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(71) Applicant *(for all designated States except US)*: **UNIVERSITÄT HEIDELBERG** [DE/DE]; Grabengasse 1, 69117 Heidelberg (DE).

(72) Inventors; and

(75) Inventors/Applicants *(for US only)*: **BUJARD, Hermann** [DE/DE]; Remlerstrasse 9, 69120 Heidelberg (DE). **SCHÖNIG, Kai** [DE/DE]; Bahnhofstrasse 33, 69115 Heidelberg (DE).

(74) Agent: **PERREY, Ralf**; Müller-Boré & Partner, Grafinger Strasse 2, 81-671 München (DE).

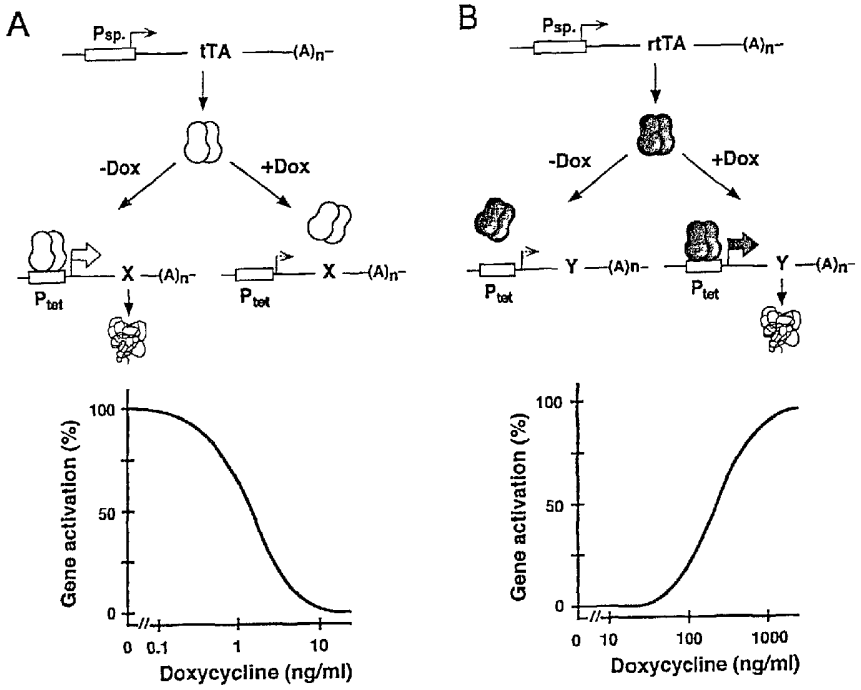
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Published:
— *with international search report*

[Continued on next page]

(54) Title: CHROMOSOMAL LOCI FOR THE STRINGENT CONTROL OF GENE ACTIVITIES VIA TRANSCRIPTION ACTIVATION SYSTEMS



(57) Abstract: The invention relates to a method for obtaining a chromosomal locus for transgenesis of a multicellular eukaryotic organism, "MEO", to a vector for transgenesis by homologous recombination of a MEO and to the use of such an vector for transgenesis by homologous recombination of a MEO and to the transgenic MEO thus obtainable.

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— *before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments*

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22 April 2004

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP 03/08713

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C12N15/90 — C12N15/10 A01K67/027

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 7 C12N A01K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal, SEQUENCE SEARCH, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 1 092 771 A (BASF AG ;KNOLL AG (DE)) 18 April 2001 (2001-04-18) the whole document example 6 ---	1-18, 21-34
A	BARON U ET AL: "CO-REGULATION OF TWO GENE ACTIVITIES BY TETRACYCLINE VIA A BIDIRECTIONAL PROMOTER" NUCLEIC ACIDS RESEARCH, OXFORD UNIVERSITY PRESS, SURREY, GB, vol. 23, no. 17, 11 September 1995 (1995-09-11), pages 3605-3606, XP000775822 ISSN: 0305-1048 the whole document --- -/--	13

[X] Further documents are listed in the continuation of box C.

[X] Patent family members are listed in annex.

°-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 document 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	Date of mailing of the international search report
12 February 2004	01/03/2004

Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Galli, I

Form PCT/ISA/210 (second sheet) (July 1992)

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication,where appropriate, of the relevant passages	Relevant to claim No.
A	ST-ONGE L. ET AL.: "Temporal control of the Cre recombinase in transgenic mice by a tetracycline responsive promoter" NUCL. ACIDS RES., vol. 24, no. 19, 1996, pages 3875-3877, XP002270146 abstract	7,8
A	DATABASE EBI DNA SEQUENCES 'Online! 2 June 2002 (2002-06-02) "Mus musculus BAC clone RP23-111G16 from chromosome 6" retrieved from EBI Database accession no. AC122874 XP002270147 Seq. 1 complementary to nt 173-380; Seq. 2 complementary to nt 72825-73244 Seq. 3 complementary to nt 51425-51503 Seq. 4 complementary to nt 56589-57071	20

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP 03/08713

Box I Observations where certain claims were found unsearchable (Continuation of item 1 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. [X] Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 33-34 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

2. [X] Claims Nos.: 19
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:

see FURTHER INFORMATION sheet PCT/ISA/210

3. [ ] Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 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 an additional fee, this Authority did not invite payment of any additional fee.

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.

[ ] No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 19

Present claims 19 and, insofar as they depend on said claim, claims 21-34, relate to a products and methods defined by reference to a desirable characteristic or property, namely integration in a chromosomal locus that results in stable expression (no variegation) in transgenic animals, no leak-through basal expression and ON-OFF activation ration of at least 100.

The claims cover all products and methods having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only one (involving integration at a locus on mouse chromosome 6). In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the product/compound/method/apparatus by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible.

Consequently, Claim 19 has not been searched. For claims 21-34, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the chromosomal locus described and defined in Fig 4B (seq. IDs 1-4).

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/EP 03/08713

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
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