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(72) Inventors; and


(85) Declarations under Rule 4.17:
— of inventorship (Rule 4.17(iv)) for US only
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(88) Date of publication of the international search report: 7 July 2005

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.

(54) Title: NOVEL CORN EVENT

(57) Abstract: A novel transgenic corn event designated VIP1034, is disclosed. The invention relates to seeds of corn plants comprising the transgenic genotype of the transgenic corn event VIP1034, to corn plants comprising the transgenic genotype of VIP1034 and to methods for producing a corn plant by crossing a corn plant comprising the transgenic genotype with itself or another corn variety. The invention further relates to assays for detecting the presence of the VIP1034 event based on DNA sequences of the recombinant constructs inserted into the corn genome that resulted in the VIP1034 event and of genomic sequences flanking the insertion sites.
**INTERNATIONAL SEARCH REPORT**

**A. CLASSIFICATION OF SUBJECT MATTER**

IPCA(7) : A01H 5/00, 5/10; C12N 15/11

US CL : 435/6, 536/24/33; 800/275,298,302,320.1

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)

U.S.: 435/6, 536/24/33; 800/275,298,302,320.1

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

<table>
<thead>
<tr>
<th>Category</th>
<th>Citation of document, with indication, where appropriate, of the relevant passages</th>
<th>Relevant to claim No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>Database Genbank Accession No. AC006350, Waterston, R.H. Submitted 11 January 1999, NCBi, Bethesda, Maryland USA, see nucleotide basis 629-648.</td>
<td>1,2,5 and 6</td>
</tr>
<tr>
<td>X</td>
<td>U.S. 5,877,012 A (ESTRUCH et al) 02 March 1999 (02.03.1999), columns 4-5,21-31,40 and 45-49</td>
<td>22-63</td>
</tr>
</tbody>
</table>

Date of the actual completion of the international search

01 April 2005 (01.04.2005)

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US

Commissioner of Patents

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Date of mailing of the international search report

13 MAY 2005

Authorizing officer

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Form PCT/ISA/210 (second sheet) (July 1998)
### INTERNATIONAL SEARCH REPORT

#### Box I  Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

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

1. □ Claim Nos.:
   because they relate to subject matter not required to be searched by this Authority, namely:

2. □ Claim 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. □ Claim 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:

Please See Continuation Sheet

1. □ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

2. X 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.

Form PCT/ISA/210 (continuation of first sheet(1)) (July 1998)
BOX II. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claim(s) 1-19, drawn to isolated nucleic acid molecule comprising a nucleotide sequence which comprises at least one junction sequence of corn event VIP1034, and the first method of using to detect the presence of DNA corresponding to the corn event VIP1034.

Group II, claim(s) 20, drawn to a kit for detecting the presence of VIP1034 nucleic acids.

Group III, claim(s) 21, drawn to a method of detecting corn event VIP1034 using an immunological method.

Group IV, claim(s) 22-63, drawn to corn seed, plants and progeny comprising corn event VIP1034 and methods of using same for producing hybrid corn seed.

The inventions listed as Groups I-IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The inventions lack a corresponding special technical feature because the isolated nucleic acid of Group I was known in the art at the time of Applicant's invention and disclosed by R.H. Watterston in 1999 (GenBank Accession No. AC006350, NCBI, Bethesda Md. USA, see nucleotides 629-648).

Continuation of B. FIELDS SEARCHED Item 3:
EAST(USPAT,US-PGPUB,EPO,JP,O,DERWENT), STN(AGRICOLA,BIOSIS,CAPLUS,EMBASE)
Search SEQ ID NO: 1-5