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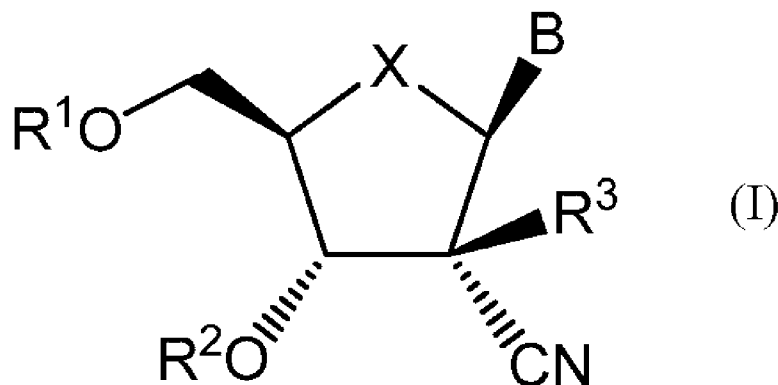
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Declarations under Rule 4.17:

— as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))

[Continued on next page]

(54) Title: 2'-CYANO SUBSTITUTED NUCLEOSIDE DERIVATIVES AND METHODS OF USE THEREOF FOR THE TREATMENT OF VIRAL DISEASES



(57) Abstract: The present invention relates to 2'-Cyano Substituted Nucleoside Derivatives of Formula (I): and pharmaceutically acceptable salts thereof, wherein B, X, R¹, R² and R³ are as defined herein. The present invention also relates to compositions comprising at least one 2'-Cyano Substituted Nucleoside Derivative, and methods of using the 2'-Cyano Substituted Nucleoside Derivatives for treating or preventing HCV infection in a patient.



— *as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))* — *with sequence listing part of description (Rule 5.2(a))*

Published:

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7 February 2013

— *with international search report (Art. 21(3))*

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 12/33028

A. CLASSIFICATION OF SUBJECT MATTER IPC(8) - A01N 43/04; A61K 31/70; C07H 19/00 (2012.01) USPC - 514/49 According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) IPC(8): A01N 43/04; A61K 31/70; C07H 19/00 (2012.01) USPC: 514/49 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched IPC(8): A61K 31/70 (2011.01) USPC: 514/28.5 Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) PubWEST, PGPB, USPT, EPAB, JPAB, Dialog Nucleoside derivative, antiviral, purine, fused, hepatitis		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 2007/0265222 A1 (MACCOSS et al.) 15 November 2007 (15.11.2007) para[0039]-para[0052]	1-3, 5-8, 12 and 14-15
Y	US 2010/0104532 A1 (CHEN et al.) 29 April 2010 (29.04.2010) para[0007], para[0055]-para[0060], para[0065]-para[0069], para[0409]	1-3, 5-8, 12 and 14-15
Y	US 2010/0021425 A1 (BUTLER et al.) 28 Jan 2010 (28.01.2010) page 13, col 2, 5th compound down	7 and 12
☐ Further documents are listed in the continuation of Box C. ☐		
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family		
Date of the actual completion of the international search 29 June 2012 (29.06.2012)		Date of mailing of the international search report 23 JUL 2012
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US, Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201		Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 12/33028

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☒ Claims Nos.: 4, 9-11, 13, and 16-23
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- ☐ No protest accompanied the payment of additional search fees.