

CURRENT PATENTS GAZETTE



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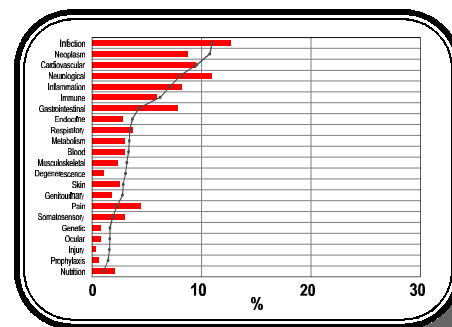
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DRUG PATENTING IN CONTEXT

Current Patents *Gazette* is the most rapid competitive intelligence service covering innovation in the pharmaceutical industry. Patent applications published during the past week have been classified and analysed, in order to place the inventions in context. For the most crucial innovations, those involving new chemical compounds, additional information is given in the form of front page images. These can be enlarged to show details of chemical structures and inventor teams, for example. Applications filed jointly, representing collaborative research, are highlighted, as are sequences of inter-related documents.

In the week when Glaxo and SB announced that their on/off merger is back on again, we compare the patenting activities of the two companies over the latter half of the 1990's ([Follow link to Page 13](#))



HIGHLIGHTS THIS WEEK

The week began with news that Glaxo-SmithKline is finally set to come into existence, after months of on/off rumors. In our benchmarking study of patenting in the mid-1990s (*Current Trends in Pharmaceutical Discovery* Vol 2 Nos 1&2), SB with **966 patents** between 1994 and 1998 was ranked **2nd**, thirteen places ahead of Glaxo Wellcome with **321 patents**. However, even the combined portfolio would only have been a little larger than the **1234 publications** accumulated by Merck & Co during the same period. The merging companies differ markedly in the emphasis of their patenting: More than half of SB's most recent innovation falls within the **biotech field**, whereas Glaxo focuses on **novel entities, their use and formulation**. Further comments based on the Mergers & Acquisitions section of the same CTPD issue are included on Page 13 of this *Gazette* issue.

Notice of grant of two UK patents relating to **cloning technology** was published this week. GB2318578 and its divisional GB2331751 appear under the names of joint applicants **Roslin Institute**, the **UK Ministry of Agriculture, Fisheries and Food** and the **BBSRC** and were licensed to **Geron Corp** in April 1999. The ownership of the intellectual property is somewhat complicated in that these two related cases constitute the UK designation of Roslin Institute's WO9707669, said to be exclusively licensed by the to **PPL Therapeutics**, owing to their collaboration on transgenic cloned animals, notably Dolly the sheep. The UK Patent Office is the first designated state to have granted claims to this technology, although notice of allowance has been received for an equivalent US application. The corresponding European designation of WO9707669 (including the UK) filed as EP849990 and its divisional EP930009, both still under examination. **Only one set of claims** should be legally allowed to stand in the UK. Thus, once the scope of any claims granted in Europe is known, the applicants will need to decide which claims relating to the UK are to be retained. PPL also has an exclusive license to related PCT, WO9707668, from the same inventors covering similar technology. Again, a UK designation was filed as well as a European application designating UK. The UK application, GB2318792 is certified as exclusively licensed to **Roslin Bio-med** (now **Geron Bio-med**), and a divisional application was filed in November 1999. The corresponding European application, EP847237, is still pending.

An intriguing patent has been granted by the US Patent and Trademark Office this week claiming a method and apparatus for stimulating the healing of living tissue by **repairing damaged aura**. For those unaccustomed to the term aura, it should be added that an aura is defined in the patent as "**an invisible envelope of vital energy, which apparently radiates from everything in nature**: minerals, plants, animals, and humans. It is not visible to normal vision, but may be seen by those who are sensitive to these emanations as a halo of light. It often appears as a multicolored mist that fades off into space with no definite boundary, and having sparks, rays, and streamers." Despite having received a patent for his healing method, the inventor is unlikely to make a lot of money from it in the near future: According to an article published in the Cincinnati Enquirer in August last year, a man with the same name and, we believe, the same identity, has been found guilty of practising medicine without a license.