <https://pubs.acs.org/doi/pdf/10.1021/jacs.2c06993>

- D18 WO 2012/122383 A2 (AVILA THERAPEUTICS INC [US]; QIAO LIXIN [US] ET AL.) 13 September 2012 (2012-09-13)
- D19 WO 2013/071264 A1 (INTELLIKINE LLC [US]; JESSEN KATAYOUN [US] ET AL.) 16 May 2013 (2013-05-16)
- D20 WO 2005/070431 A1 (NOVARTIS AG [CH]; NOVARTIS PHARMA GMBH [AT] ET AL.) 4 August 2005 (2005-08-04)

1 Patentability

Claims 98-142 and 202-213 relates to a method of treatment which pertains to Rule 39.1(iv) PCT, a method for treatment of the human or animal body by surgery. The patentability can be dependent upon the formulation of the claims. The EPO, for example, does not recognise as patentable claims to the use of a compound in medical treatment, but may allow claims to a product, in particular substances or compositions for use in a first or further medical treatment. The same rationale applies throughout the description.

2 Novelty

D8 discloses compounds 3a, 3m, 3n, 4a, 4m, 4n, 5a, 5m, 5n, 6a, 6m, 6n which are seen as novelty hindering under Article 33(2) PCT for at least claims 1-3, 14, 16, 21-31, 37, 38, 68, 69.

D9 discloses compounds 5h, 5i, 5j which are seen as novelty hindering under Article 33(2) PCT for at least claims 1-3, 14, 15, 21, 25, 30, 31, 38, 68, 69

D10 discloses compounds 7a, 7b, 7c which are seen as novelty hindering under Article 33(2) PCT for at least claims 1-3, 14, 15, 21, 25, 30, 31, 38, 68, 69.

D11 discloses compound 5b which is seen as novelty hindering under Article 33(2) PCT for at least claims 1, 14, 26, 30, 31, 38.

D12 relates to its supporting information (&D12) which discloses compound 3ga which are seen as novelty hindering under Article 33(2) PCT for at least claims 1-4, 14, 21-23, 29-31, 37, 42, 68, 69.

D13 discloses compound 5 which is seen as novelty hindering under Article 33(2) PCT for at least claims 1-3, 14, 21, 25, 30, 31, 37, 68, 69.

D14 discloses compounds 6a, 6b, 7a, 7b which are seen as novelty hindering under Article 33(2) PCT for at least claims 1, 14, 15, 30, 31, 38, 42, 44, 45.

D15 discloses compound L1 which is seen as novelty hindering under Article 33(2) PCT for at least claims 1, 2, 14, 21, 25, 30, 31, 38, 42, 68, 69.

3 Inventive Step

3.1 D18-D20 can be seen as the closest prior art.

D18 discloses compounds having a T-structure formed by at least four cycles, the central one being a pyridine, and they act against cancer via inhibition of PI3K α .

D19 discloses compounds having three rings, two of them bicyclic. These compounds act against cancer via inhibition of PI3K α .

D20 discloses compounds with a pyrazolo[1,5-a]pyrimidine core which can be substituted by two further cycles, one at each of the cycles of the pyrazoleopyrimidine core. These compounds act against cancer via inhibition of PI3K α .

3.2 The main difference between D18 and the application is seen in the fact that the central ring is a bicycle for the application and a pyridine for D18.

The main difference between D19 and the application is seen in the fact that none of the six membered rings of the bicycles can be further substituted by three other rings and the particular selection of the central 5-6 membered bicycle.

The main difference between D19 and the application is seen in the fact that the six membered ring of the pyrazolopyridine can be further substituted by three other rings (and not by an amine group) and the particular selection of the central 5-6 membered bicycle.

3.3 The objective technical problem is seen in the provision of further compounds acting against cancer via inhibition of PI3K α .

- 3.4 Biological example 2 starting on page 877 and table 5 starting on page 878 show the compounds modifying PI3KCa, this can be correlated with an effect on PI3K α . The proposed solution is seen as a working one.

Several of the substituents on claim 1 are optionally substituted with no indication to the nature of this second substituent. This must be construed as all possible substituents, and the solution must be a working one for all of these substituents. Thus a doubt arises on all of the breadth of the claim (all possible substituents) constituting a solution for the objective technical problem (and this applies by means of dependency to all the claims dependent on claim 1).

- 3.5 The person skilled in the art would not be hinted by D18 (or its combination this any of D19 or D20) to change the pyridine ring for the six claimed bicyclic rings.

The person skilled in the art would not be hinted by D19 or D20 to add a third ring to one of the bicyclic rings (particularly in the six-membered ring), even less at the desired positions and arrive at the particular six claimed bicyclic rings (not even combining them or even with the help of D18).

The proposed solution is seen as a non-obvious one, but because it is not proven to be a working one in the whole scope of the application (see point 3.3), it is not seen as an inventive one under Article 33(3) PCT.

Re Item VI

Certain documents cited

D16 (WO2022199662) discloses on page 137 the last and next to last compounds of scheme and lines 37-38 of page 137 three compounds which could become relevant for the novelty of at least claims 1, 2, 14, 21, 30, 31, 40, 57.

D17 (XP093050995) discloses on page 18542 scheme 1 compounds 4aa-ah, 4ba-ea which could become relevant for the novelty of at least claims 1, 14, 26, 30, 31, 38.

Re Item VII

Certain defects in the international application

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D18-D20 is not mentioned in the description, nor is this document identified therein.

Re Item VIII

Certain observations on the international application

Claims 95 and 96 relate to the compound of tables 1 and 2, since these tables are not in the claims, they are seen as not clear under Article 6 PCT because the claims must be clear in themselves.

Claims 99-102, 125, 129-142, 148-185 do not meet the requirements of Article 6 PCT for the following reasons. The therapeutic application of the products is functionally defined by a mechanism of action, which does not allow any practical application in the form of a defined, real treatment of a pathological condition (disease). The same rationale applies throughout the description.

Claims 184-213 relates to compounds defined by their activity and not by their formula. This is seen as a result to be achieved and does not comply with clarity under Article 6 PCT.

The objection could be overcome by either introducing in the claims a list of pathological conditions (diseases) cited in the application, or by showing that means are available (in the form of experimental tests or testable criteria, either disclosed in the patent application or known from the common general knowledge), which would allow the skilled person to recognise which additional conditions fall within the functional definition. The same rationale applies throughout the description.

Several discrepancies, resulting in a lack of clarity under Article 6 PCT when using the description to interpret the claims, are seen on:

-although the claims do not relate to esters or prodrugs of the compounds of the invention, the description includes them into the scope of the invention on page 18 paragraph [0053], page 20 paragraph [0054], page 23 paragraph [0055], page 25 paragraph [0025], page 28 next to last line, page 31 first text line, page 33 first text line,

page 36 first text line, page 38 first text line, page 40 first text line, page 43 first text line, page 45 first text line, page 47 first text line and first line of paragraph [0066], this is further seen throughout the description.

The very concept of a prodrug is seen as not complying with Article 6 PCT.

-Page 634 to page 699 give embodiments written in a claim-like form which are not exactly as the claims, this casts a doubt on the scope of the claims.

A question arises on the dependency of claim 25 on claims 23 and 24, in claim 25 A can be unsubstituted phenyl and claims 22-24 A must be phenyl substituted at meta position. This is seen as not complying with Article 6 PCT.

The vague and imprecise statement in the description on page 908 paragraph [0801] implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity (Article 6 PCT) when used to interpret them.

Page 1 paragraph [0002], page 5 paragraph [017] relates to documents being incorporated by reference, this is seen as irrelevant subject matter to be deleted.

Page 6 paragraph [0017] to page 8 paragraph [[0029] and page 9 paragraph [0033] allow the described groups to be further substituted, without stating with what. Page 10 to page 12 give a list of possible substituents.