

REPÚBLICA DE COLOMBIA
SUPERINTENDENCIA DE INDUSTRIA Y COMERCIO

Resolución N° 108006

Ref. Expediente N° NC2021/0016594

Por la cual se otorga una Patente de Invención

LA SUPERINTENDENTE DE INDUSTRIA Y COMERCIO

en ejercicio de sus facultades legales, en especial de las conferidas en el numeral 24 del artículo 3° del Decreto 4886 de 2011, y

CONSIDERANDO:

Que mediante escrito radicado en esta Superintendencia el 7 de diciembre de 2021 con el N° NC2021/0016594, por VERTEX PHARMACEUTICALS INCORPORATED, entró a fase nacional la solicitud de patente de invención titulada "PIRROLES TRICÍCLICOS CONDENSADOS COMO MODULADORES DE ALFA-1 ANTITRIPSINA", que corresponde a la solicitud internacional PCT/US2020/032832 del 14 de mayo de 2020.

Que la solicitud fue publicada en la Gaceta de la Propiedad Industrial N° 960 el 29 de abril de 2022, sin que se hubieran presentado oposiciones por parte de terceros.

Que realizado el examen de fondo mediante Oficio No. 9582 de 17 de junio de 2025, se requirió al solicitante en los términos del artículo 45 de la Decisión 486 de la Comisión de la Comunidad Andina para que presentara respuesta a las observaciones de carácter técnico, relacionadas con la patentabilidad o cumplimiento de los requisitos establecidos por esta Decisión para la concesión de la patente.

Que el solicitante mediante escrito radicado bajo el N° NC2021/0016594 el 12 de septiembre de 2025, respondió oportunamente el requerimiento formulado presentó las reivindicaciones 1 a 2 que reemplazan las originalmente presentadas, se acepta este último capítulo reivindicatorio presentado, comoquiera que se ajusta a las prescripciones contenidas en el artículo 34 de la Decisión 486.

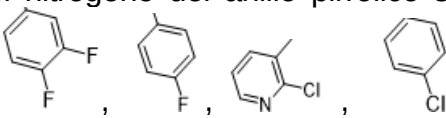
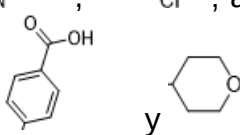
Que en el presente caso reivindicaciones 1 a 2 incluidas en el radicado N° NC2021/0016594 el 12 de septiembre de 2025 superan las objeciones del Art. 30 de la Decisión 486 por falta de claridad en las reivindicaciones, las cuales fueron requeridas mediante Oficio N° 9582 de 17 de junio de 2025, dado que se realizaron limitaciones y modificaciones en las reivindicaciones de acuerdo con la materia sustentada en la descripción presentada bajo el Radicado N° NC2021/0016594 del 07 de diciembre de 2021.

Que en virtud de lo dispuesto en el artículo 14 de la Decisión 486 expedida por la Comisión de la Comunidad Andina *"Los países miembros otorgarán patentes para las invenciones, sean de producto o de procedimiento, en todos los campos de la tecnología, siempre que sean nuevas, tengan nivel inventivo y sean susceptibles de aplicación industrial."*

Que en el presente caso las reivindicaciones 1 a 2 incluidas en el radicado N° NC2021/0016594 el 12 de septiembre de 2025 cumplen los requisitos indicados anteriormente, toda vez que se refieren a compuestos pirroles tricíclicos condensados como moduladores de alfa-1 antitripsina, que difiere de la información del estado de la técnica más cercano, US6201129, en que se mencionan compuestos específicos que presentan

Ref. Expediente N° NC2021/0016594

diferencia radicalarias en la estructura, cómo que incluye un anillo pirazolo o triazolo en la estructura central del anillo, el nitrógeno del anillo pirrónico se encuentra sustituido por

compuestos aromáticos cómo  ; adicionalmente el anillo pirrónico puede estar sustituido por radicales cómo  (entre otros)

Adicionalmente, estas diferencias no se encuentran sugeridas en el estado de la técnica y, como consecuencia de ello, se evidencia la obtención de compuestos con actividad cómo moduladores de la alfa-1 antitripsina (AAT), al medir la IC₅₀ y EC₅₀ para los 342 compuestos incluidos.

En consecuencia, las reivindicaciones 1 a 2 cumplen los requisitos de novedad, nivel inventivo y aplicación industrial establecidos en la normatividad citada en precedencia y esta Oficina encuentra procedente conceder para las mismas la patente solicitada.

Con fundamento en las anteriores consideraciones, la Superintendente de Industria y Comercio,

RESUELVE

ARTÍCULO 1: Otorgar patente de invención a la solicitud que entró en fase nacional en virtud del Tratado de Cooperación en Materia de Patentes (PCT), para la creación titulada:

“PIRROLES TRICÍCLICOS CONDENSADOS COMO MODULADORES DE ALFA-1 ANTITRIPSINA”

Clasificación IPC: C07D 231/56, C07D 487/04, C07D 498/18, C07D 513/04, A61P 11/00, A61P 1/16, A61K 31/4162, A61K 31/429.

Reivindicaciones: 1 a 2 incluidas en el radicado bajo el No NC2021/0016594 el 12 de septiembre de 2025, de acuerdo con el Anexo No. 1

Titular: VERTEX PHARMACEUTICALS INCORPORATED.

Dirección: 50 Northern Avenue, Boston, Massachusetts 02210, ESTADOS UNIDOS DE AMÉRICA

Inventores: MICHAEL J BOYD, STEVEN M. RONKIN, DENNOS J. HURLEY, MICHAEL AARON BRODNEY, Stephen Andrew THOMSON, Kathy STAVROPOULOS, Cavan McKeon BLIGH, Sarah Carol HOOD, Adam LOOKER, John Patrick MAXWELL, Ales MEDEK, Setu RODAY, Stefanie ROEPER, Rupa SAWANT, Yi SHI, Qing TANG, Upul Keerthi BANDARAGE, Veronique DAMAGNEZ, PEDRO MANUEL GARCIA BARRANTES, Simon GIROUX, Amy Beth HALL, Jr. Mac Arthur JOHNSON, Peter JONES, Sarathy KESAVAN, Philippe Marcel NUHANT, Rebecca Jane SWETT, Timothy Lewis TAPLEY, Jinwang XU, Brad D. MAXWELL, Kevin Michael COTTRELL, Muna SHRESTHA, Diane BOUCHER, Michael Philip CLARK, Lev Tyler Dewey FANNING, Gabrielle Simone FLEMING, Robert Daniel GIACOMETTI, Samantha GUIDO, Mei-Hsiu LAI, Siying LIU, Kirk

Resolución N° 108006

Ref. Expediente N° NC2021/0016594

Alan OVERHOFF, Marisa SPOSATO, Mariam ZAKY, Kevin J GAGNON, JR. Robert Francis FIMOGNARI, Ronald Lee GREY JR.

Prioridades N°: 14/05/2019, US (ESTADOS UNIDOS DE AMÉRICA), 62/847,562
3/04/2020, US (ESTADOS UNIDOS DE AMÉRICA), 63/004,813.

Solicitud internacional N°: PCT/US2020/032832

Fecha: 14 de mayo de 2020.

Vigente desde: 14 de mayo de 2020

Hasta: 14 de mayo de 2040.

ARTÍCULO 2: El titular tendrá los derechos y las obligaciones establecidos en la Decisión 486 de la Comisión de la Comunidad Andina y en las demás disposiciones legales vigentes sobre propiedad industrial, precisando que para mantener vigente la patente se deberá cancelar la tasa anual de mantenimiento, conforme lo dispone el artículo 80 de la referida norma comunitaria.

ARTÍCULO 3: Notificar el contenido de la presente resolución a VERTEX PHARMACEUTICALS INCORPORATED advirtiéndole que contra ella procede el recurso de reposición, ante la Superintendente de Industria y Comercio, el cual podrá ser interpuesto en el momento de la notificación o dentro de los diez (10) días hábiles siguientes a ella.

NOTIFÍQUESE Y CÚMPLASE

Dada en Bogotá D.C., el 19 de diciembre de 2025

LA SUPERINTENDENTE DE INDUSTRIA Y COMERCIO,



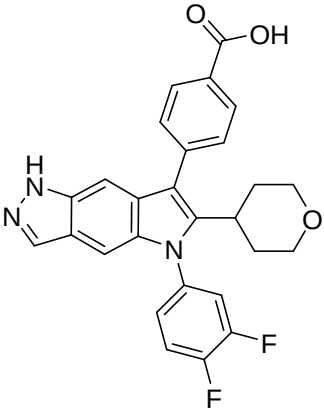
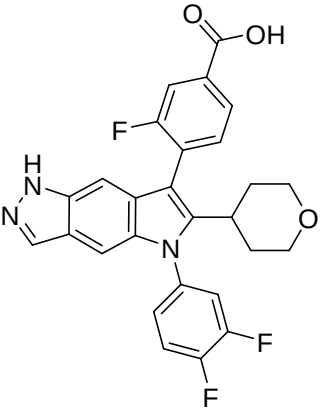
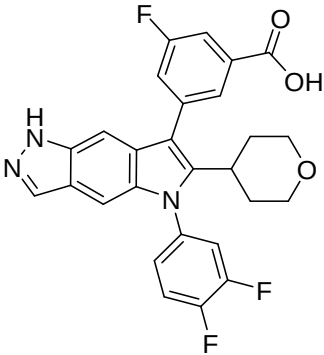
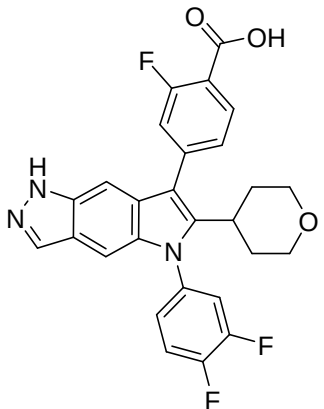
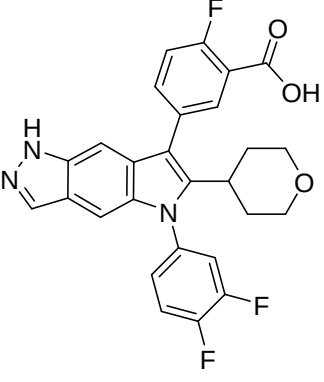
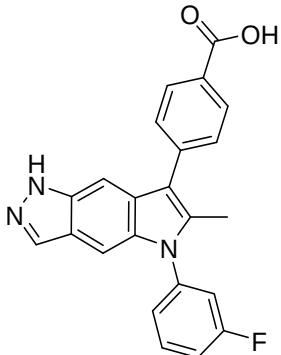
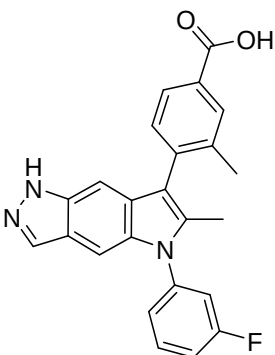
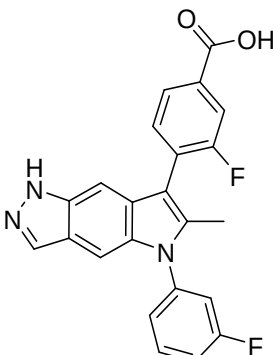
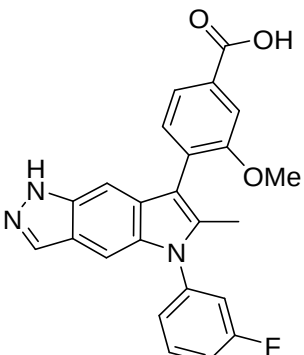
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Ubicación: Bogotá,
Colombia.

Ref. Expediente N° NC2021/0016594

ANEXO No. 1

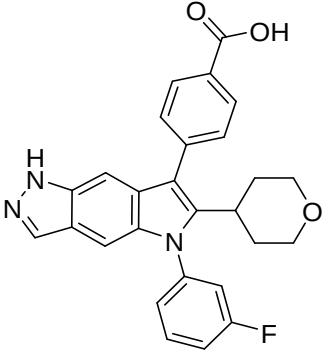
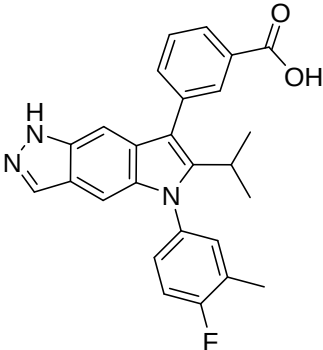
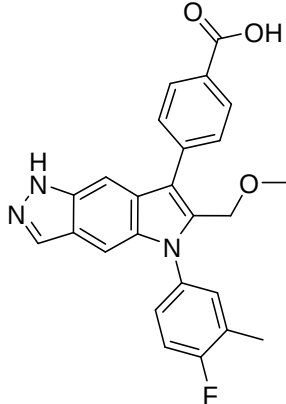
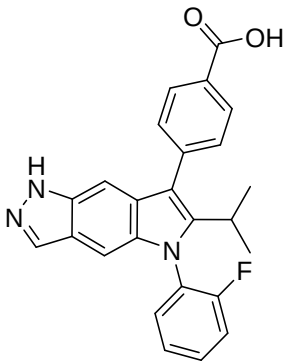
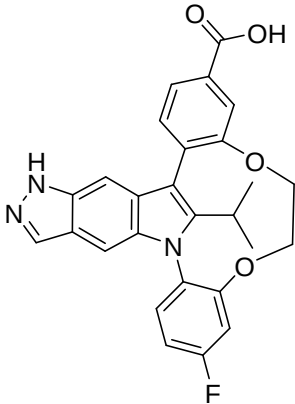
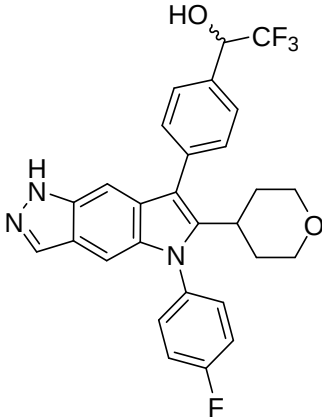
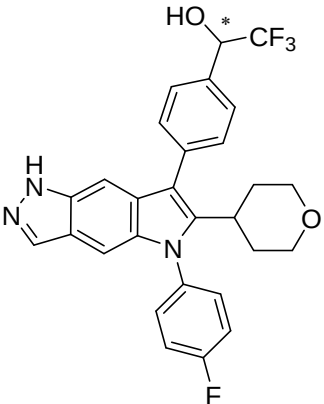
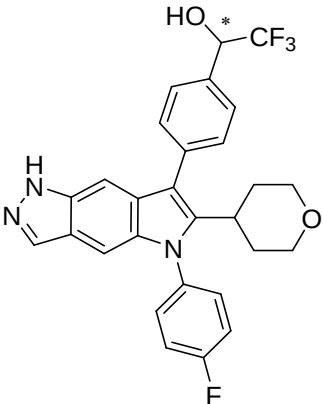
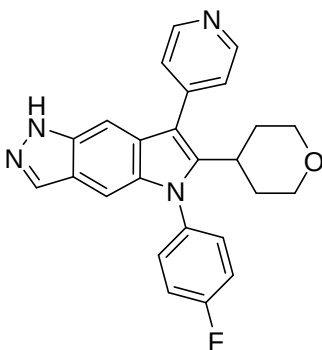
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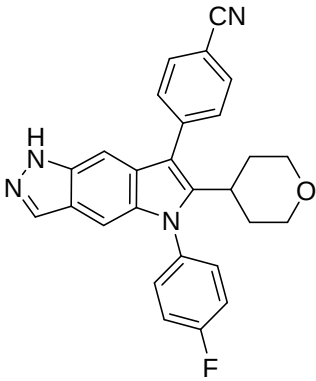
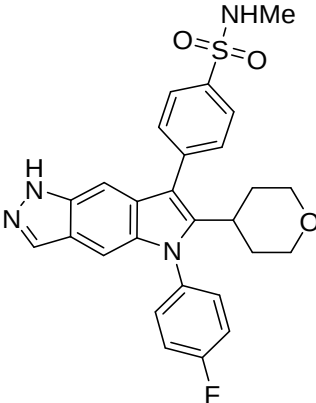
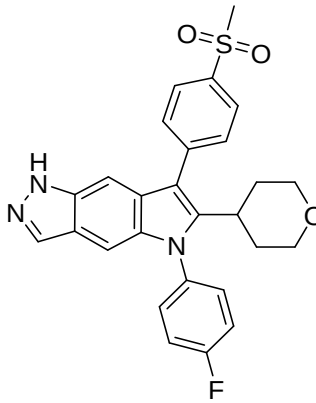
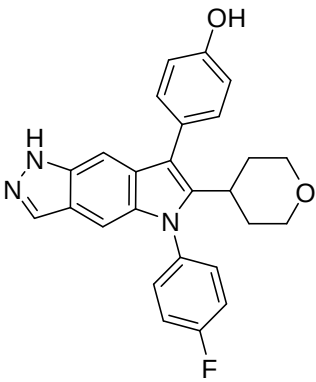
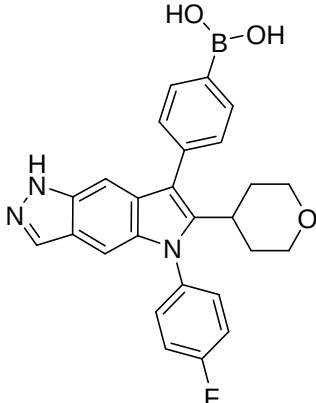
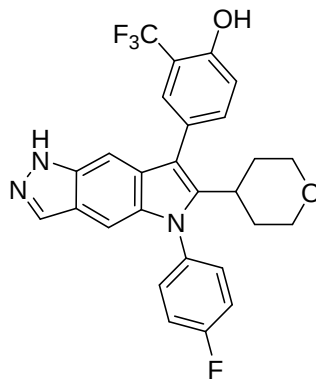
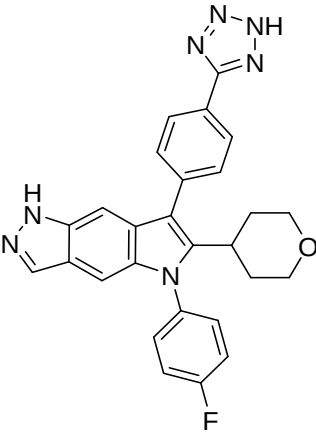
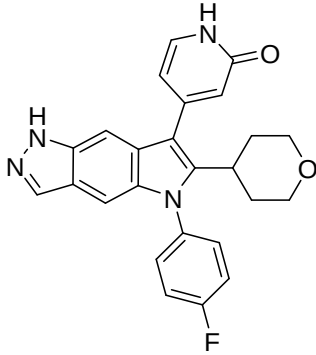
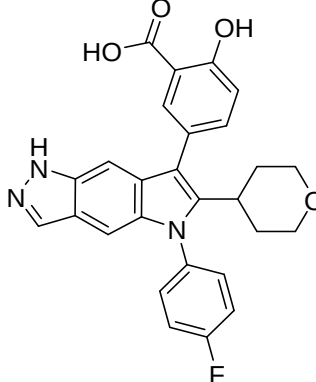


Ref. Expediente N° NC2021/0016594

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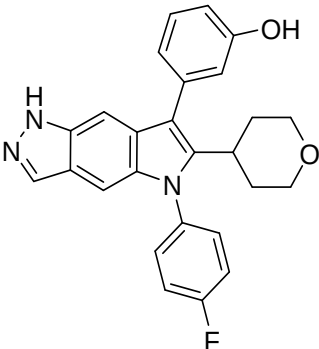
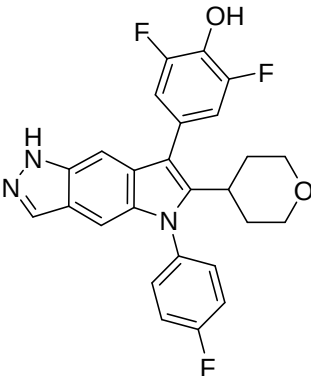
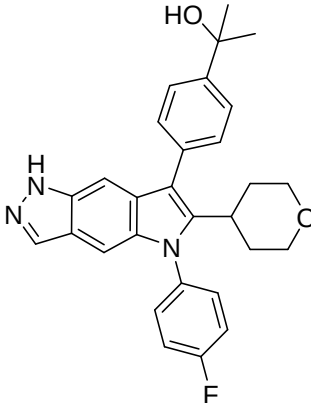
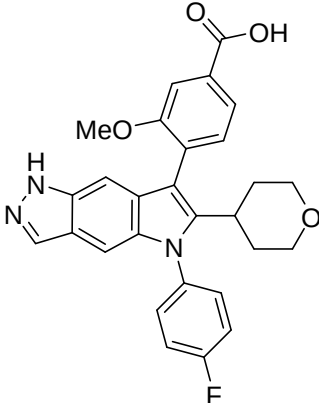
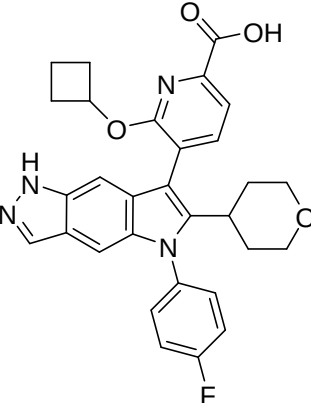
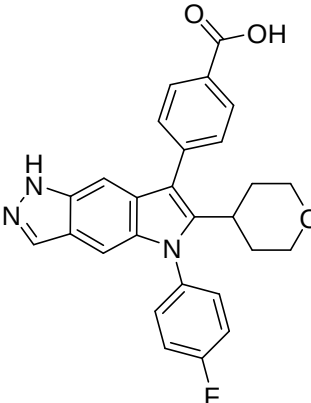
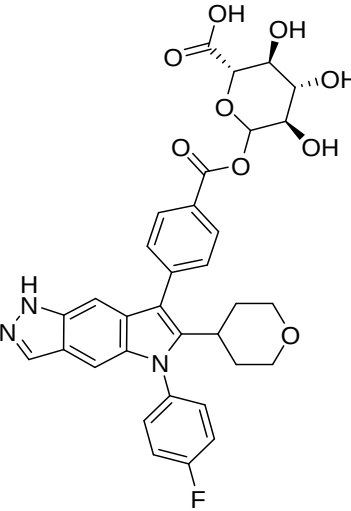
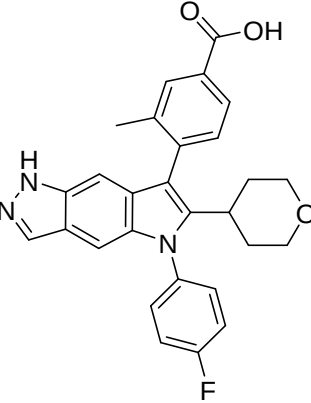
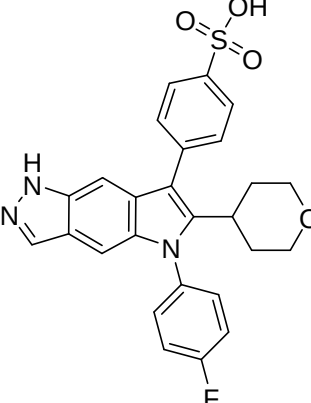


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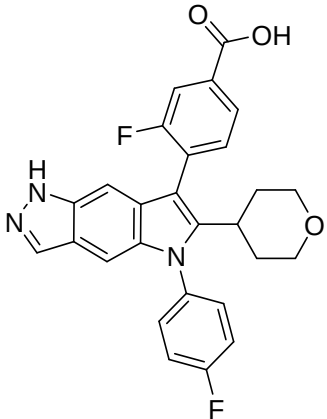
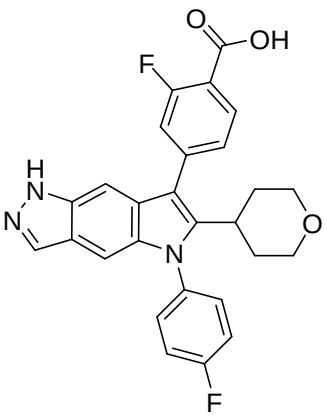
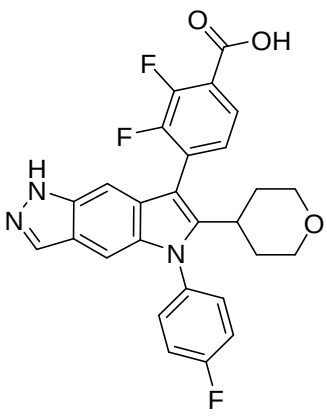
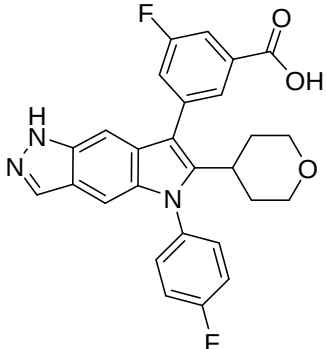
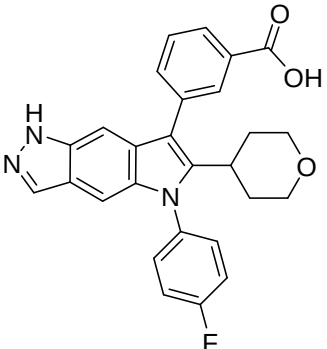
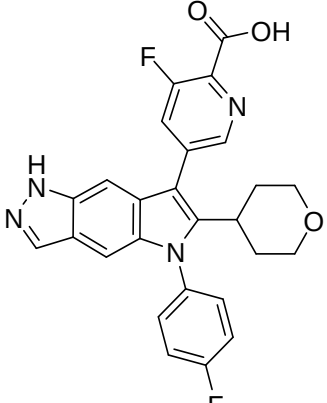
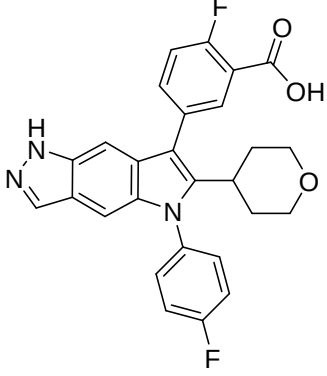
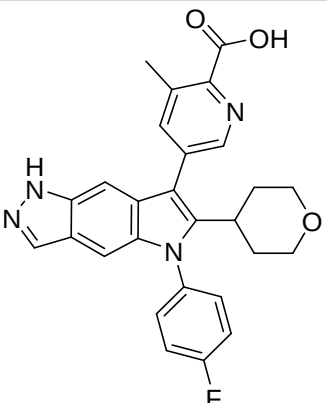
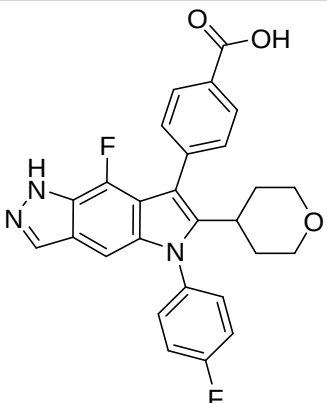


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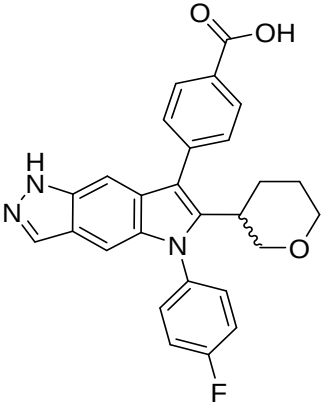
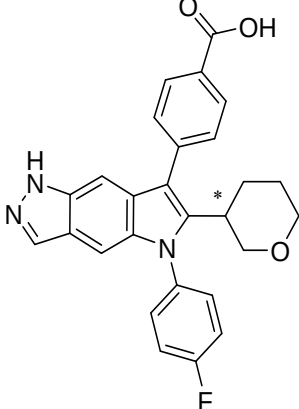
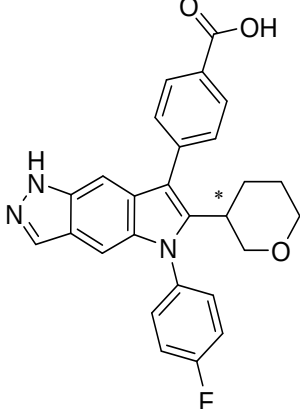
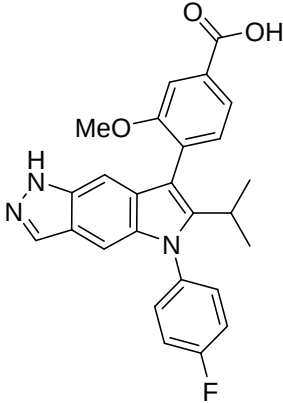
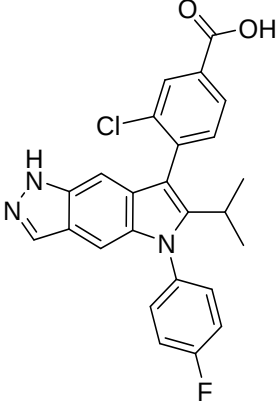
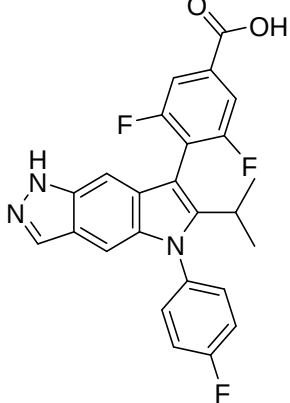
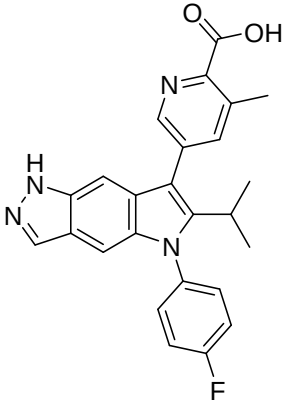
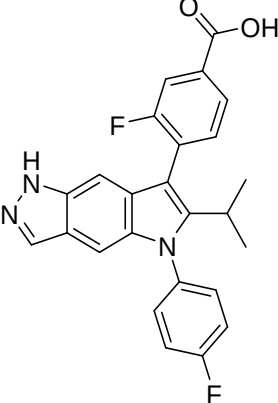
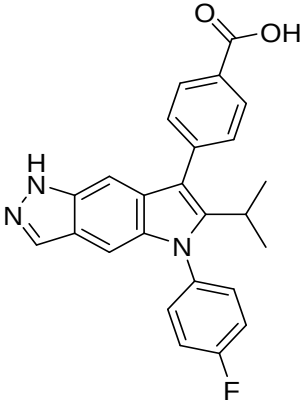


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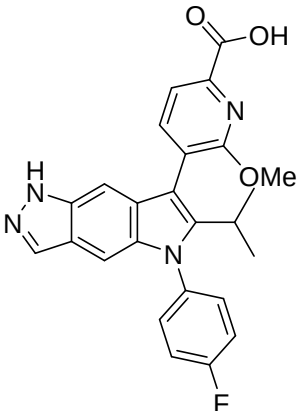
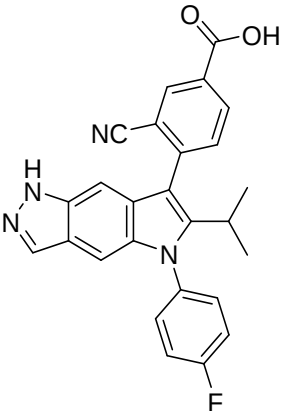
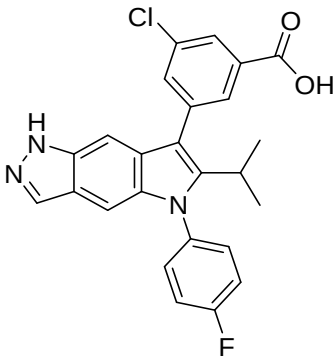
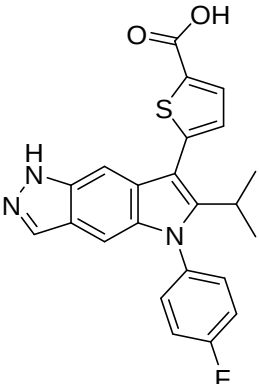
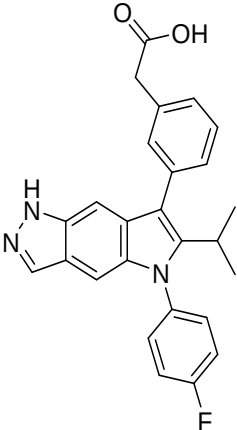
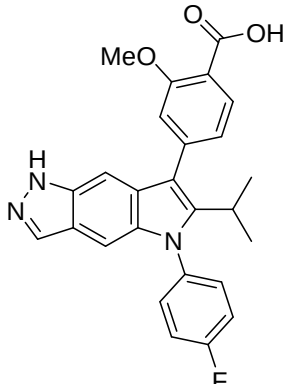
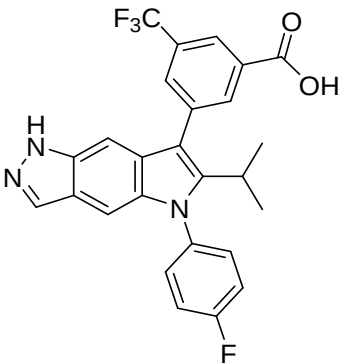
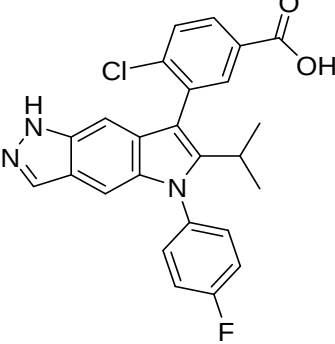
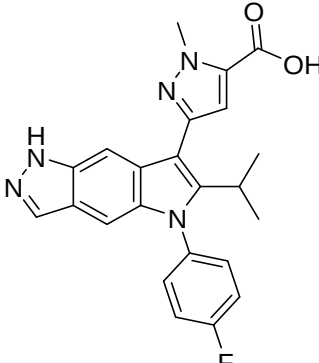


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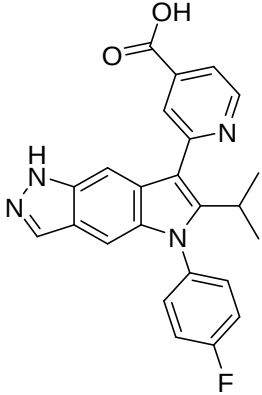
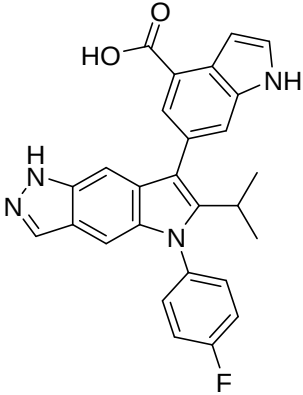
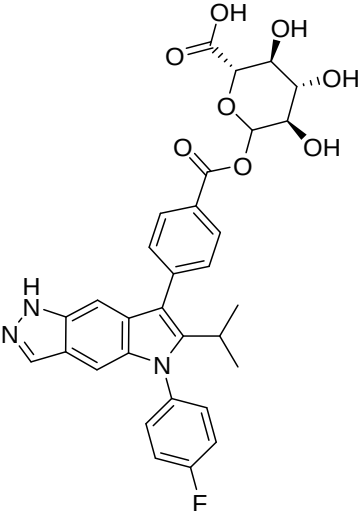
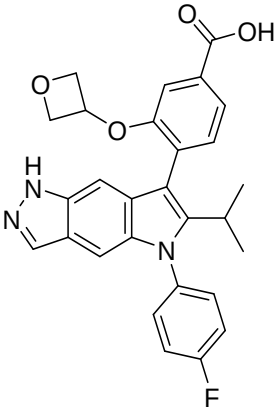
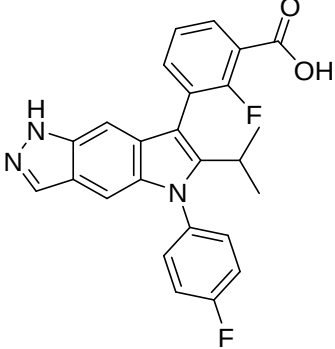
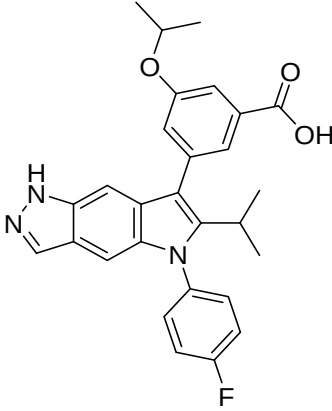
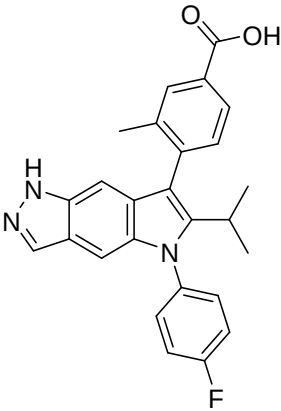
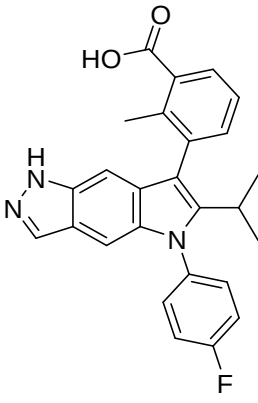
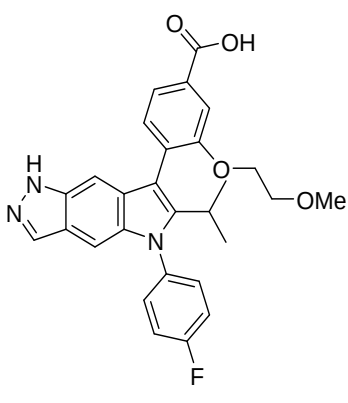


Ref. Expediente N° NC2021/0016594

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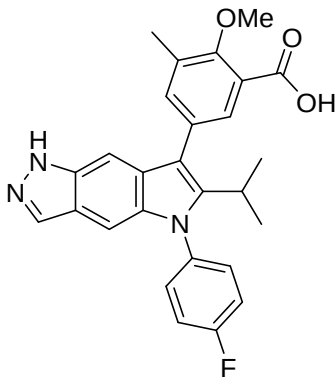
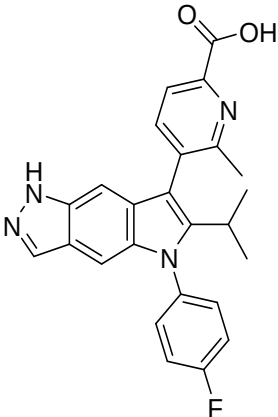
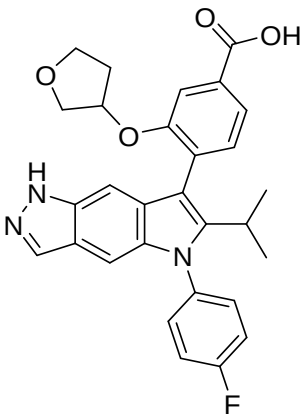
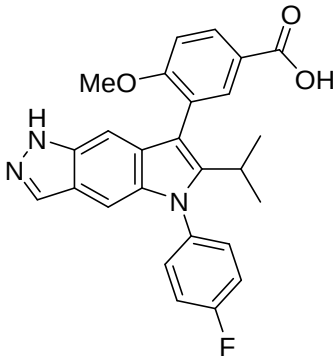
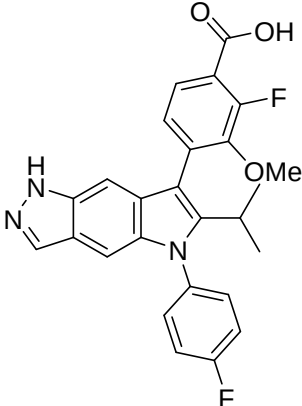
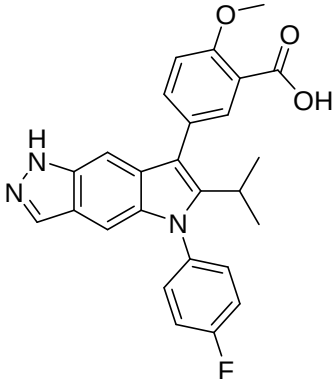
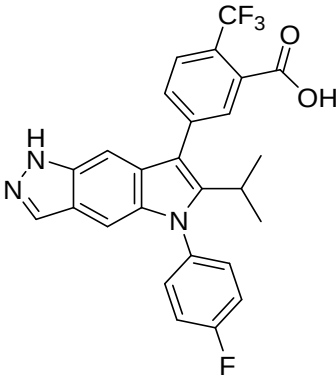
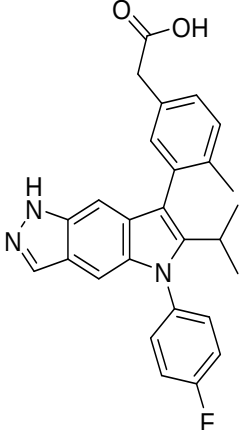
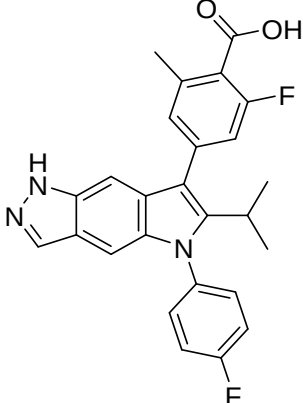


Ref. Expediente N° NC2021/0016594

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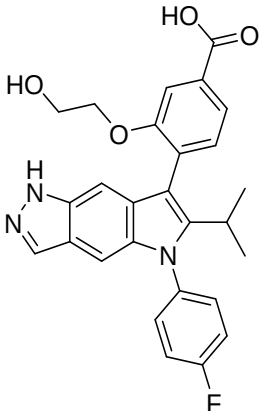
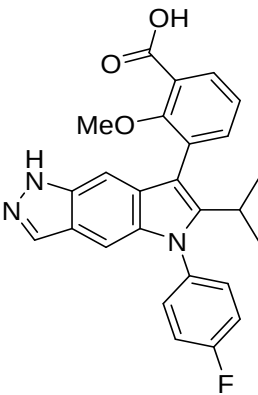
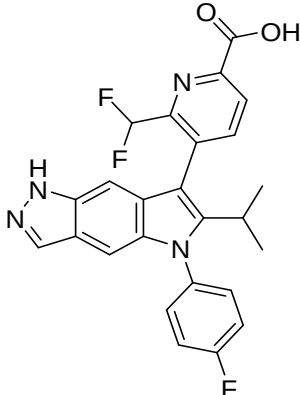
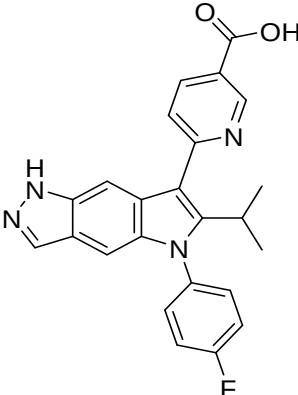
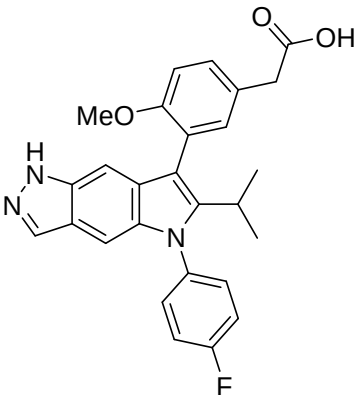
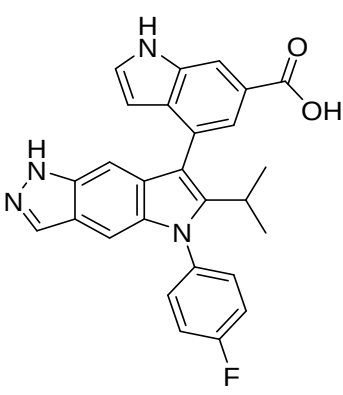
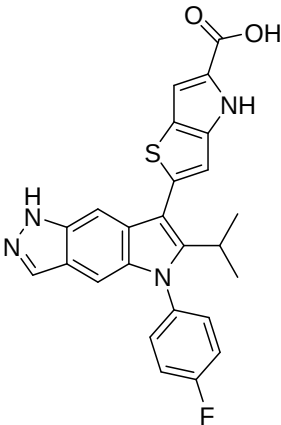
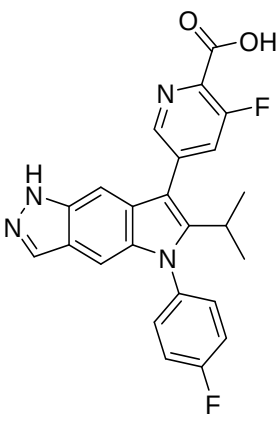
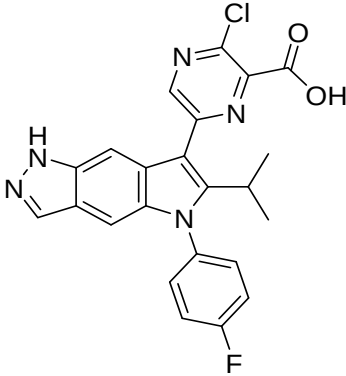


Ref. Expediente N° NC2021/0016594

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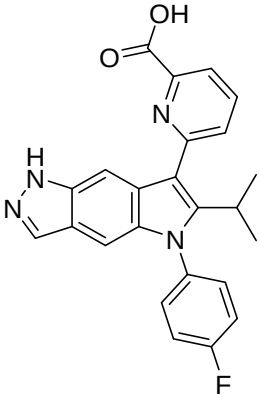
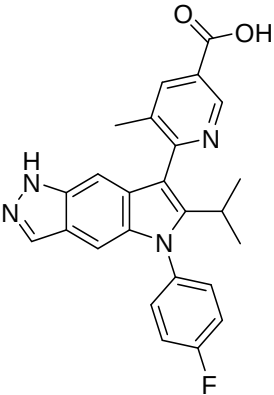
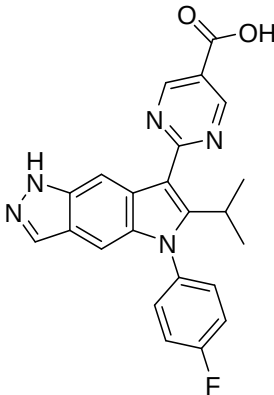
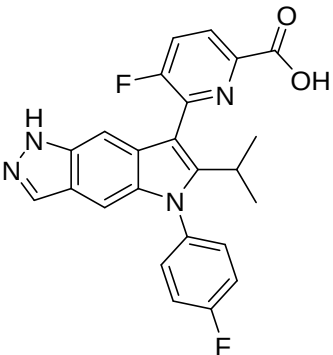
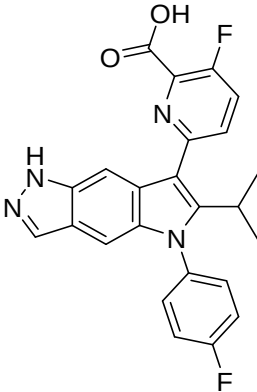
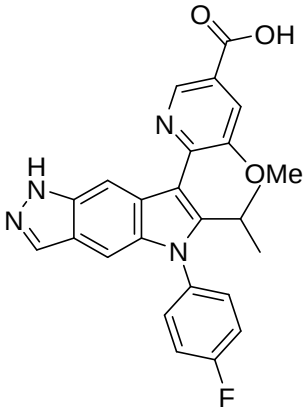
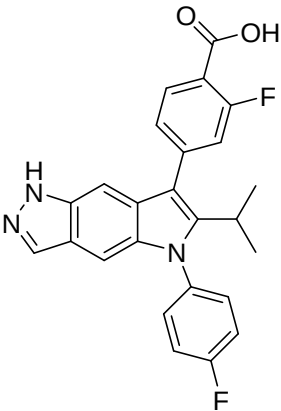
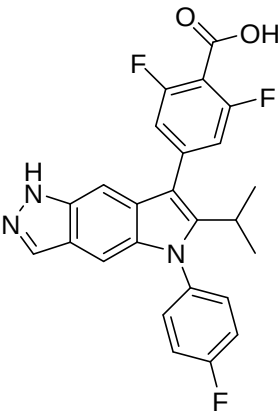
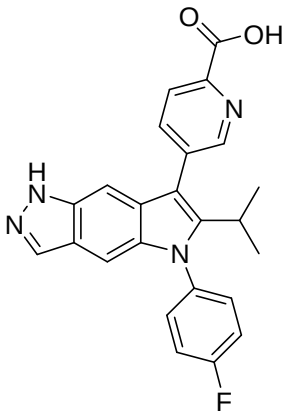


Ref. Expediente N° NC2021/0016594

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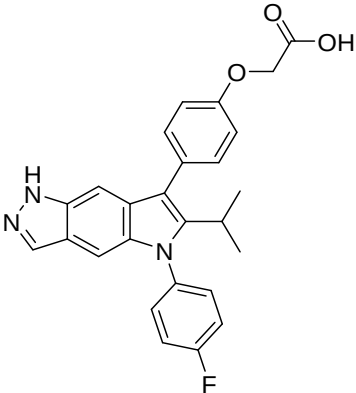
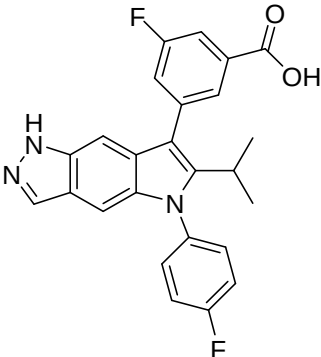
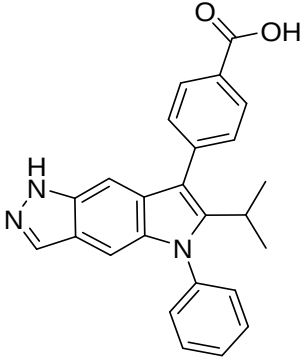
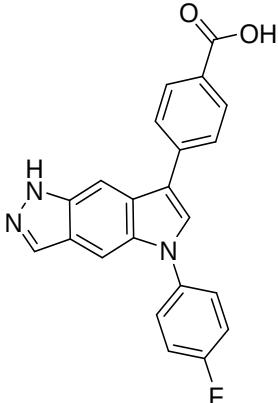
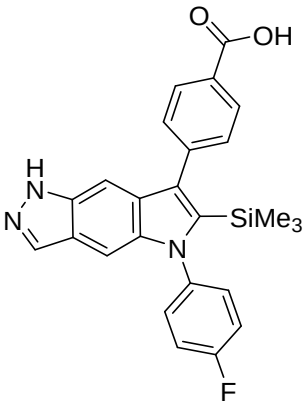
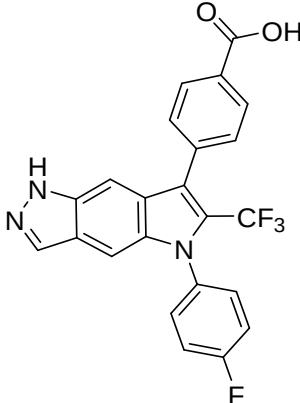
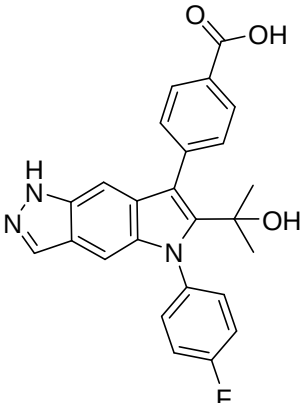
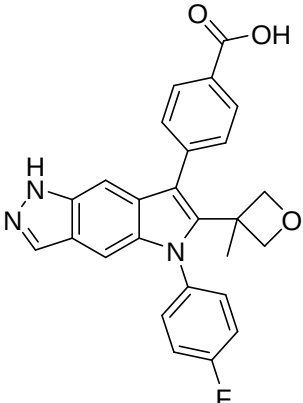
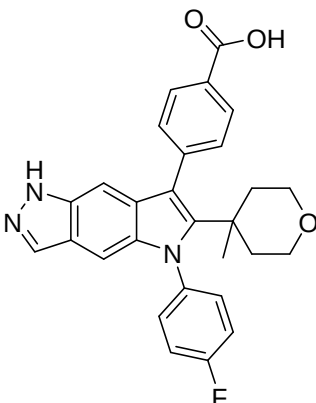


Ref. Expediente N° NC2021/0016594

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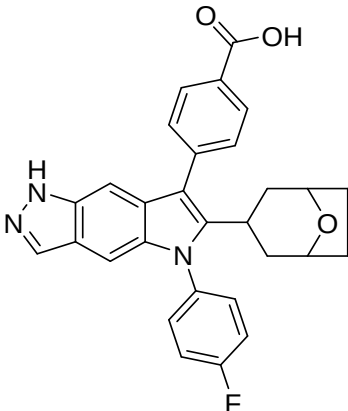
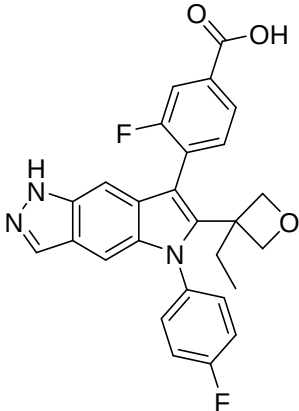
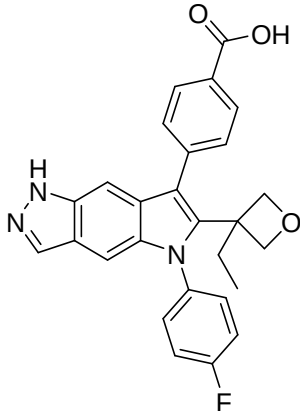
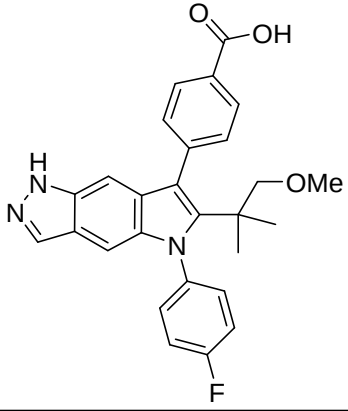
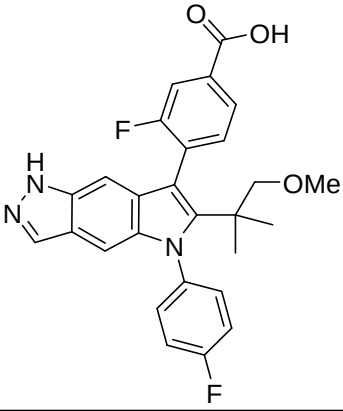
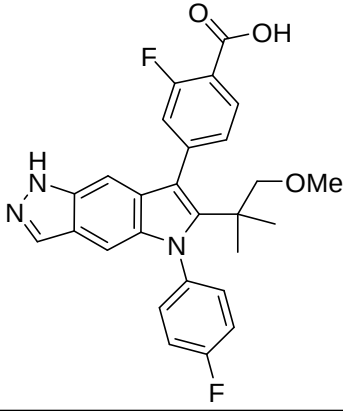
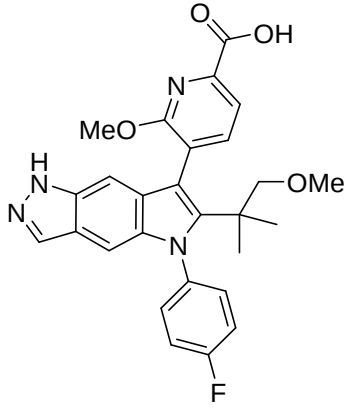
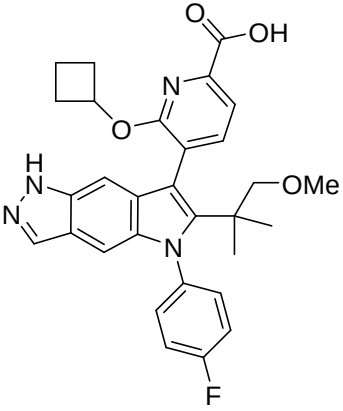
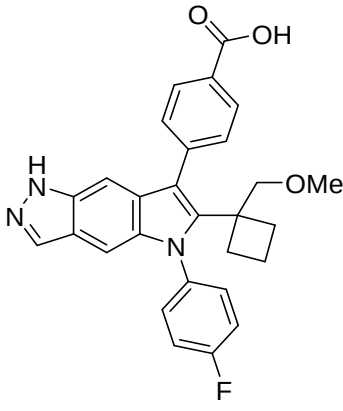


Ref. Expediente N° NC2021/0016594

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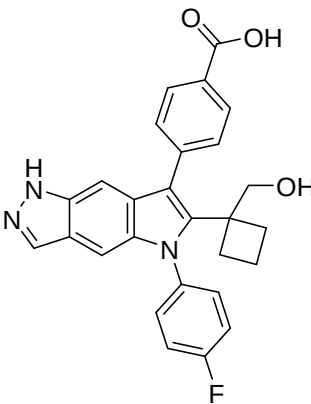
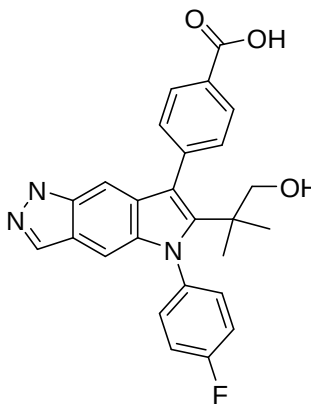
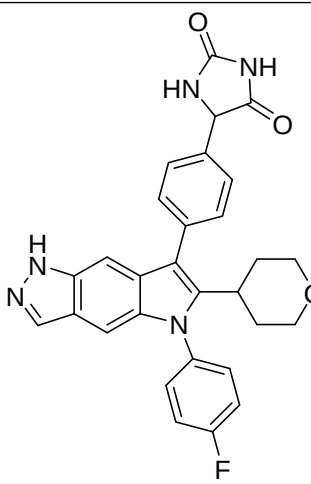
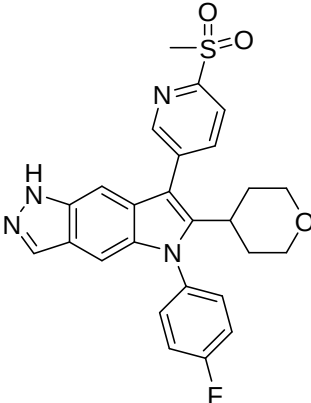
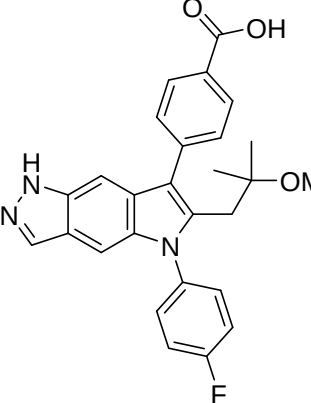
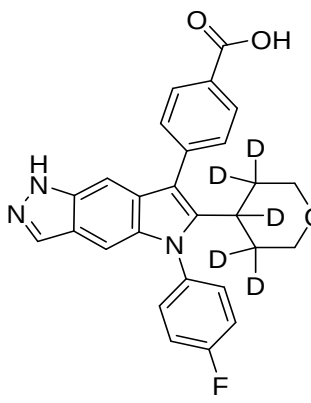
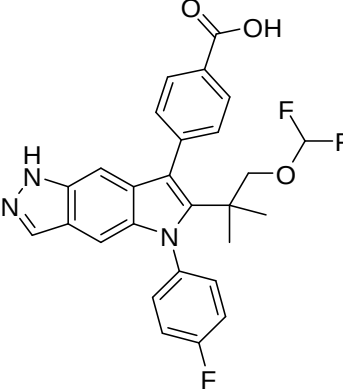
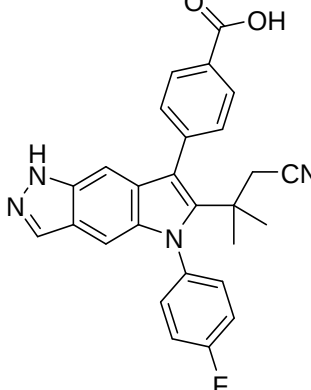
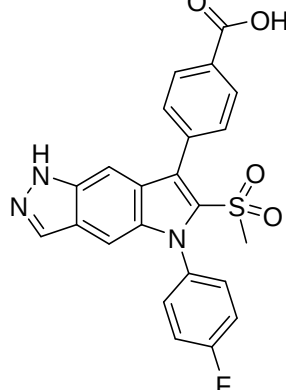


Ref. Expediente N° NC2021/0016594

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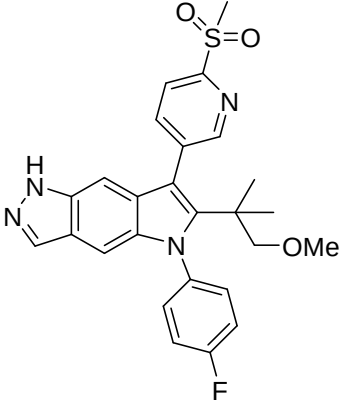
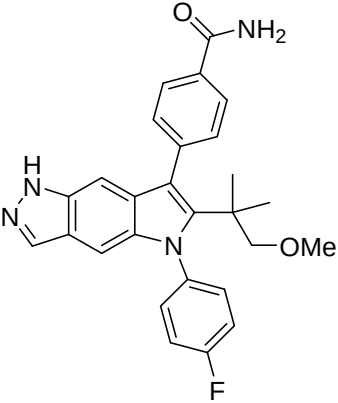
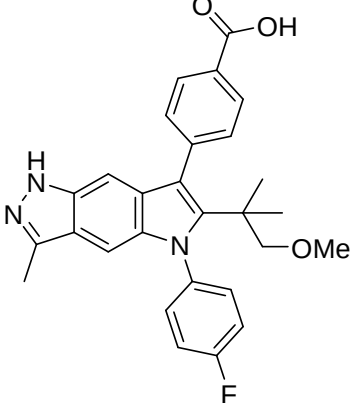
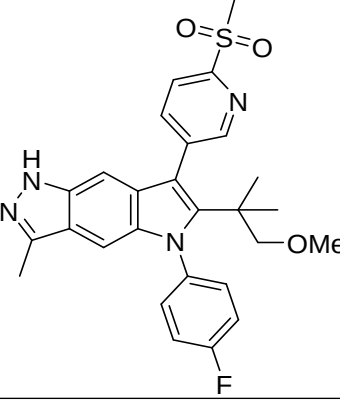
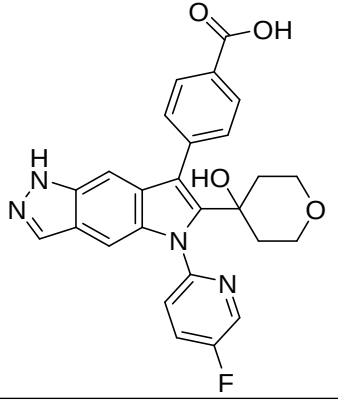
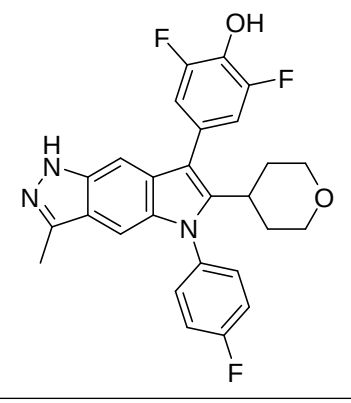
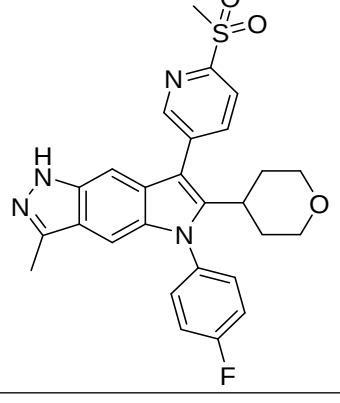
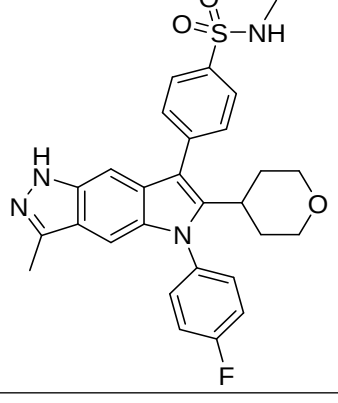
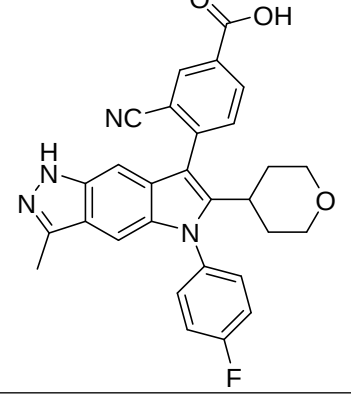


Ref. Expediente N° NC2021/0016594

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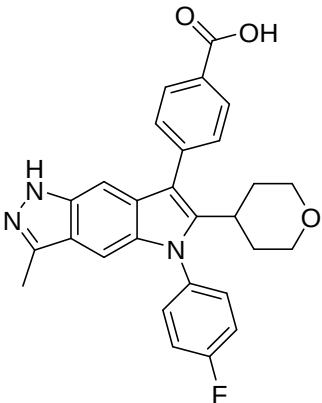
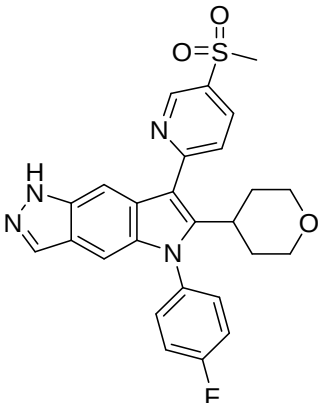
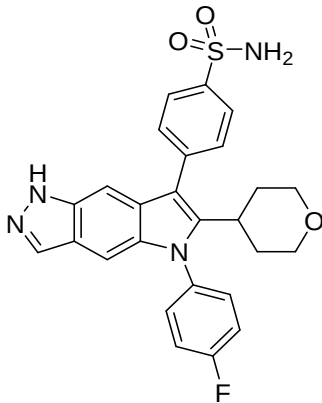
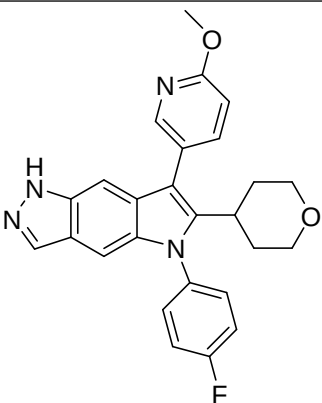
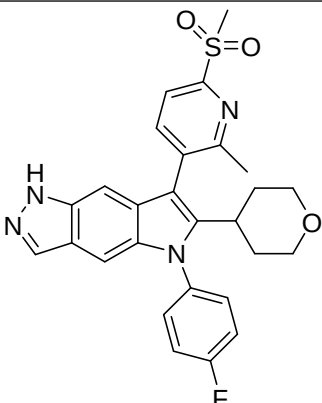
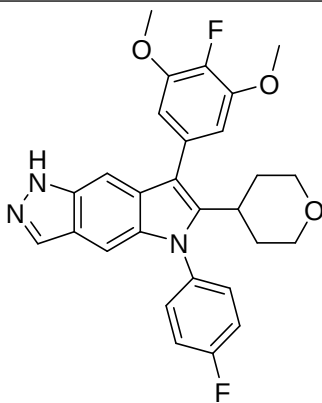
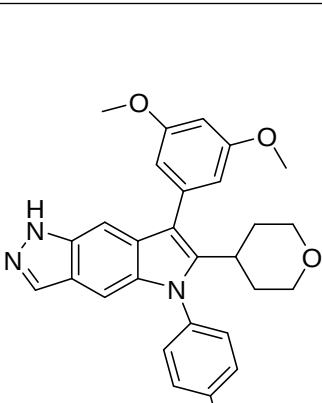
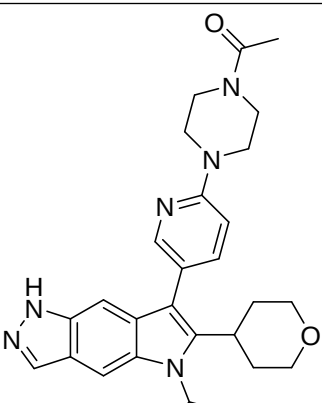


Ref. Expediente N° NC2021/0016594

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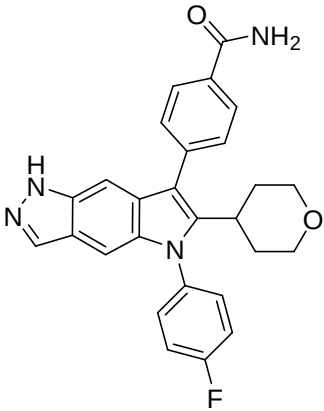
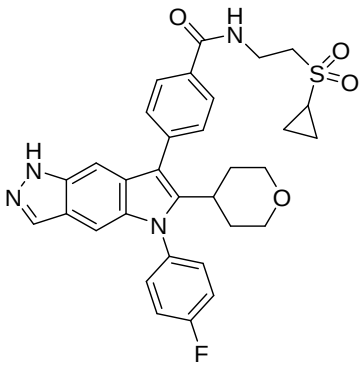
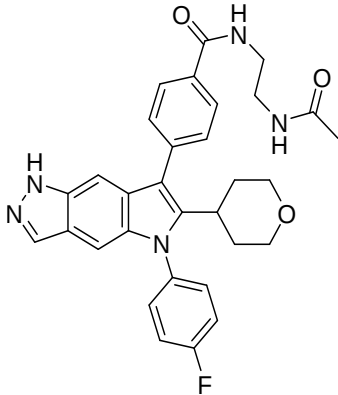
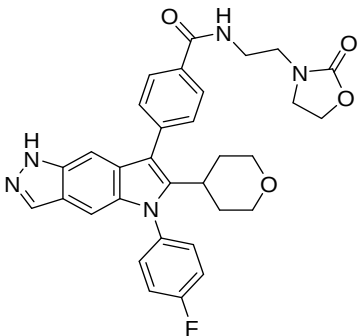
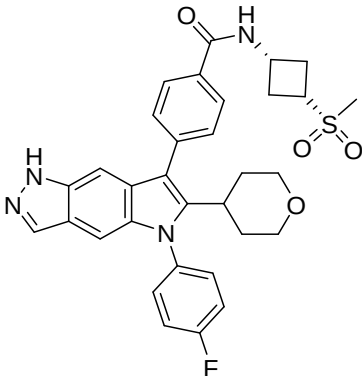
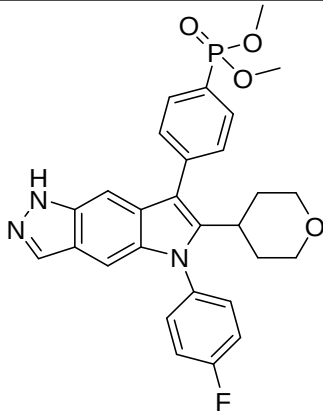
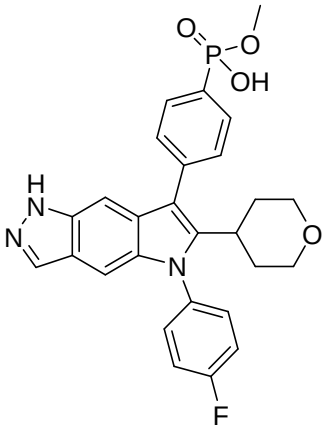
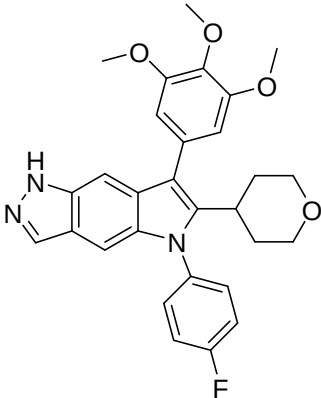
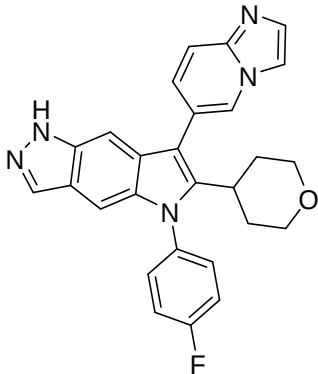
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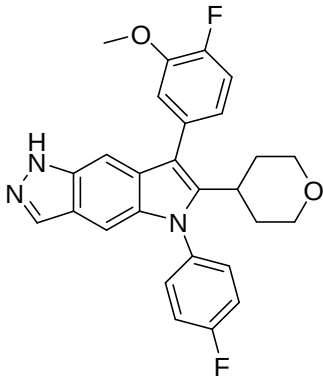
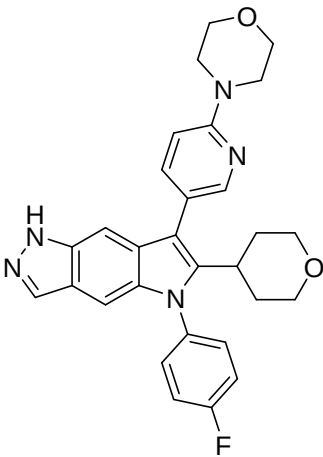
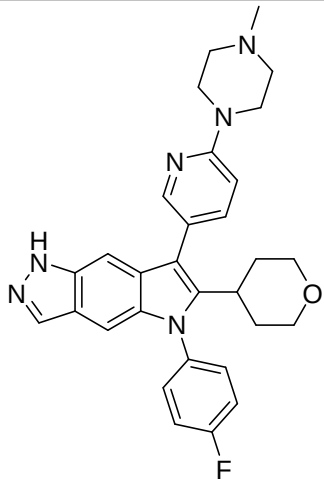
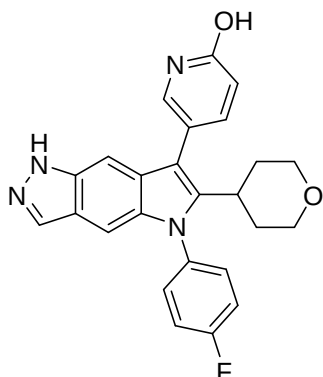
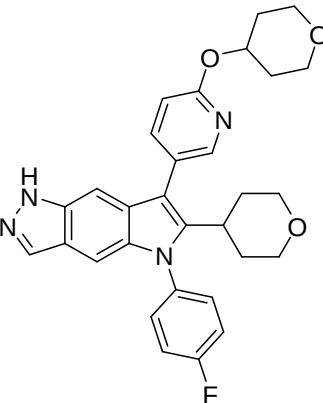
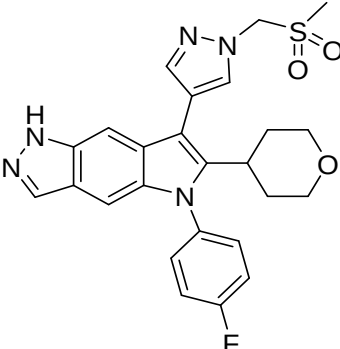
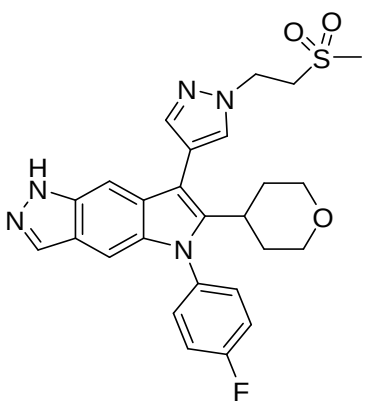
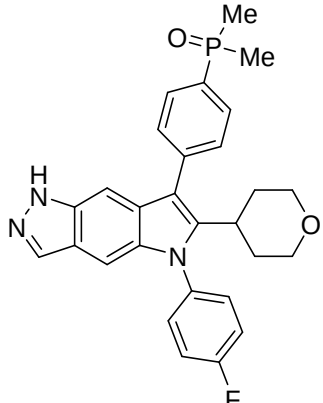
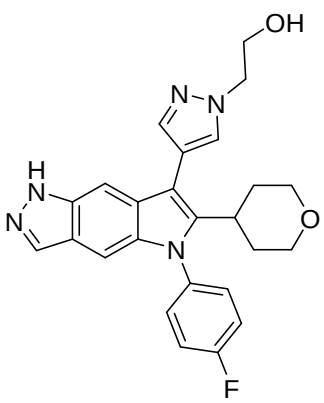
Resolución N° 108006

Ref. Expediente N° NC2021/0016594

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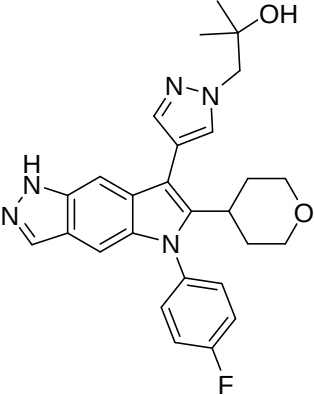
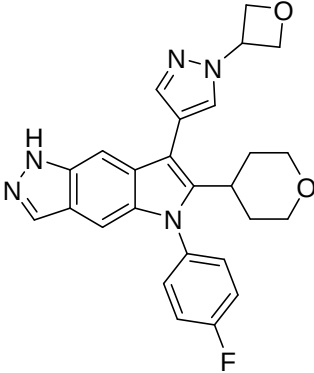
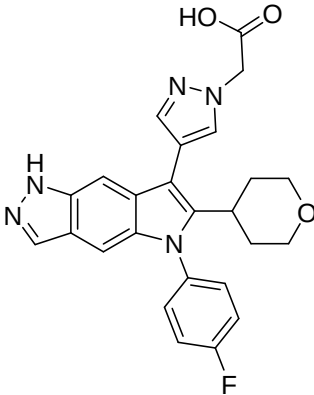
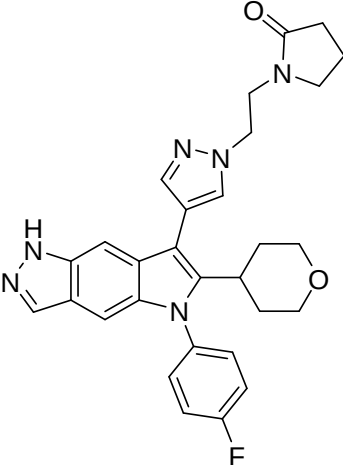
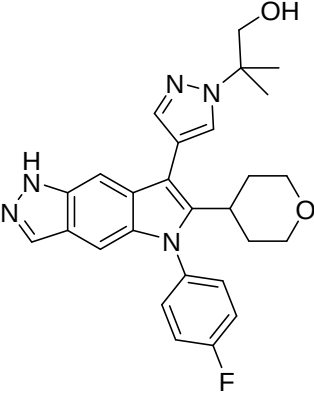
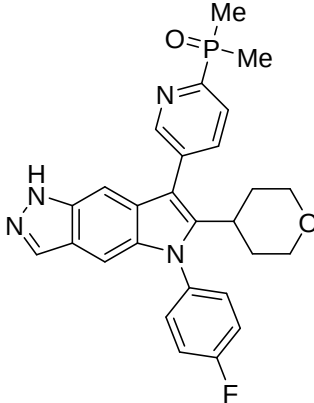
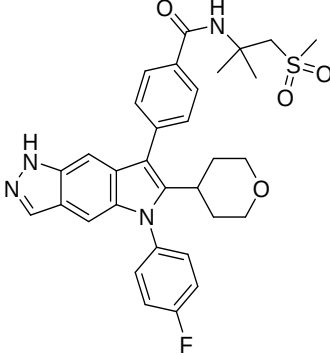


Ref. Expediente N° NC2021/0016594

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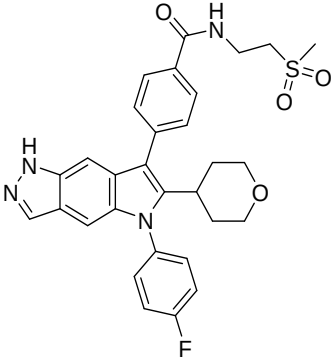
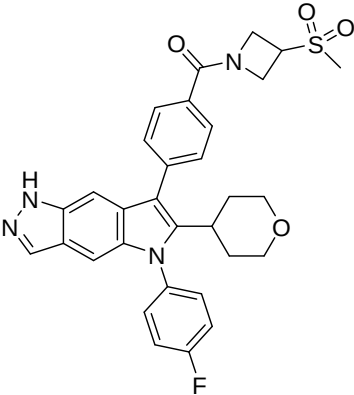
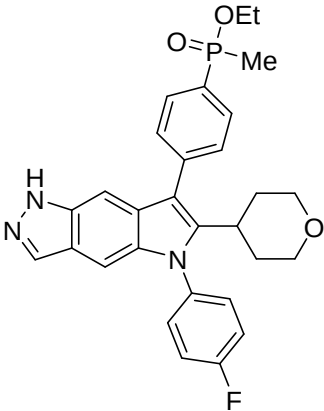
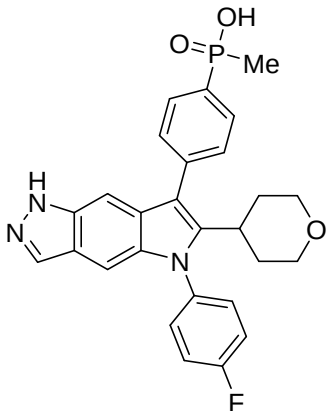
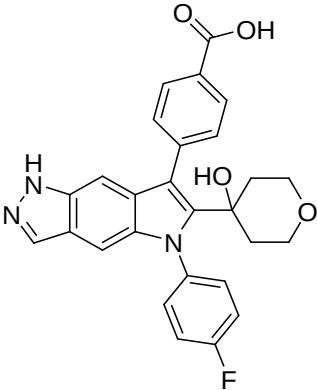
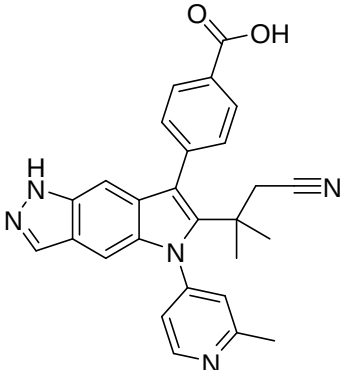
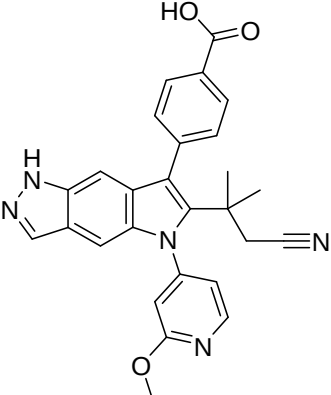
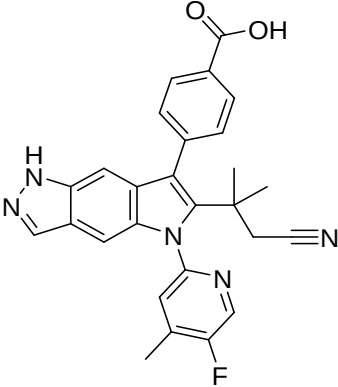
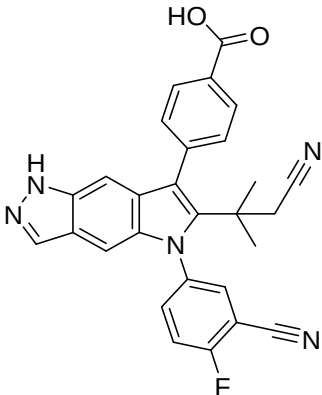


Ref. Expediente N° NC2021/0016594

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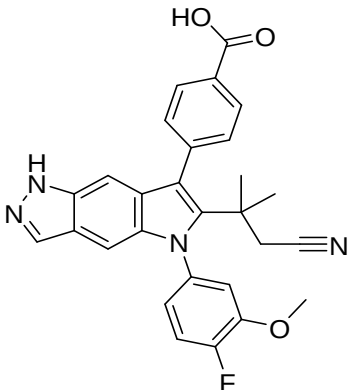
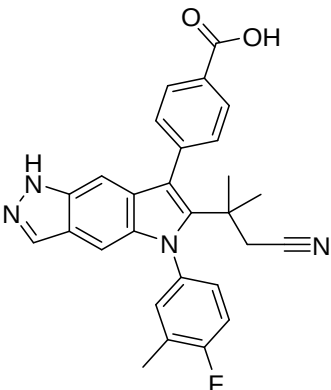
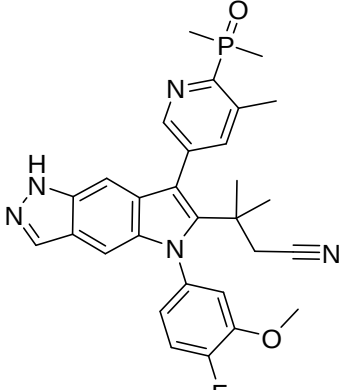
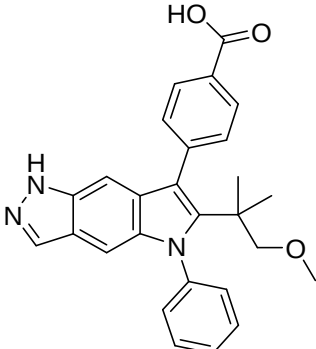
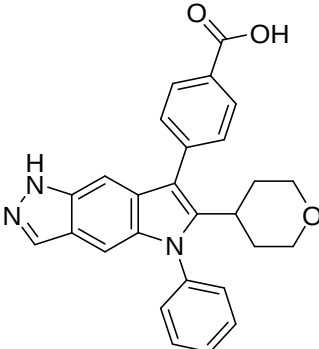
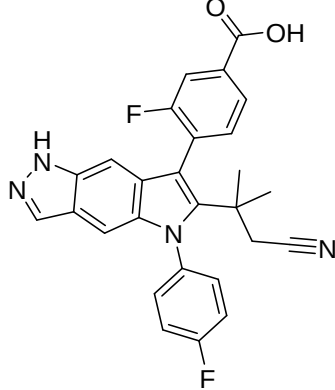
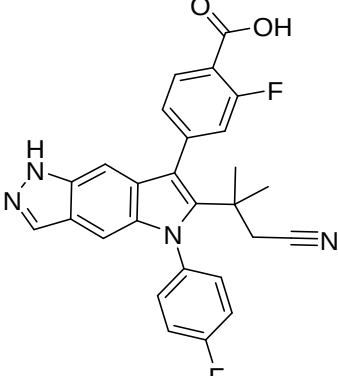
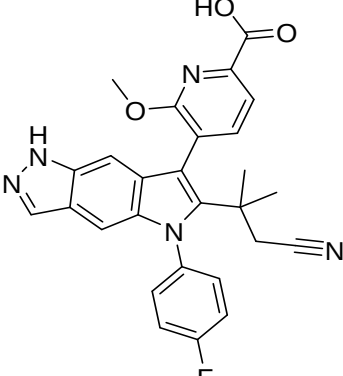
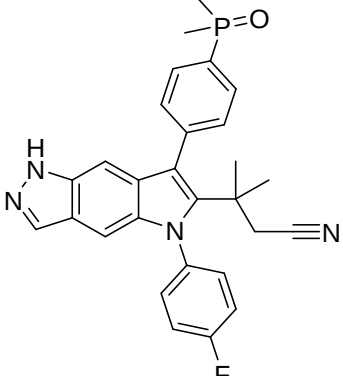


Ref. Expediente N° NC2021/0016594

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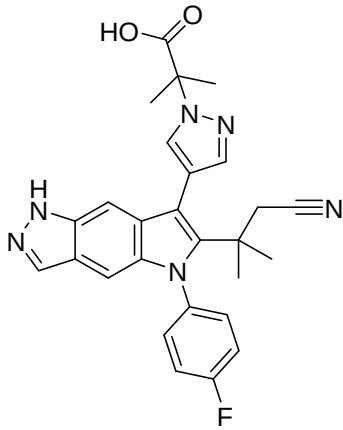
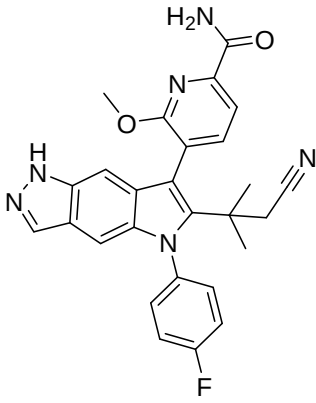
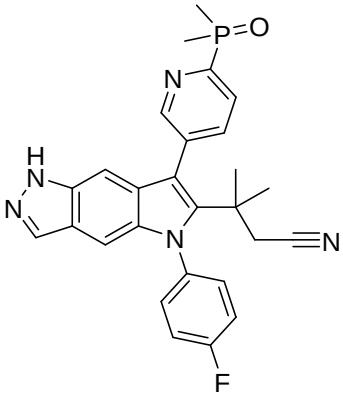
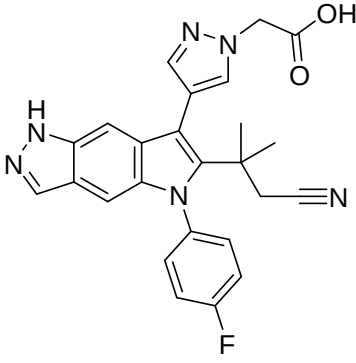
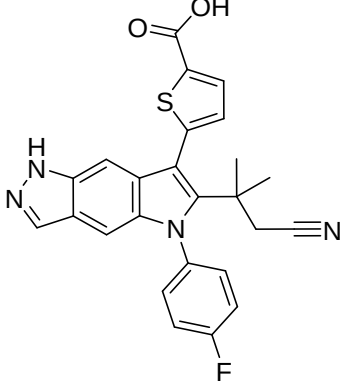
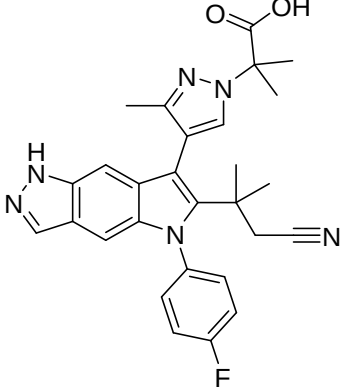
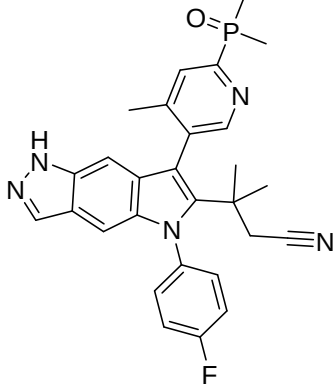
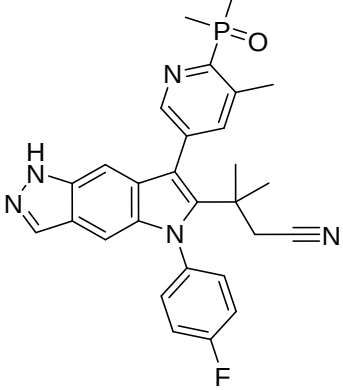
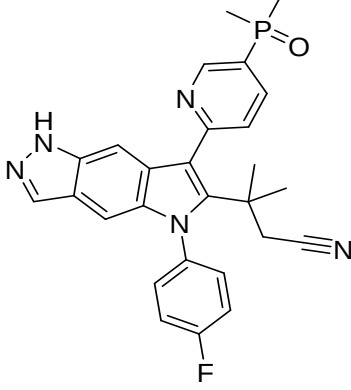


Ref. Expediente N° NC2021/0016594

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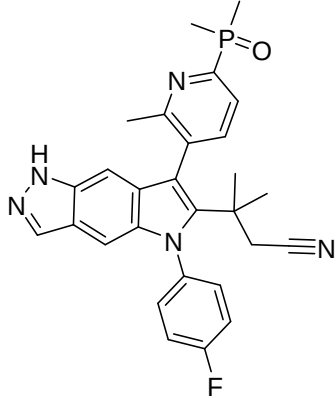
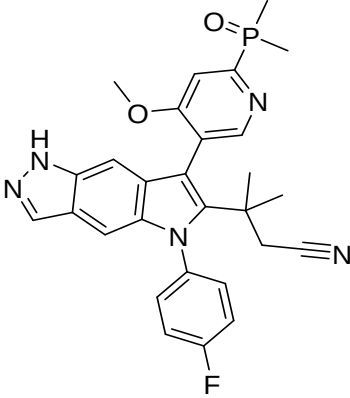
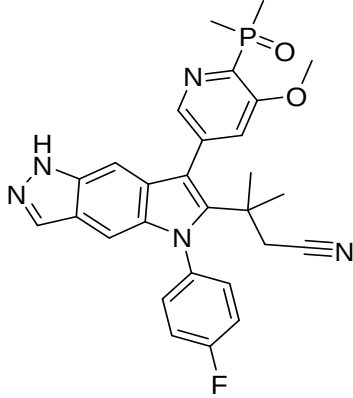
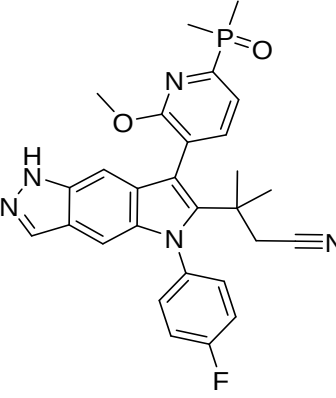
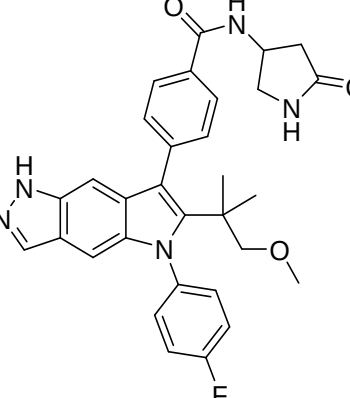
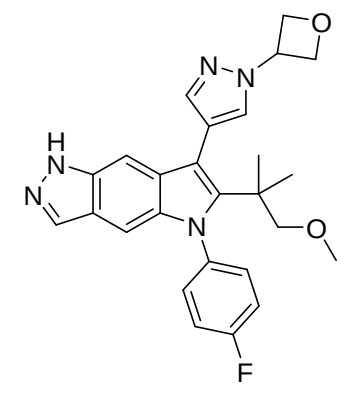
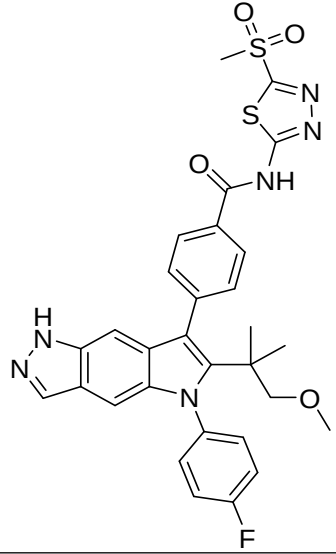
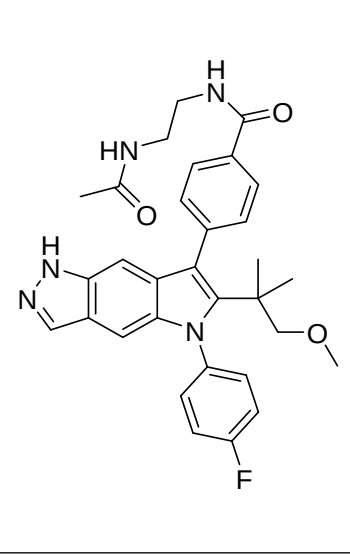
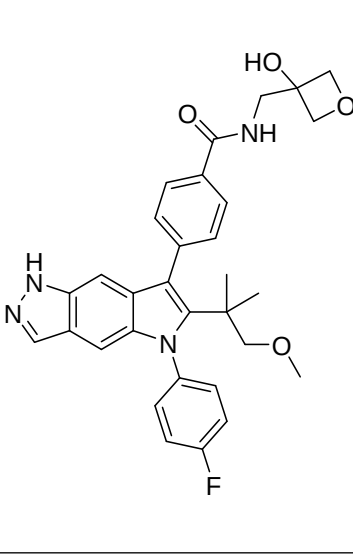


Ref. Expediente N° NC2021/0016594

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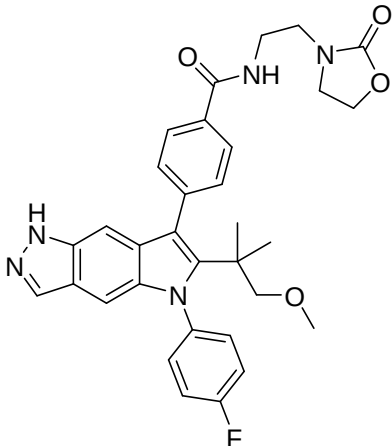
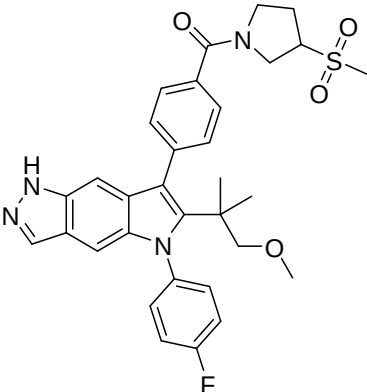
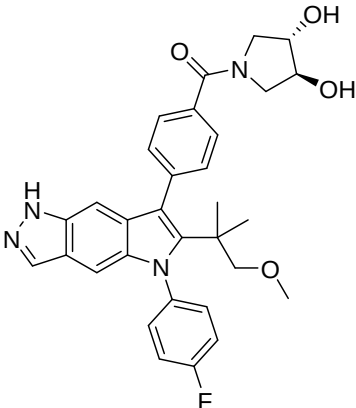
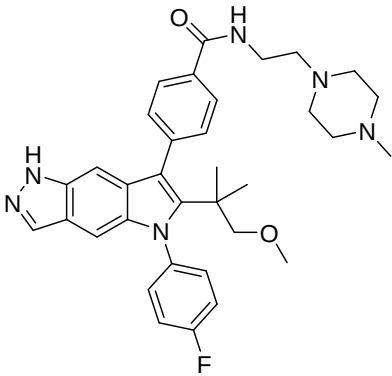
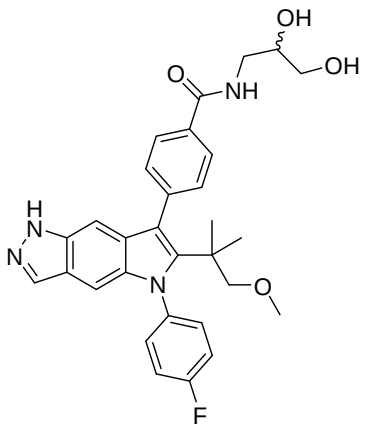
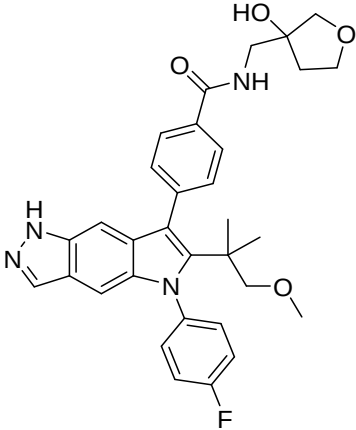
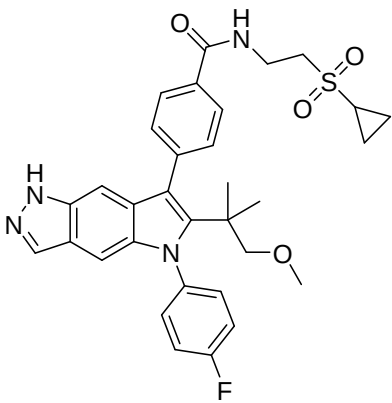
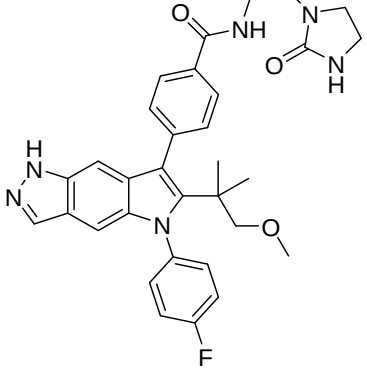
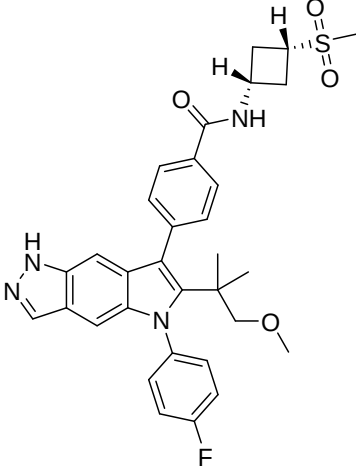


Ref. Expediente N° NC2021/0016594

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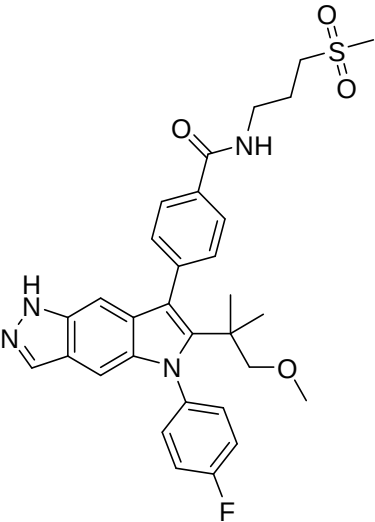
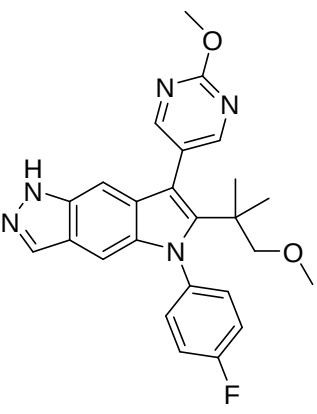
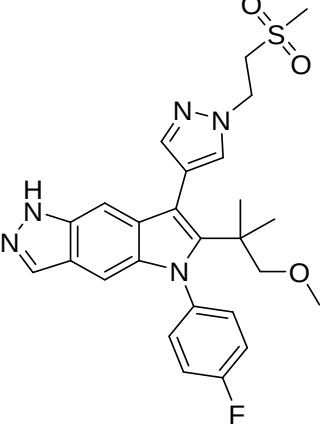
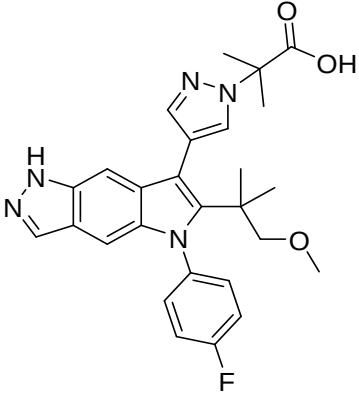
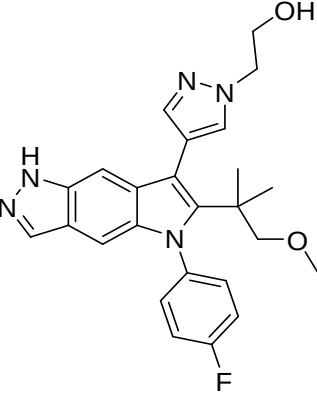
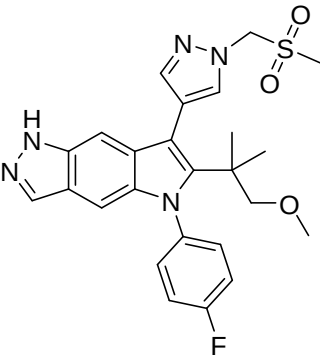
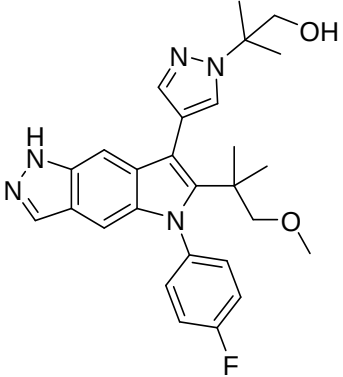
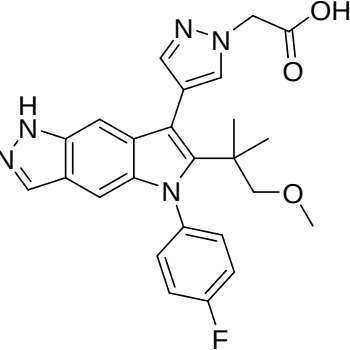
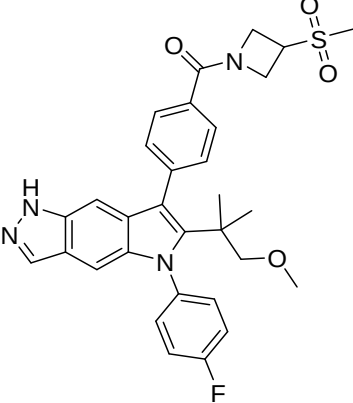


Ref. Expediente N° NC2021/0016594

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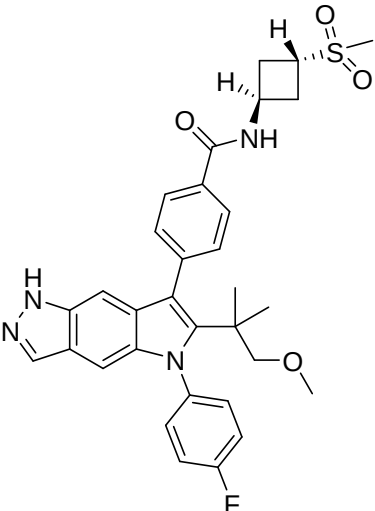
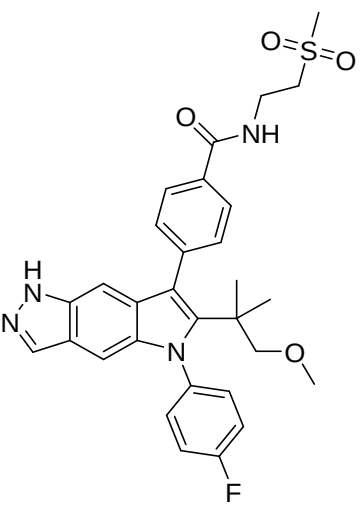
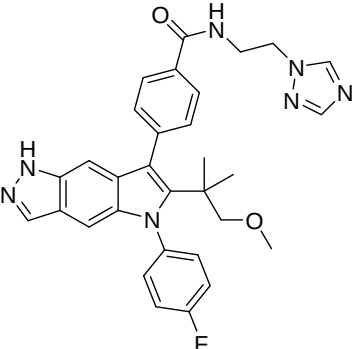
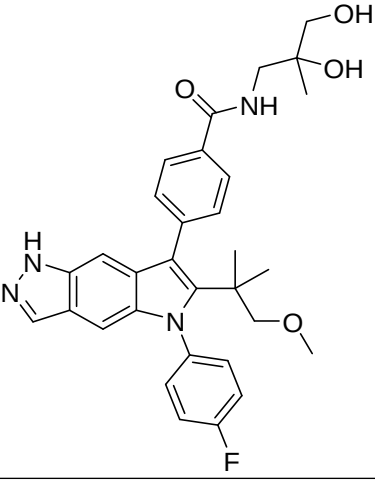
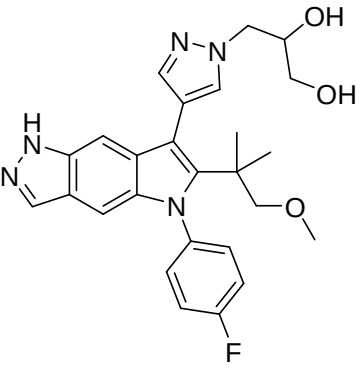
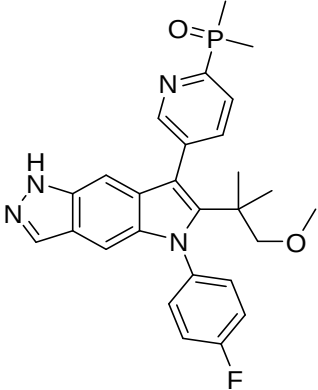
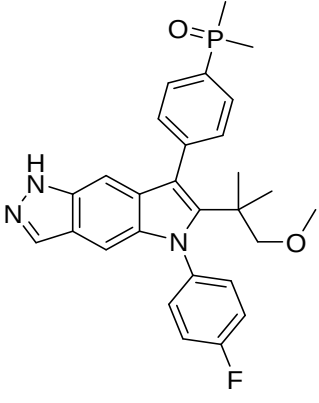
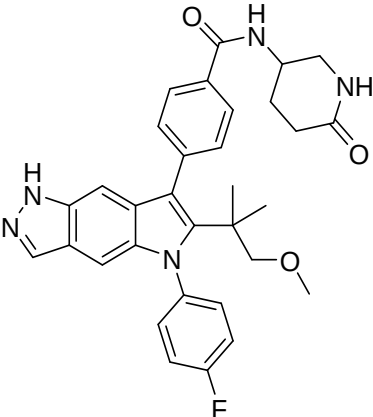
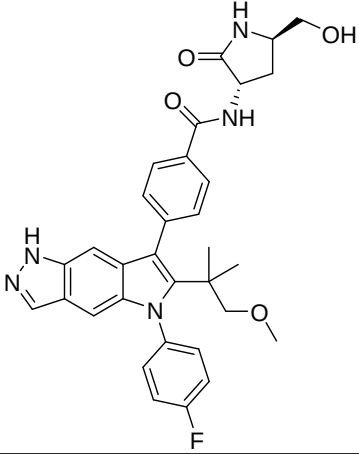


Ref. Expediente N° NC2021/0016594

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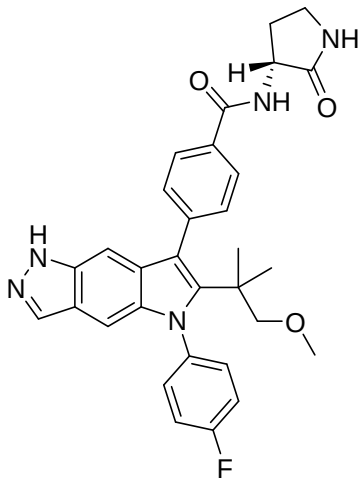
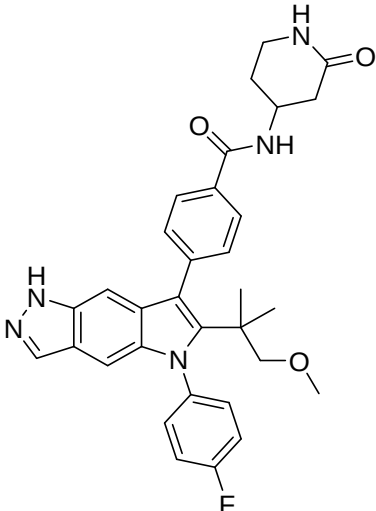
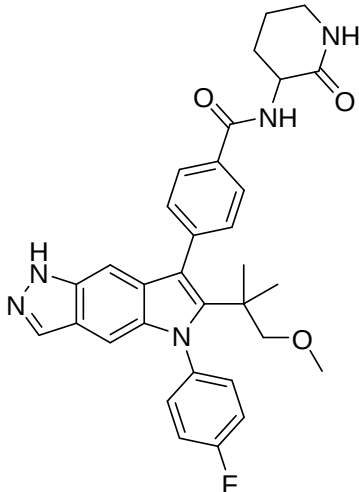
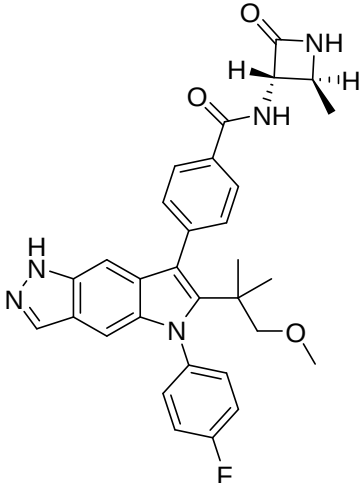
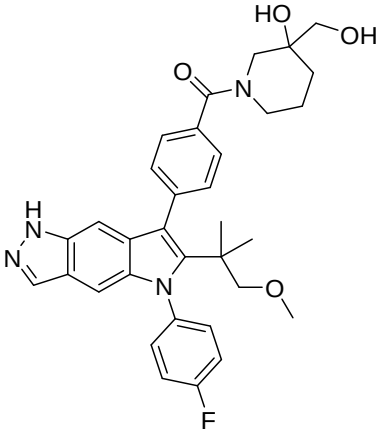
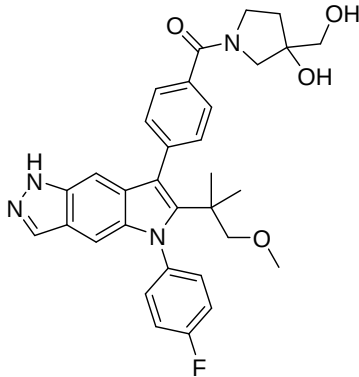
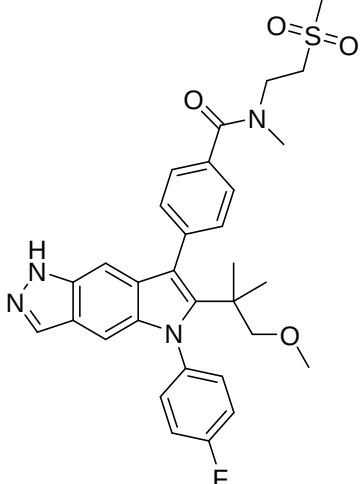
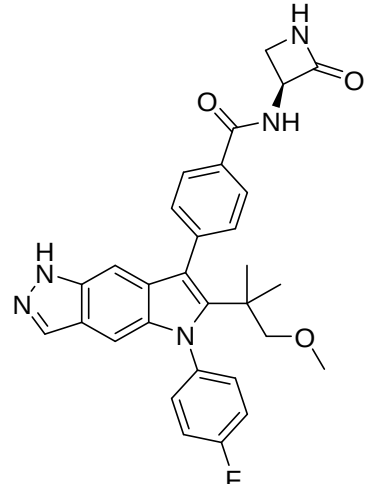
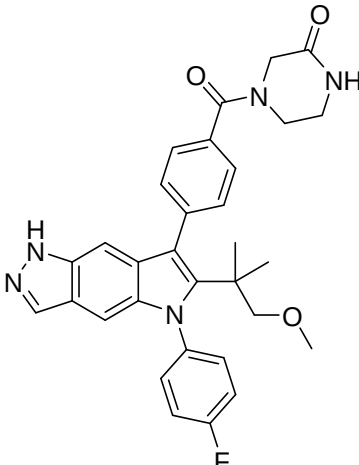


Ref. Expediente N° NC2021/0016594

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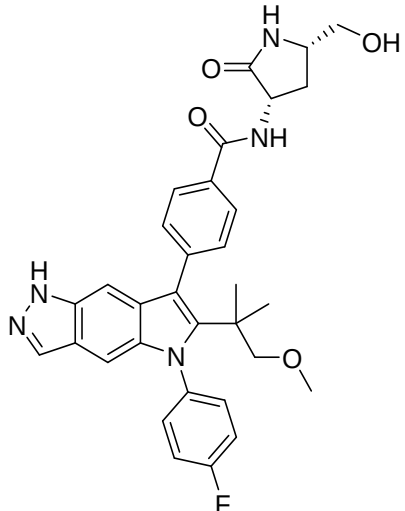
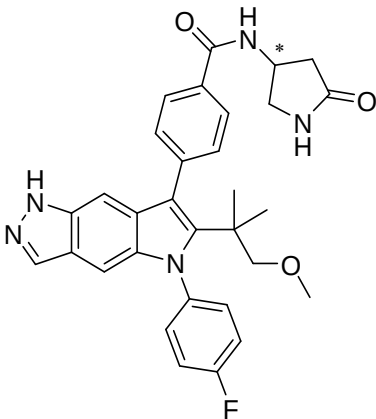
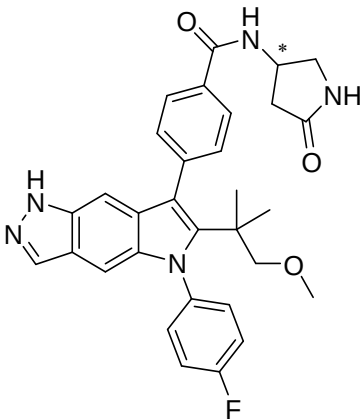
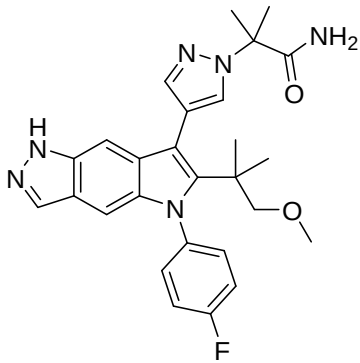
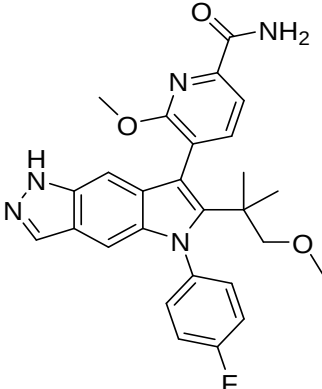
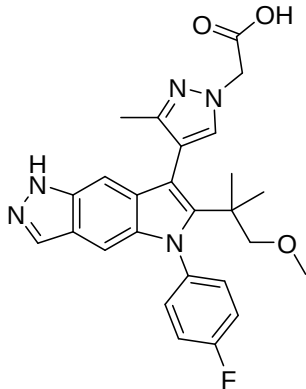
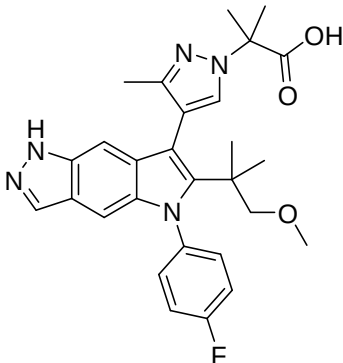
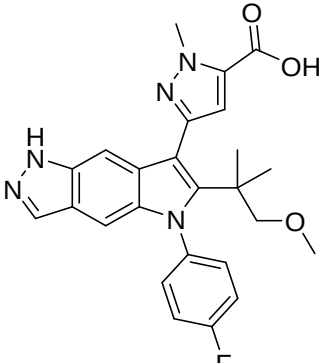
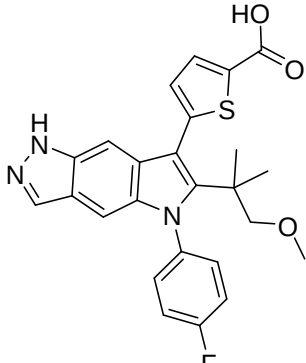


Ref. Expediente N° NC2021/0016594

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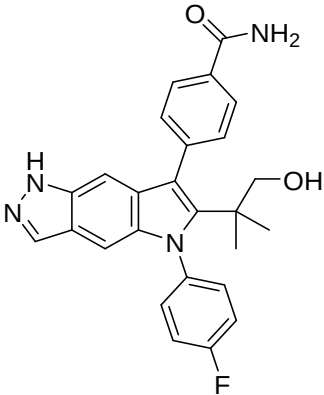
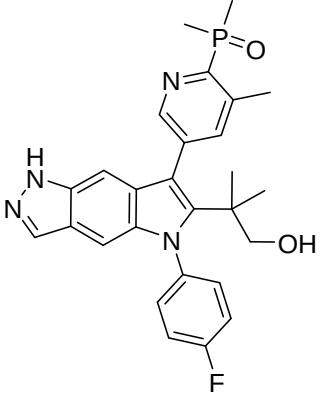
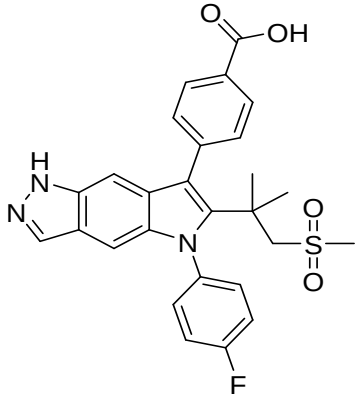
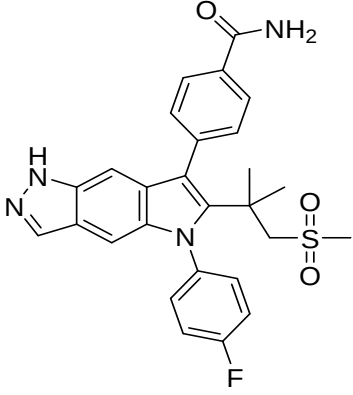
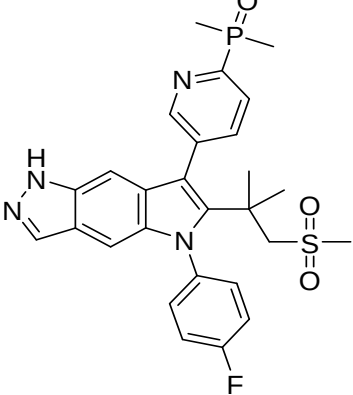
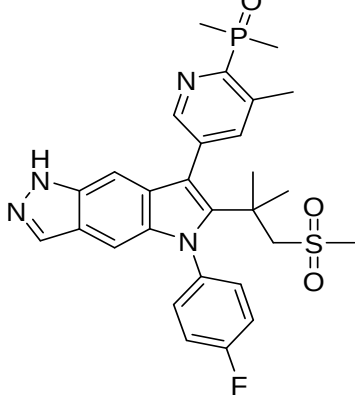
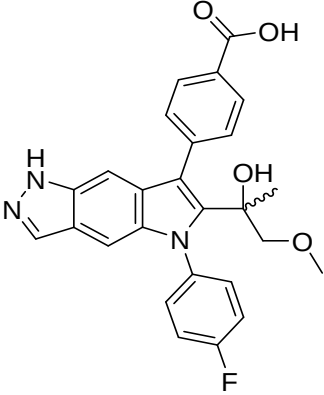
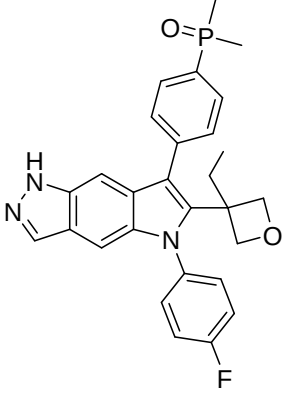
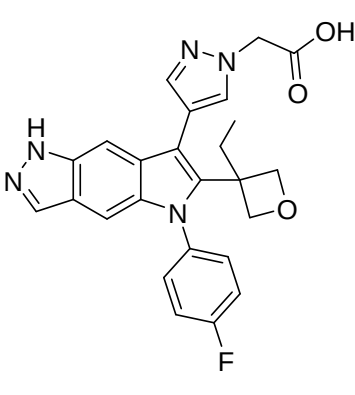


Ref. Expediente N° NC2021/0016594

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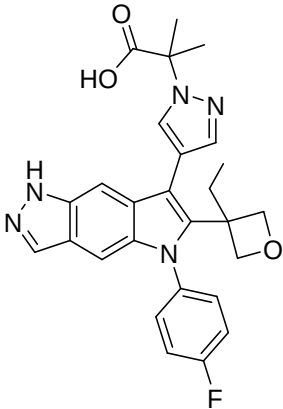
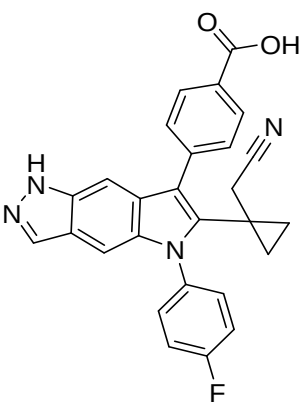
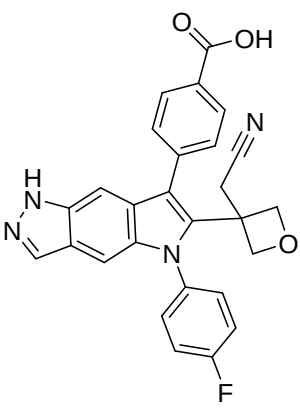
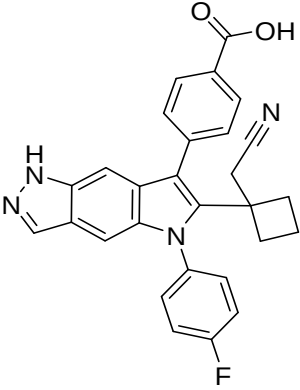
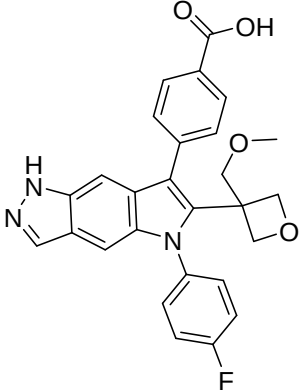
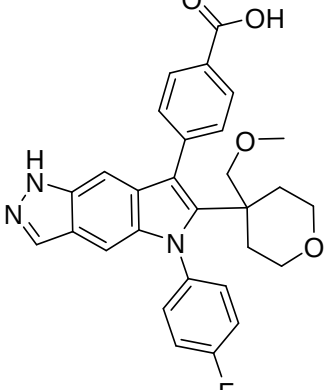
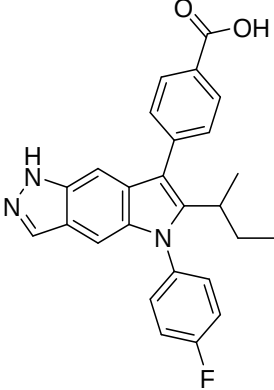
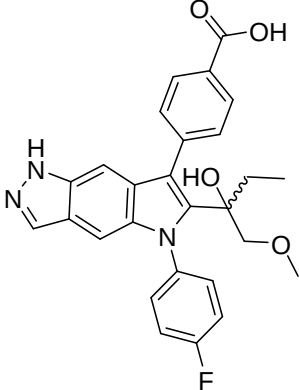
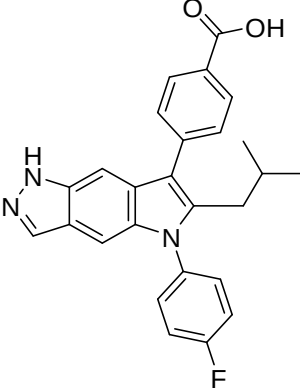


Ref. Expediente N° NC2021/0016594

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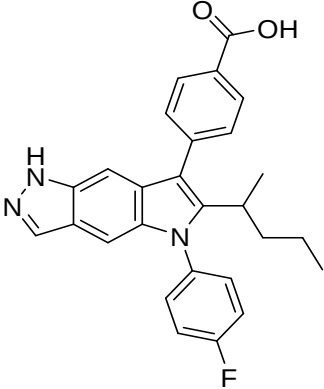
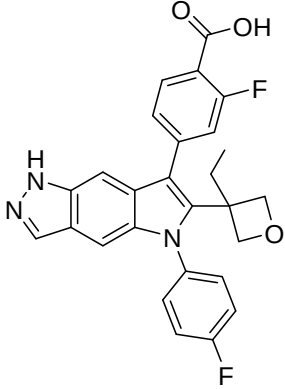
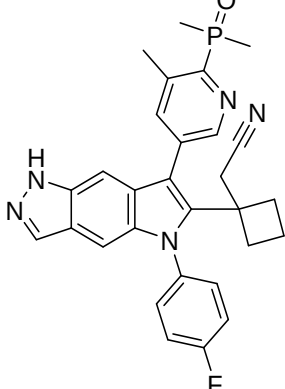
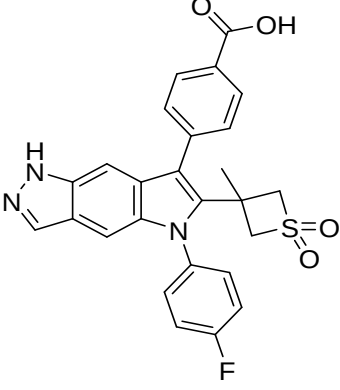
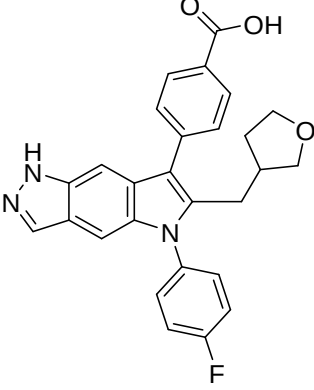
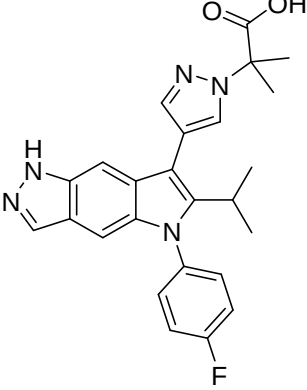
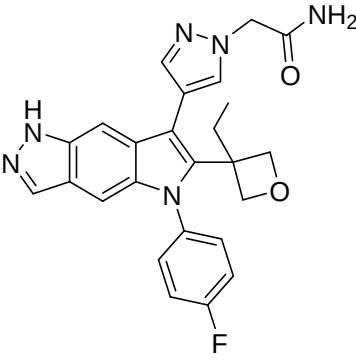
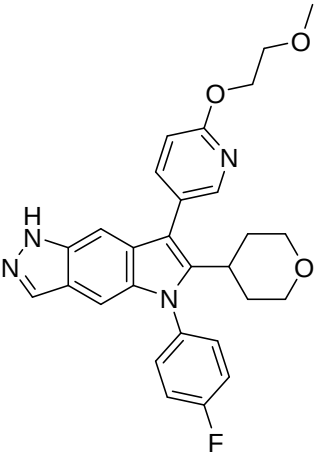
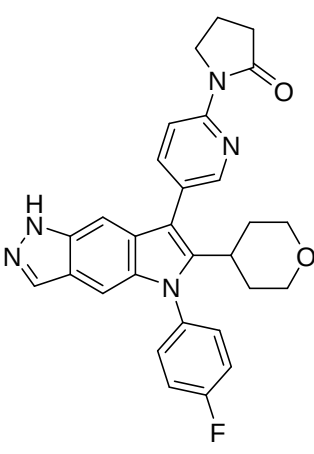


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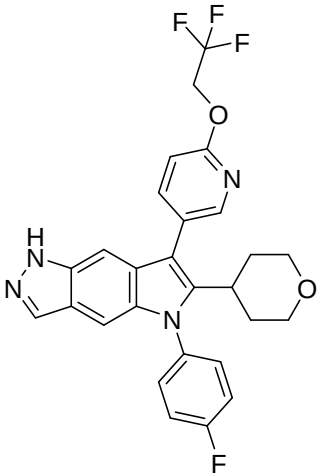
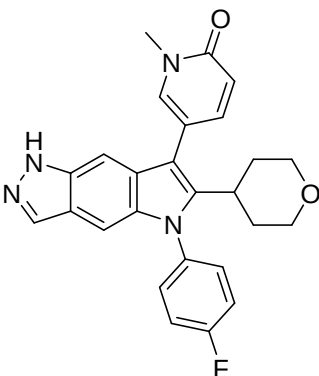
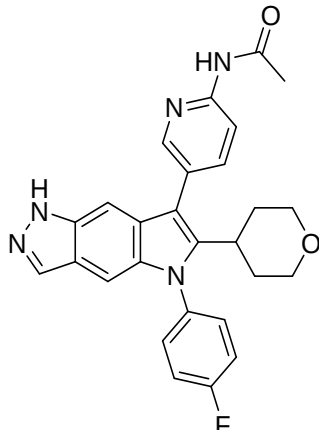
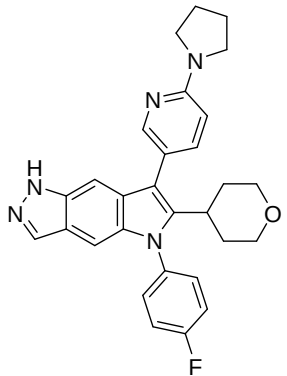
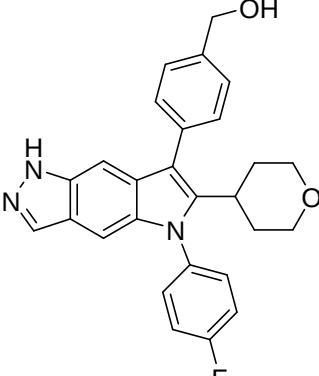
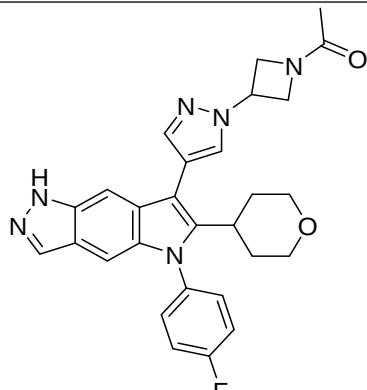
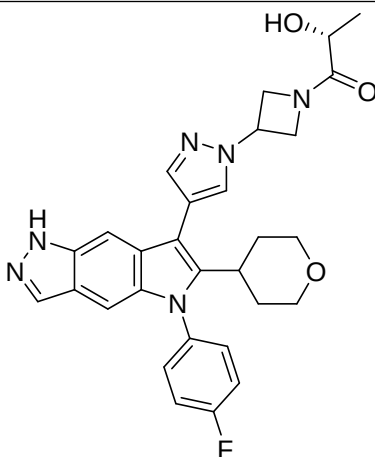
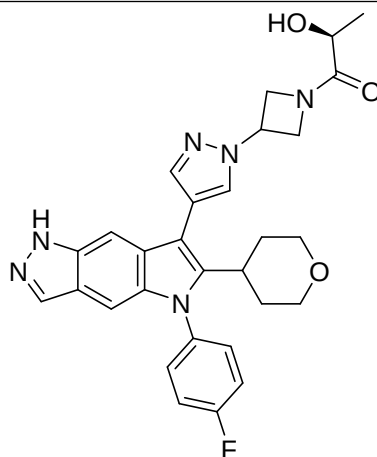
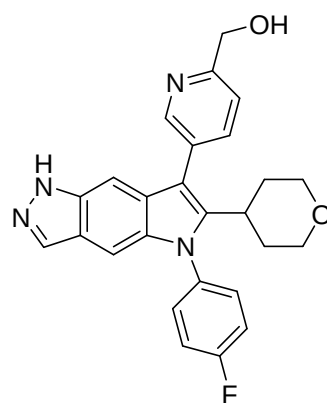
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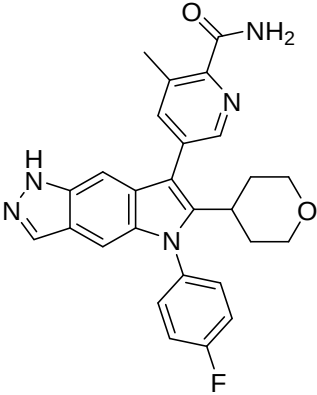
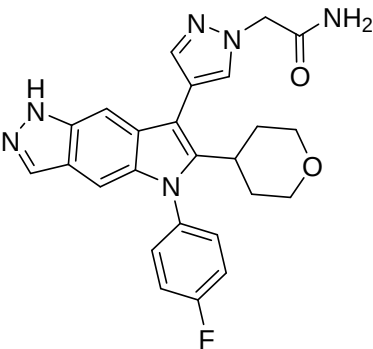
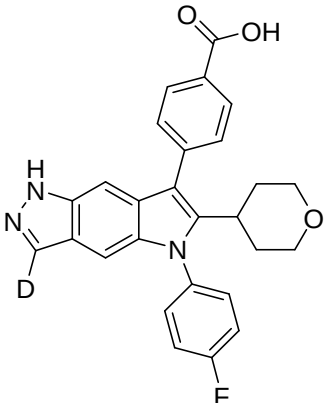
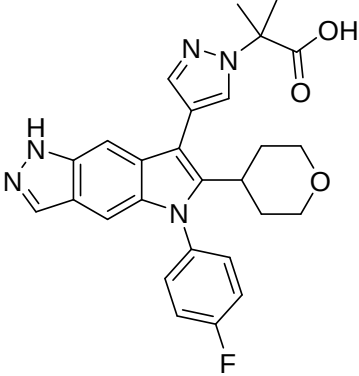
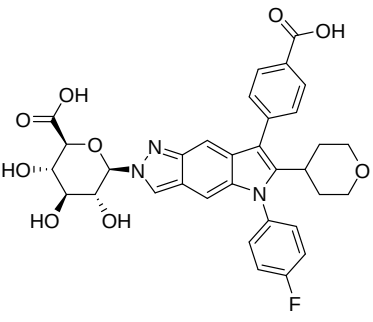
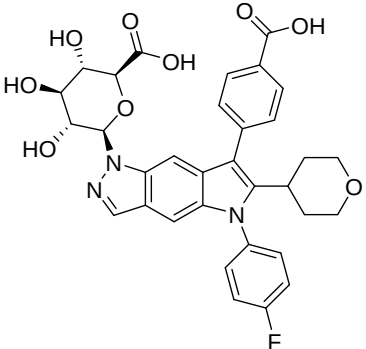
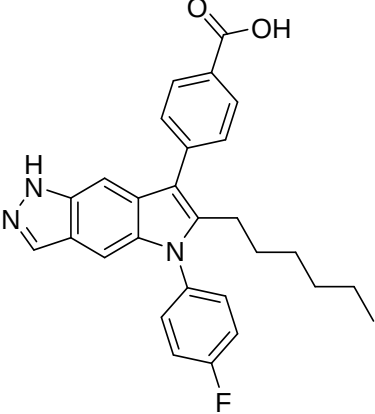
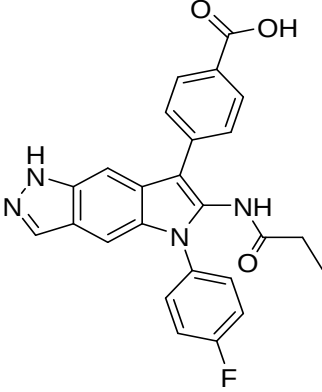
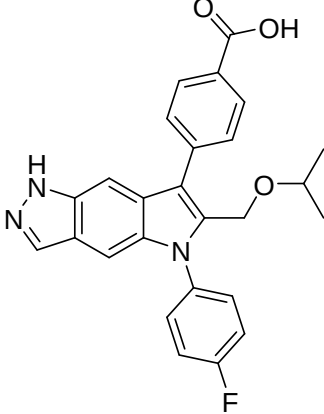
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Ref. Expediente N° NC2021/0016594

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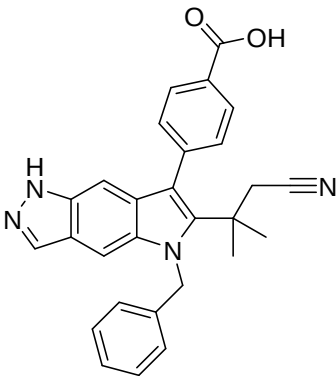
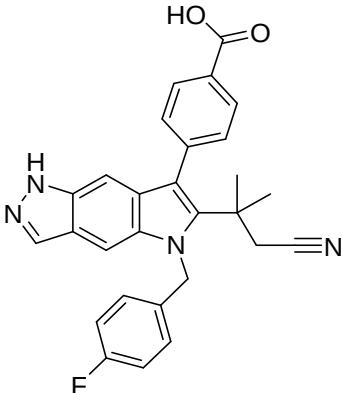
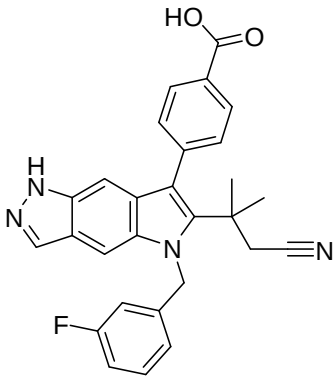
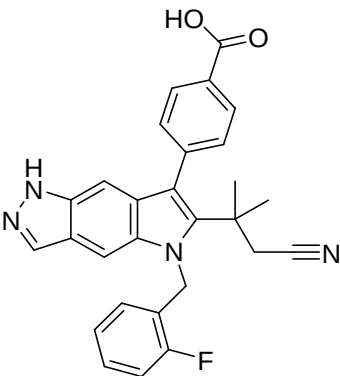
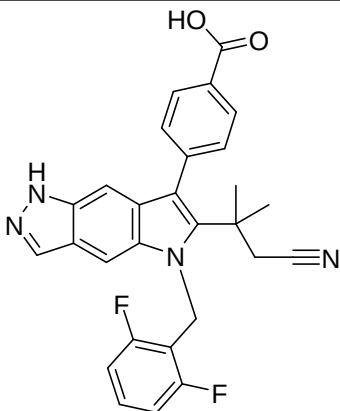
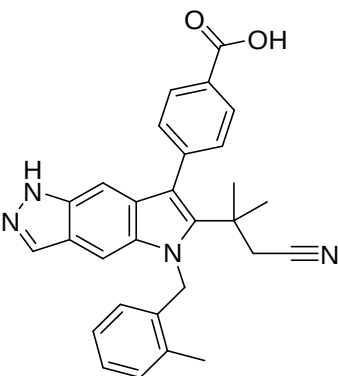
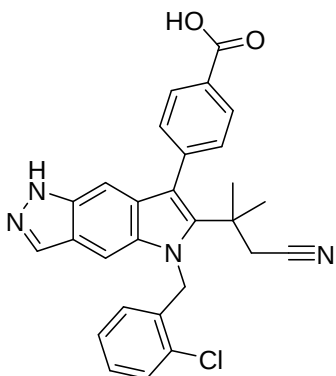
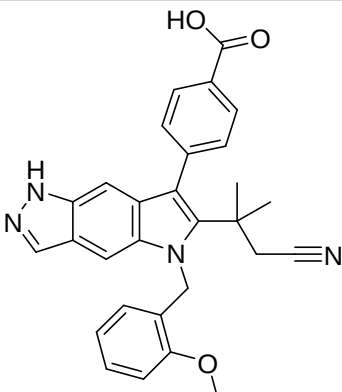
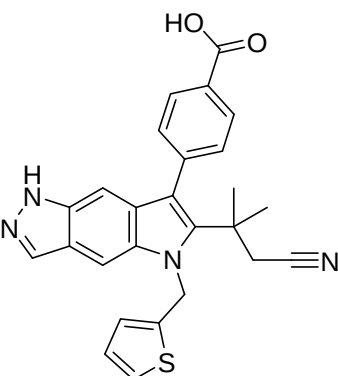


Ref. Expediente N° NC2021/0016594

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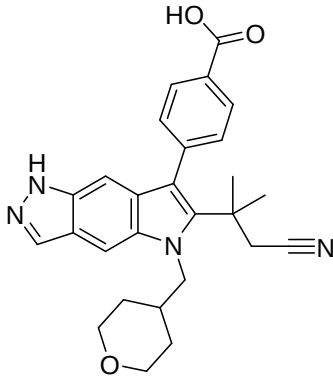
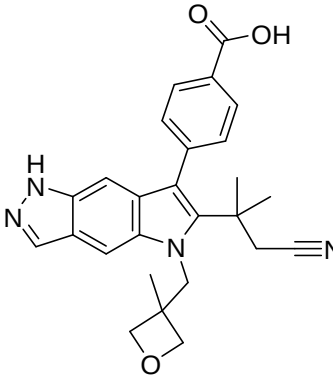
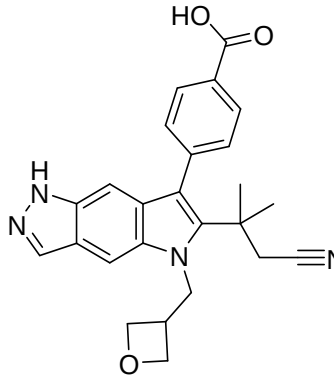
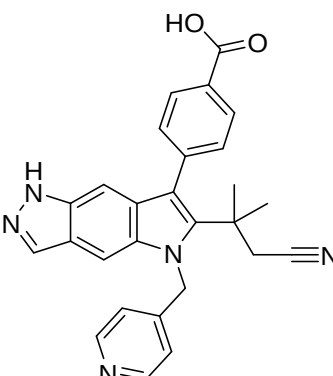
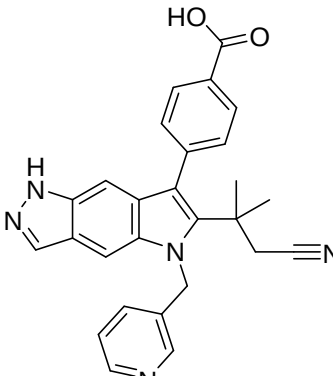
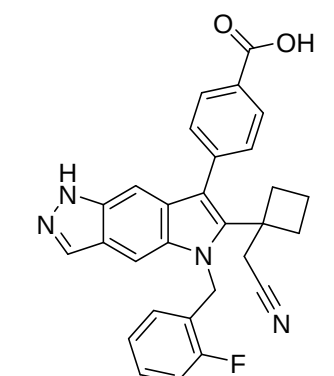
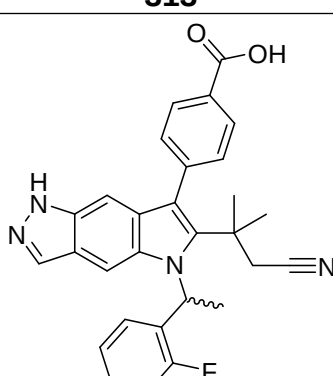
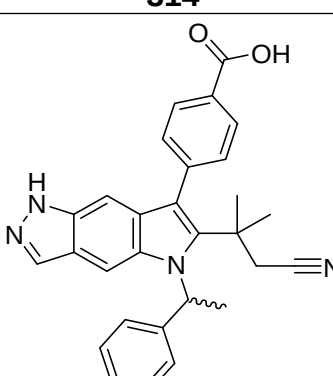
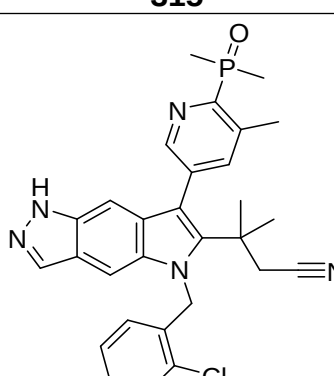


Ref. Expediente N° NC2021/0016594

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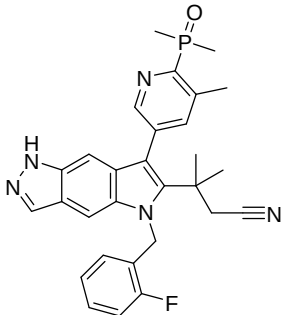
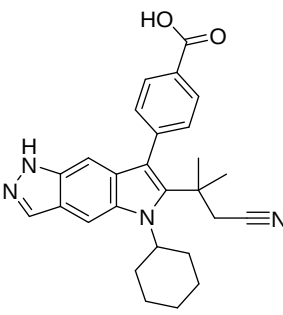
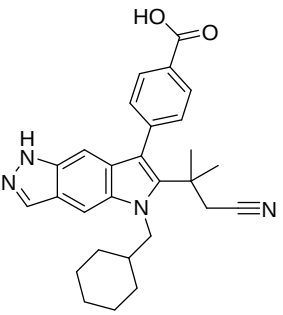
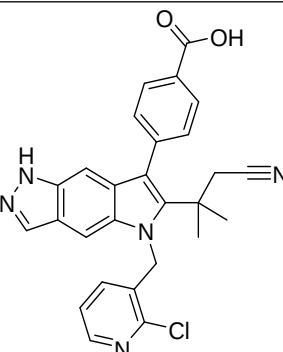
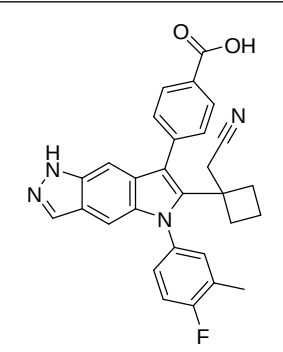
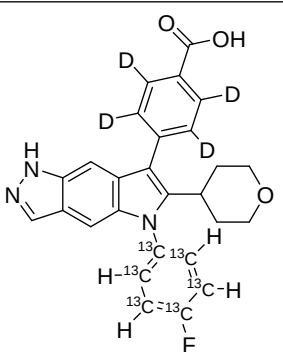
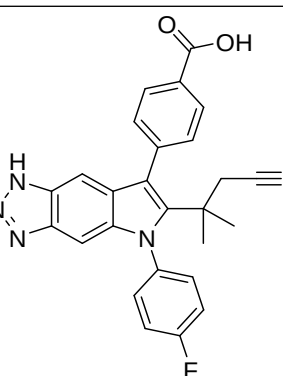
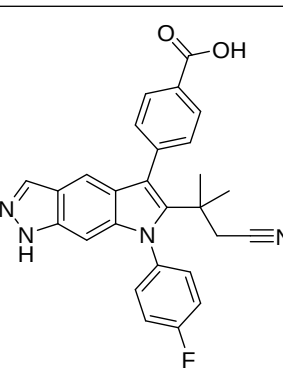
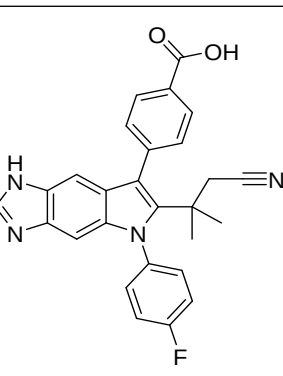
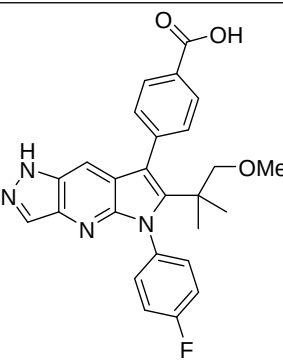
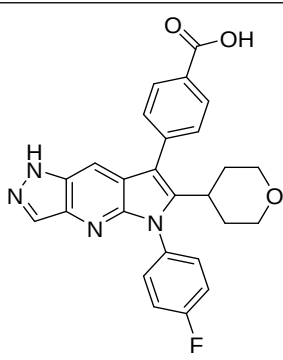
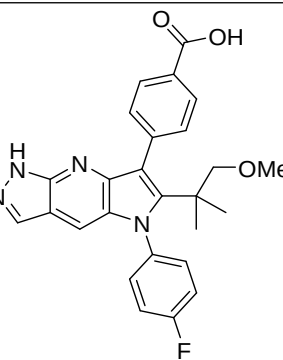


Ref. Expediente N° NC2021/0016594

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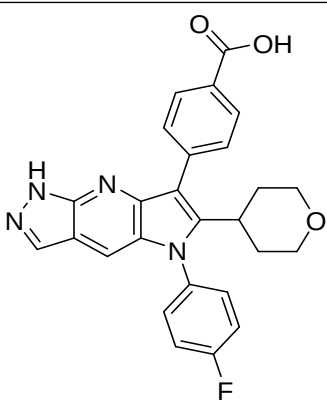
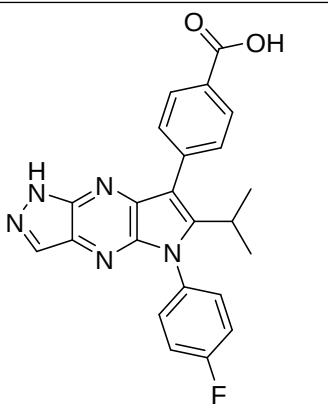
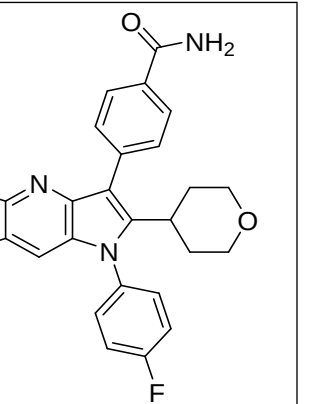
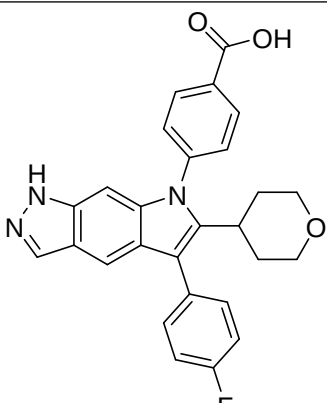
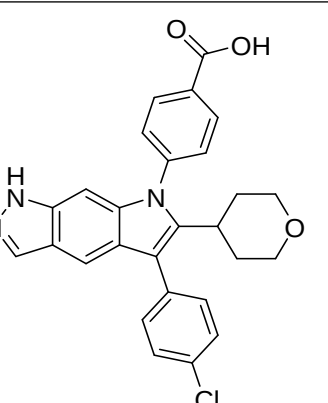
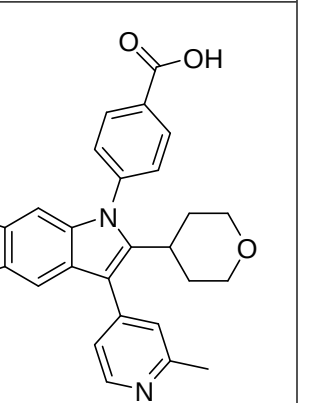
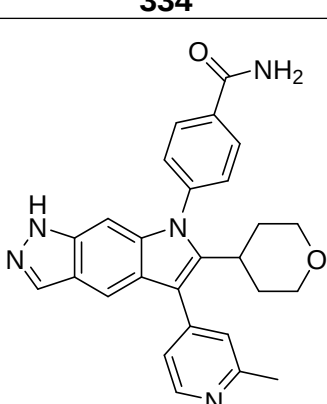
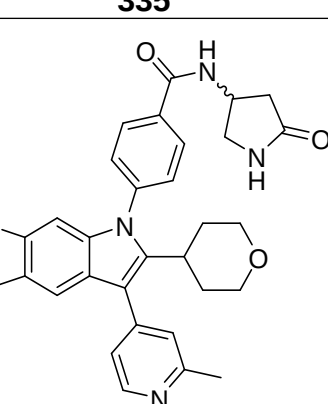
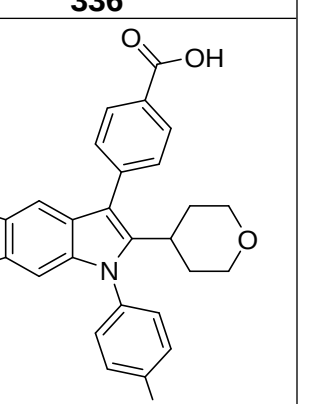


Ref. Expediente N° NC2021/0016594

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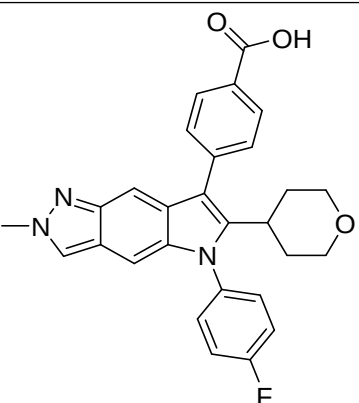
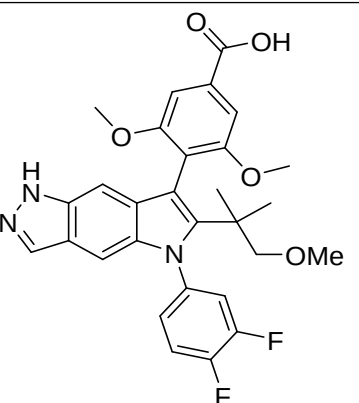
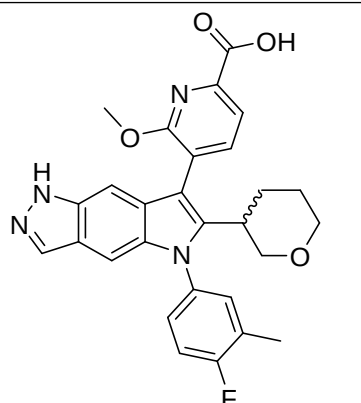
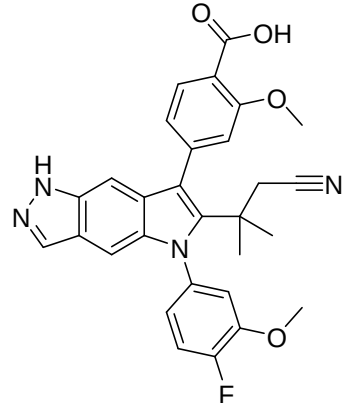
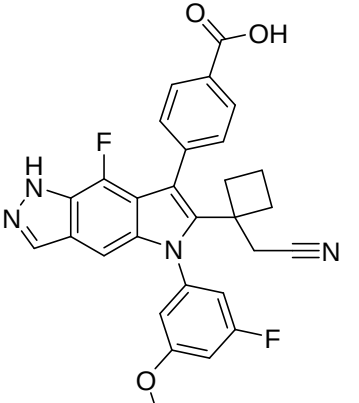
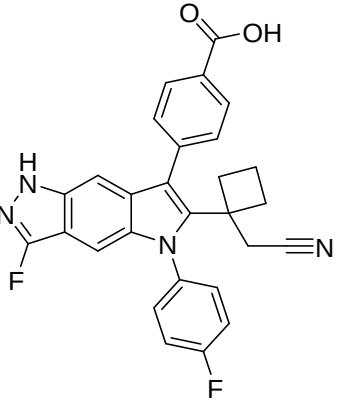


Ref. Expediente N° NC2021/0016594

		
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Ref. Expediente N° NC2021/0016594

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un tautómero de este, una sal farmacéuticamente aceptable del compuesto, una sal farmacéuticamente aceptable del tautómero, un derivado deuterado del compuesto, un derivado deuterado del tautómero y un derivado deuterado de la sal farmacéuticamente aceptable.

2. Una composición farmacéutica que comprende el compuesto, el tautómero, la sal farmacéuticamente aceptable o el derivado deuterado de acuerdo con la Reivindicación 1, y un portador farmacéuticamente aceptable.
