

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **08.06.2010**

Applicant's or agent's file reference
FP-144PCT

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/JP2010/056538

International filing date (day/month/year)
12.04.2010

Priority date (day/month/year)
27.04.2009

International Patent Classification (IPC) or both national classification and IPC
A61K49/00

Applicant
Kyoto University

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

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Box No. I	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of:</p> <p><input checked="" type="checkbox"/> the international application in the language in which it was filed</p> <p><input type="checkbox"/> a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).</p>
2.	<p><input type="checkbox"/> This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))</p>
3.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:</p> <p>a. (means)</p> <p><input type="checkbox"/> on paper</p> <p><input type="checkbox"/> in electronic form</p> <p>b. (time)</p> <p><input type="checkbox"/> in the international application as filed</p> <p><input type="checkbox"/> together with the international application in electronic form</p> <p><input type="checkbox"/> subsequently to this Authority for the purposes of search</p>
4.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
5.	<p>Additional comments:</p>

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																		
1. Statement																			
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 2px;">Novelty (N)</td> <td style="padding: 2px;">Claims <u>1-14</u></td> <td style="width: 10%; text-align: right; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims _____</td> <td style="width: 10%; text-align: right; padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;">Inventive step (IS)</td> <td style="padding: 2px;">Claims <u>1-14</u></td> <td style="width: 10%; text-align: right; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims _____</td> <td style="width: 10%; text-align: right; padding: 2px;">NO</td> </tr> <tr> <td style="padding: 2px;">Industrial applicability (IA)</td> <td style="padding: 2px;">Claims <u>1-14</u></td> <td style="width: 10%; text-align: right; padding: 2px;">YES</td> </tr> <tr> <td></td> <td style="padding: 2px;">Claims _____</td> <td style="width: 10%; text-align: right; padding: 2px;">NO</td> </tr> </table>	Novelty (N)	Claims <u>1-14</u>	YES		Claims _____	NO	Inventive step (IS)	Claims <u>1-14</u>	YES		Claims _____	NO	Industrial applicability (IA)	Claims <u>1-14</u>	YES		Claims _____	NO	
Novelty (N)	Claims <u>1-14</u>	YES																	
	Claims _____	NO																	
Inventive step (IS)	Claims <u>1-14</u>	YES																	
	Claims _____	NO																	
Industrial applicability (IA)	Claims <u>1-14</u>	YES																	
	Claims _____	NO																	
2. Citations and explanations:																			
<p>Document 1: PARHI, A.K. et al., Synthesis of fluorescent probes based on stilbenes and diphenylacetylenes targeting β-amyloid plaques, Tetrahedron Letters, 2008, vol. 49, no. 21, pages 3395-3399</p> <p>Document 2: OJIDA, A. et al., Fluorescent BODIPY-Based Zn (II) Complex as a Molecular Probe for Selective Detection of Neurofibrillary Tangles in the Brains of Alzheimer's Disease Patients, Journal of the American Chemical Society, 15 April 2009, vol. 131, no. 18, pages 6543-6548</p> <p>Document 3: WO 2006/020156 A2 (GEN HOSPITAL CORP., Boston, MA 02114, US), 23 February 2006</p> <p style="margin-top: 20px;">The invention as in claims 1-14 is not disclosed in any of the documents cited in the ISR, and thus is novel and involves an inventive step. In particular, documents 1-3, which are found to be the most relevant prior art documents, do not report that compounds represented by general formulas (I) and (II) are used in the diagnosis</p>																			

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

of conformational disease.