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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference RLL-182RWO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB01/00316	International filing date (day/month/year) 07 March 2001 (07.03.2001)	Priority date (day/month/year) 07 March 2000 (07.03.2000)
International Patent Classification (IPC) or national classification and IPC IPC(7): C07C 229/00 and US Cl.: 560/43		
Applicant RANBAXY LABORATORIES LIMITED		
1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet. ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>0</u> sheets. 3. This report contains indications relating to the following items: I ☒ Basis of the report II ☐ Priority III ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability IV ☐ Lack of unity of invention V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI ☐ Certain documents cited VII ☐ Certain defects in the international application VIII ☒ Certain observations on the international application		
Date of submission of the demand 02 October 2001 (02.10.2001)	Date of completion of this report 19 November 2002 (19.11.2002)	
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer <i>Samuel A. Barts</i> Telephone No. 703-308-1235	

Form PCT/IPEA/409 (cover sheet)(July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/IB01/00316

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-7 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 8-10, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the drawings:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>1-10</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-10</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-10</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-10 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest the claimed preparation of alkyl 3-cyclopropylamino-2[2-4-dibromo-3(difluoromethoxy) benzoyl]-2-propenoate.

Claims 1-10 meet the criteria set out in PCT Article 33(4), because the compound made is useful for the production of antibacterial quinolone medicaments.

----- NEW CITATIONS -----
NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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VIII. Certain observations on the international application

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

Claim 10 is objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claim is indefinite for the following reason(s): the claim recites a "use" but fails to set forth any steps involved in said "use".

SINGAPORE PATENT APPLICATION NUMBER

2002 05547 - 3

Note: [Law] – Reference to the Patents Act also includes a corresponding reference to the Patents Rules.

Please tick (✓) relevant box ☐ after the corresponding checks and confirmations have been made.

- 1 **APPLICANTS**
Reference includes Section 19 [Law] ☒ • Confirm that there are no changes (name/ address/ legal entity), since filing.
- 2 **INVENTORS**
Reference includes Section 24 [Law] ☒ • If there are changes, confirm that steps have been taken to meet statutory requirements.
☒ • Confirm that there are no changes (name/ address) since the mention of inventors was furnished.
☒ • If there are changes, confirm that steps have been taken to meet statutory requirements.
☒ • Confirm that the statutory requirements (including deadlines are met).
- 3 **AGENTS (if any)**
Reference includes rule 90 [Law] ☒ • Confirm that the Declaration of Authorization (where applicable) has been furnished.
☒ • Confirm that there are no changes (name/address for service/entity), since filing.
☒ • If there are changes, confirm that steps have been taken to meet statutory requirements.
- 4 **PRIORITY CLAIMS (if any)**
Reference includes Section 17 [Law] ☒ • Confirm (if any) that the details furnished in the patent application are in order.
☒ • Confirm that the Statutory requirements (including deadlines & the furnishing of translations) are met.
- 5 **INTERNATIONAL EXHIBITIONS (if relevant)**
Reference includes Section 14 [Law] ☒ • Confirm (where relevant) that the statutory requirements (including deadlines) are met.
- 6 **BUDAPEST TREATY (if relevant)**
Reference includes 4th Schedule [Law] ☒ • Confirm (where relevant) that the statutory requirements (including deadlines) are met.
- 7 **FILING DATE NOTIFICATION**
Reference includes Section 26 [Law] ☒ • Confirm that the statutory requirements are met.
☒ • For PCT (SG) National Phase Entry applications, please confirm that the National Phase entry requirements are met. Confirm also on the following:
☒ • For Chapter I entries, SG had been designated, and for Chapter II entries, SG had been elected.
☒ • National Phase entries were made before the expiry of the prescribed deadlines.
☒ • Necessary Translations have been furnished and within the prescribed deadlines
- 8 **FORMALITIES EXAMINATION**
Reference includes Section 28 [Law] ☒ • Confirm that the statutory requirements (including deadlines) are met.
- 9 **SEARCH/EXAM REPORT OR EQUIVALENTS**
Reference includes Section 29 [Law] ☒ • Confirm that the statutory requirements (including deadlines) are met.
- 10 **PRE-GRANT AMENDMENTS**
Reference includes Sections 31, 84 [Law] ☒ • If made, confirm that the statutory requirements (including deadlines) are met.
- 11 **CORRECTIONS**
Reference includes Section 107 [Law] ☒ • If sought, confirm that the statutory requirements are met.
- 12 **DESCRIPTION, CLAIMS & DRAWINGS (if any Drawings)**
Reference includes Sections 25, 31, 84 [Law] ☒ • if, during the course of the application, replacement sheets have been furnished, please confirm the replacement sheets include a duly marked copy and correspond with the sheets to be replaced.
☒ • For PCT (SG) National Phase entry where translations to the PCT application were furnished, please also confirm that the replacement sheets* (if any) and/or translations thereof, correspond with the sheets to be replaced.
☒ • *Amendments might also have been made during the International Phase. Please also refer to the International Preliminary Examination Report for the PCT (SG) Chapter II applications.
- 13 **EXTENSIONS OF TIME**
Reference includes Section 115 [Law] ☒ • If sought, confirm that the statutory requirements (including deadlines) are met.
- 14 **GRANT OF PATENT**
Reference includes Sections 30, 32 [Law] ☒ • Confirm that the statutory requirements (including deadlines) are met.

Upon completion of this form, please enter name of applicant/ agent & date of completion before attaching it with Patent Form 14.

Murgiana Haq of Haq & Selvam

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