

# CURRENT PATENTS GAZETTE



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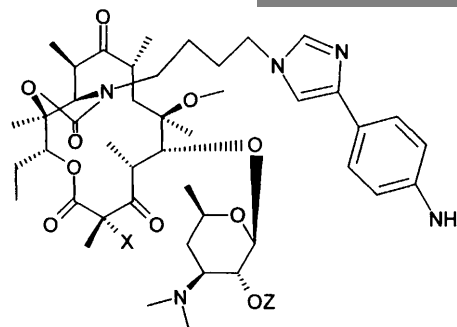
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## DRUG PATENTING IN CONTEXT

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.

### NEW THIS WEEK



**Aventis Pharma** (filing as HMR) has claims to novel Erythromycin derivatives in the search for a follow up compound to its antibiotic telithromycin, recently filed for approval in both the US and Europe in anticipation of an early 2001 launch ([Page 10](#))

## HIGHLIGHTS THIS WEEK

**This issue of Current Patents Gazette** appears about 24 hours late, due to delays in delivery of certain US and PCT data; although Tuesday was a public holiday in the US, the specifications issued this week nevertheless bear the formal publication date of **July 4th**. These include a patent assigned to Nigeria's **National Institute for Pharmaceutical Research and Development**, in Abuja, with claims to a **phytodrug** extracted from **Indigofera arrecta** leaves and useful as an **analgesic**. Because it originated in 1996, and seems not to have been filed widely outside Nigeria, US6083509 has not been selected for inclusion in the *Gazette*, but is nevertheless interesting as a rare example of patenting from that country.

**It was only a matter of time** before a relevant document appeared bearing the recently introduced **A61p** as its sole International Patent Classification (IPC), even though the guidelines clearly indicate that such IPCs may be applied only as secondary classifications. The offending document is an application from **Guilford Pharmaceuticals** of Maryland, bearing only the incomplete A61p notation (no group or sub-group), relating to NAALADase inhibitors with utility across a wide range of disease states. Any searcher not incorporating the "secondary" A61p in an IPC-based retrieval strategy would have missed this clearly pharmaceutical invention. A **second** technically incorrect example is furnished by **Searle**, in the form of a case citing **A61p-41/00 (drugs used in surgical methods....)** as the main class. This application is one of eight from the company published this week describing **neoplasia treatments**, mostly based on **COX-2 inhibitor** combinations; there are a further nine concerned with **CETP** and **ileal bile acid inhibition**, making a total of 17 for Searle.

**KS Biomedix**, based just to the south-west of London, has had to wait almost nine years for the grant of a European patent (**EP570414B**) relating to the **naphthoquinone antiinflammatories** it is developing. A candidate of this structural type, CBF-BS2, is now in phase II trials, and the invention first appeared as WO9213532. This week also sees the grant of **Merrell Pharmaceuticals' EP759904B**, relating to the resolution of certain piperidine derivatives. This case, originating in Japan, prompted comment five years ago when it first appeared as WO9531436; the adjacent application, WO9531437, names **HMR** as applicant and is based on work carried out in the US, but is concerned with polymorphic forms of the same compound, identifiable as **terfenadine**, first patented in the early 1970s.

**Erratum:** In our week 0025 highlights, and again in week 0026, we mistakenly referred to a collaboration between **GW, Roche** and **Pfizer** on **CDKIs** and possibly other analgesic/antiinflammatory mechanisms. While there is a certain similarity between some of the oxyindole compounds claimed by GW and Roche, there is in fact no such collaboration, and the companies' names appear together on various documents (at least three conference presentations and six patent applications) purely because inventors have moved from one employer to another.