European Patent Office

Application Number
EP 02 73 6641

CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing more than ten claims.

☐ Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims and for those claims for which claims fees have been paid, namely claim(s):

☐ No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims.

LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

☐ All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.

☐ As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.

☐ Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:

☒ None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:

1-114 (each claim partially)

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

Invention 1: Claims 1-114 (each claim partially)

The use of the amino acid sequences encoded by the nucleic acid sequence according to Seq. ID No. 1 (amino acid sequence according to Seq. ID No. 16) or of an antibody binding specifically to said amino acid sequence for 1. diagnosing colon cancer or 2. determining onset progression, or regression of colon cancer, or 3. selecting a course of treatment of a subject having colon cancer, the corresponding kits, protein, antibody, and nucleic acid sequence microarrays.

Invention 2: Claims 1-114 (each claim partially)

The use of the amino acid sequences encoded by the nucleic acid sequence according to Seq. ID No. 2 (amino acid sequence according to Seq. ID No. 17) or of an antibody binding specifically to said amino acid sequence for 1. diagnosing colon cancer or 2. determining onset progression, or regression of colon cancer, or 3. selecting a course of treatment of a subject having colon cancer, the corresponding kits, protein, antibody, and nucleic acid sequence microarrays.

Invention 3: Claims 1-66 (each claim partially)

The use of the amino acid sequences encoded by the nucleic acid sequence according to Seq. ID No. 3 (amino acid sequence according to Seq. ID No. 18) or of an antibody binding specifically to said amino acid sequence for 1. diagnosing colon cancer or 2. determining onset progression, or regression of colon cancer, or 3. selecting a course of treatment of a subject having colon cancer, the corresponding kits, protein, antibody, and nucleic acid sequence microarrays.

Inventions 4 and 5: Claims 1-114 (each claim partially)

The use of the amino acid sequences encoded by the nucleic acid sequence according to Seq. ID Nos. 4 and 5 respectively (amino acid sequence according to Seq. ID Nos. 19 and 20) or of an antibody binding specifically to said amino acid sequence for 1. diagnosing colon cancer or 2. determining onset progression, or regression of colon cancer, or 3. selecting a course of treatment of a subject having colon cancer, the corresponding kits, protein, antibody, and nucleic acid sequence microarrays.

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

Inventions 6-15: Claims 1-66 (each claim partially)

The use of the amino acid sequences encoded by the nucleic acid sequence according to Seq. ID Nos. 6-15 respectively (amino acid sequence according to Seq. ID No. 21-30 respectively) or of an antibody binding specifically to said amino acid sequence for 1. diagnosing colon cancer or 2. determining onset progression, or regression of colon cancer, or 3. selecting a course of treatment of a subject having colon cancer, the corresponding kits, protein, antibody, and nucleic acid sequence microarrays.

European Patent Office

SUPPLEMENTARY PARTIAL EUROPEAN SEARCH REPORT

which under Rule 45 of the European Patent Convention shall be considered, for the purposes of subsequent proceedings, as the European search report

Application Number EP 02 73 6641

DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
A	WO 96/37224 A (LUDWIG INSTITUTE FOR CANCER RESEARCH) 28 November 1996 (1996-11-28) * abstract * -----	1-114	G01N33/53 C07K14/435 C07K16/18 C07K16/32
A	DATABASE EBI mRNA for KIAA1416 protein 24 November 2000 (2000-11-24), XP002324718 retrieved from EBI Database accession no. AB037837 * the whole document * -----	1-114	C12N15/12 C12Q1/68 C12P19/34
A	SCANLAN ET AL: "Characterization of human colon cancer antigens recognized by autologous antibodies" INTERNATIONAL JOURNAL OF CANCER, NEW YORK, NY, US, vol. 76, no. 5, 29 May 1998 (1998-05-29), pages 652-658, XP002103186 ISSN: 0020-7136 * abstract * ----- -/--	1-114	

TECHNICAL FIELDS SEARCHED (Int.Cl.7)

G01N
C07K
C12N
C12Q
C12P

The supplementary search report has been based on the last set of claims valid and available at the start of the search.

INCOMPLETE SEARCH

The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims:

Claims searched completely :

Claims searched incompletely :

Claims not searched :

Reason for the limitation of the search:

see sheet C

Place of search	Date of completion of the search	Examiner
Munich	25 April 2005	Griesinger, I

CATEGORY OF CITED DOCUMENTS

X : particularly relevant if taken alone
Y : particularly relevant if combined with another document of the same category
A : technological background
O : non-written disclosure
P : intermediate document

T : theory or principle underlying the invention
E : earlier patent document, but published on, or after the filing date
D : document cited in the application
L : document cited for other reasons

& : member of the same patent family, corresponding document

EPO FORM 1503 03.82 (P04C20)

European Patent Office

PARTIAL EUROPEAN SEARCH REPORT

Application Number
EP 02 73 6641

DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
T	SCANLAN MATTHEW J ET AL: "Cancer-related serological recognition of human colon cancer: Identification of potential diagnostic and immunotherapeutic targets" CANCER RESEARCH, vol. 62, no. 14, 15 July 2002 (2002-07-15), pages 4041-4047, XP002324717 ISSN: 0008-5472 * abstract * -----	1-114	TECHNICAL FIELDS SEARCHED (Int.Cl.7)

EPO FORM 1503 03.82 (P04C10)

Although claims 1-31, 53-93 and 105-114 are directed to a diagnostic method practised on the human/animal body (Article 52(4) EPC), the search has been carried out and based on the alleged effects of the compound/composition.

ANNEX TO THE EUROPEAN SEARCH REPORT ON EUROPEAN PATENT APPLICATION NO. EP 02 73 6641

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

25-04-2005

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9637224 A	28-11-1996	US 5851526 A	22-12-1998
		AU 709694 B2	02-09-1999
		AU 5867996 A	11-12-1996
		CA 2221935 A1	28-11-1996
		EP 0831905 A1	01-04-1998
		JP 11506435 T	08-06-1999
		WO 9637224 A1	28-11-1996
		US 5958412 A	28-09-1999

专利名称(译)	结肠癌抗原组		
公开(公告)号	EP1402261A4	公开(公告)日	2005-09-28
申请号	EP2002736641	申请日	2002-05-02
[标]申请(专利权)人(译)	路德维格癌症研究所 康乃尔研究基金会有限公司		
申请(专利权)人(译)	路德维希癌症研究所 康奈尔研究基金会，INC.		
当前申请(专利权)人(译)	路德维希癌症研究所 康奈尔研究基金会，INC.		
[标]发明人	CHEN YAO TSENG OLD LLOYD J SCANLAN MATTHEW J STOCKERT ELISABETH		
发明人	CHEN, YAO-TSENG OLD, LLOYD, J. SCANLAN, MATTHEW, J. STOCKERT, ELISABETH		
IPC分类号	A61K38/00 C07K14/47 C07K16/30 C12N15/09 C12Q1/68 G01N33/53 G01N33/574 G01N33/577 G01N37/00 C07K14/435 C07K16/18 C07K16/32 C12N15/12 C12P19/34		
CPC分类号	G01N33/57419 A61K38/00 C07K14/4748 C07K16/3046 C12Q1/6886 C12Q2600/156		
代理机构(译)	HARRISON GODDARD FOOTE		
优先权	09/849602 2001-05-04 US		
其他公开文献	EP1402261A1		
外部链接	Espacenet		

摘要(译)

本发明提供了用于诊断癌症（包括结肠癌）的方法，其基于某些结肠癌相关多肽的鉴定作为在结肠癌中引发免疫应答的抗原。鉴定的抗原可用作诊断结肠癌的标志物，并用于跟踪结肠癌的治疗过程。