

# CURRENT PATENTS GAZETTE



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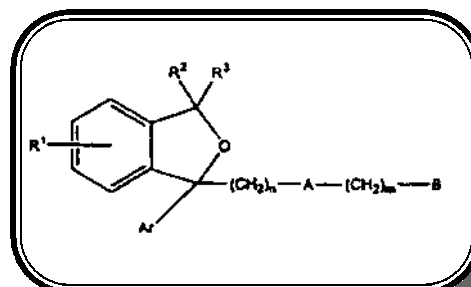
WEEK 24

JUNE 16TH 2000

## 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 search** for a follow up compound to its successful antidepressant citalopram, a selective serotonin reuptake inhibitor, Lundbeck has claims this week to a range of benzofuran derivatives which it says act as potent 5-HT<sub>1A</sub> receptor ligands (Page 9)



## HIGHLIGHTS THIS WEEK

**Biocon India Ltd**, apparently unrelated to **Biocon OY** and other companies using this name with national suffixes, is seen to be developing improved syntheses of **mycophenolic acid esters**. The mofetil (2-morpholinoethanol) ester in particular, has commercial significance, since **Syntex (Roche Biosciences)** received rapid approval for it in 1995 for use in **refractory acute kidney graft rejection**; its use has now been extended to other transplantation applications, and it is in phase III trials for **rheumatoid arthritis**. **Crohn's disease** and **inflammatory bowel disease** are among the other indications now being considered for this **purine biosynthesis inhibitor**. The Indian connection is a new one, and it seems that mycophenolate mofetil will become an important generic immunosuppressant when Roche's protection for Cellcept begins to expire in about eight years time. Already several dozen patents have accumulated covering various aspects of the use of mycophenolic acid and its derivatives, and the owners of these rights, including Biocon, will either be working with Roche or hoping to gain a share of this lucrative market.

**Infrastructure patenting**, protecting technology platforms, is often remarkably difficult to match up with the relevant patent property, but this is what the *Gazette* aims to achieve whenever possible. An example this week is provided by **Gene Logic**, whose PCT application has claims to a method of **attaching organic molecules to silicon**, and the suspicion is that this very specific piece of technology forms a component of the **GeneExpress 2000** suite of databases which the applicant has created. Even more likely to be relevant, however, is the Gene Logic case published in March with the ambitious title "**Genomic knowledge discovery**". In principle, as stated here previously, it is generally not possible to claim a mere "methods for doing business", but increasing numbers of applications seem to be doing just that.

**Clues to the IP rights protecting** such broad technology are sometimes to be found in the press releases which appear when a licensing deal is struck, and as it happens there was such an event earlier in the week, involving **Gene Logic** and **Life Technologies Inc**. The GeneExpress 2000 database, to which LTI now subscribes, is described there as "...the world's largest repository of information on how the 100,000 human genes behave in tens of thousands of human tissue samples...". That particular press release was not especially forthcoming on actual patent numbers, but three US patent numbers were quoted in December 1999, when Gene Logic was on the receiving end of infringement proceedings instituted by **Incyte**. The complexity of the IP situation is highlighted by the realization that none of the patents was originally assigned to Incyte - they name **Layton BioScience** and **Montefiore Medical Center** as the original applicants. Furthermore, some of the technology on which Gene Logic relies is licensed from the **New York Blood Center**, and LTI has an involvement with **Massachusetts General Hospital**. A major function of Current Patents' forthcoming **DOLPHIN** database will be to keep track of the complexities of such situations, and monitor the interests of the various owners of patent rights.

**The Human Genome Project**, approaching an important milestone, was a major focus at a meeting held earlier this week near Cambridge, UK, by **ERBI**, the **Eastern Region Biotechnology Initiative**. Modeled to some extent on an established, successful collaborative scheme in Massachusetts, ERBI offers members access to publications, networking meetings and centralized purchasing schemes. IP rights were to the fore in many of the presentations, especially those of the dozen or so biotech startup companies which attended. Though a few of the companies were "mid-Pharma (such as **Lundbeck** and **Mundipharma**), many were only a couple of years old, including startups such as **Weston Medical (Intraject)**, **Cyclacel**, **Amura**, **KuDOS**, **Cambridge Drug Discovery**, **Lorantis**, **DeNovo**, **SynGenix**, **Biotech Analytics**, **Biologix** and **Chirotech**. The intelligence and IP facts gleaned from this fascinating meeting are now being assessed for Current Drugs' **Investigational Drugs database (IDdb)** and, again, for **DOLPHIN**.