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(54) Title: CONSERVED AND SPECIFIC STREPTOCOCCAL GENOMES

(57) Abstract:

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PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rule 13ter.1(c) and 39)

Applicant's or agent's file reference PP12195.004	IMPORTANT DECLARATION	Date of mailing (day/month/year) 20 APR 2005
International application No. PCT/US03/26827	International filing date (day/month/year) 26 August 2003 (26.08.2003)	(Earliest) Priority date (day/month/year) 26 August 2002 (26.08.2002)
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Applicant CHIRON CORPORATION		

This International Searching Authority hereby declares, according to Article 17(2)(a), that no international search report will be established on the international application for the reasons indicated below.

1. ☐ The subject matter of the international application relates to:
 - a. ☐ scientific theories.
 - b. ☐ mathematical theories
 - c. ☐ plant varieties.
 - d. ☐ animal varieties.
 - e. ☐ essential biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. ☐ schemes, rules or methods of doing business.
 - g. ☐ schemes, rules or methods of performing purely mental acts.
 - h. ☐ schemes, rules or methods of playing games.
 - i. ☐ methods for treatment of the human body by surgery or therapy.
 - j. ☐ methods for treatment of the animal body by surgery or therapy.
 - k. ☐ diagnostic methods practised on the human or animal body.
 - l. ☐ mere presentations of information.
 - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.
2. ☐ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

☐ the description
☐ the claims
☐ the drawings
3. ☒ The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

☐ the written form has not been furnished or does not comply with the standard.
☒ the computer readable form has not been furnished or does not comply with the standard.
4. Further comments:
Please See Continuation Sheet

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. (703) 305-3230	Authorized officer Channing S Mahatan <i>Channing S Mahatan</i> Telephone No. (571) 272-1600
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Form PCT/ISA/203 (July 1998)

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INTERNATIONAL SEARCH REPORT
Form PCT/ISA/203 (July 1998)

International application No.
PCT/US03/26827

4. Further comments:

The computer readable form (CRF) is not present. Claims 1, 3, 5, 7, and 9 provide the limitation of a polypeptide composition such that the polypeptide is encoded by a polynucleotide "which is homologous to a polynucleotide sequence" (claims 1, 3, 5) or "which is homologous to at least one other GBS serotype" (claim 7) or "which is conserved across one or more serotypes" (claim 9). Claims 2, 4, 6, 8, 10, and 11 provide the limitation of specific polynucleotide sequences from Subsets 1-3 (gene sequences; pages 23-24 of the Specification) and Tables 13-31 and 40-89 (polynucleotide and polypeptide sequences; pages 11-18 of the Specification). Such limitations would require at least a sequence (computer readable form) in order for a meaningful search to be conducted based upon homology, conservation, or sequence. Therefore, in the absence of a computer readable form no meaningful search of the claimed invention can be performed.