

# CURRENT PATENTS GAZETTE



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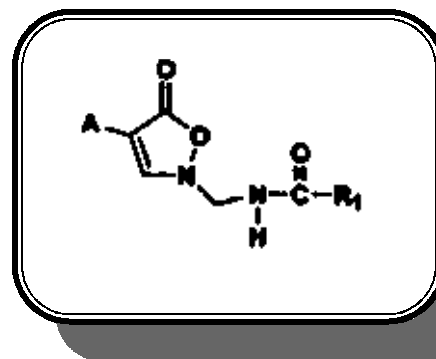
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## DRUG PATENTING IN CONTEXT

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.

**Novel isoxazolinone antibacterial agents seem to be a completely new discovery area for BMS, whose previous focus was cephalosporins.**



## HIGHLIGHTS THIS WEEK

More complications than usual surround a taxoid invention which names two British and two French inventors. Two of the three pertinent applications were filed at the European Patent Office in August 1998, by an attorney claiming allegiance to **Rhone-Poulenc Rorer SA**, one seeking to protect a method of treating abnormal cell proliferation in the brain using **taxoids**, and the other claiming their use in colon cancer. However, the latter aspect of the invention is also the subject of a PCT application from the same team (though this time affiliated to **Aventis Pharma SA**), claiming priority from the relevant EPO application, but also from a provisional application filed in the US in March 1999. The odd way in which these applications have been filed seems to suggest that the compounds and uses in question are of more than normal interest. The compounds of WO9630355 are said to be involved, and the dormant RPR candidate **SB-T-1102** may be implicated.

New compound inventions rarely reveal completely new research, and it is quite typical to find that more than three-quarters of the cases in Section A of the Gazette represent continuations of discovery themes that have been visible for several years, sometime as long as a decade or two. That certainly is so in two applications this week which name exceptionally large inventor teams. The 16-strong team named by **Bayer**, with several years' background in the pursuit of **cannabinoid modulators**, is unexpectedly overshadowed by one from **Lilly** equivalent to two soccer teams (though in fact their real job is to discover growth hormone secretagogues).

At the other extreme, a tiny **BMS** team attracts attention because it seems to have moved into a completely new area: the pair seek protection for **antibacterial isoxazolinones** which seem completely unlike anything in the company's discovery work to date. BMS is known to devote less effort than the industry as a whole to anti-infectives (see Current Trends in Pharmaceutical Discovery Vol 2 Nos 1&2), and until now has focused on **cephalosporins**. A rather larger team at **Sumitomo** seems to have focused on a new template for the ongoing growth hormone release project there, and similar observations apply to the work on nicotinerics by a lone **Ortho-McNeil** inventor.

From the US there is news of an impending decision from the New Jersey District Court in Newark concerning **Bristol-Myers'** long-running dispute with nine generic manufacturer's of **Taxol**. Firms such as **IVAX**, **Mylan** and **Schein** appear to regard the BMS basic patent protection for Taxol as invalid, but analysts have rightly pointed to the existence of later formulation cases which effectively protect the dosage forms now marketed. Clearly there are complex issues to be decided here, and the **Aventis/RPR** method of treatment case published this week serves as a further reminder that important patent property continues to accumulate around this highly successful cancer therapy.