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Declarations under Rule 4.17:

— *as to applicant's entitlement to apply for and be granted
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Published:

— *with international search report (Art. 21(3))*
— *before the expiration of the time limit for amending the
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amendments (Rule 48.2(h))*

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11 September 2009

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see Notice of 11 September 2009

(54) Title: POLYMORPHIC FORMS OF MOXIFLOXACIN HYDROCHLORIDE AND PROCESSES FOR PREPARATION THEREOF

(57) Abstract: Polymorphic hydrate crystalline forms of Moxifloxacin hydrochloride were found, referred to hereinafter as poly-
morphic Form $\alpha 1$ and Form $\alpha 2$. Furthermore, the present invention is directed to processes for the preparation of these crystalline
forms, to pharmaceutical compositions comprising them, as well as their use.



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INTERNATIONAL SEARCH REPORT

CORRECTED VERSION

International application No

PCT/EP2009/050089

A. CLASSIFICATION OF SUBJECT MATTER

INV. C07D471/04 A61K31/437 A61P31/04

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)

C07D

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, WPI Data, BEILSTEIN Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X	WO 2008/028959 A (SINT QUIMICA SA [ES]; PALOMO NICOLAU FRANCISCO [ES]; VILLASANTE PRIETO) 13 March 2008 (2008-03-13) claim 1; figures 1,2	1-14
X	----- WO 2007/148137 A (GENERICUS UK LTD [GB]; BECKER AXEL [GB]) 27 December 2007 (2007-12-27) claims 1,2	1-14
X	----- EP 0 780 390 A (BAYER AG [DE]) 25 June 1997 (1997-06-25) claim 1	1-14
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☒ Further documents are listed in the continuation of Box C.☒ See patent family 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

10 March 2009

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01.07.09

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INTERNATIONAL SEARCH REPORT

International application No

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C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2004/091619 A (REDDYS LAB LTD DR [IN]; REDDYS LAB INC DR [US]; REDDY MANNE SATYANARAY) 28 October 2004 (2004-10-28) cited in the application claim 1	1-14
X	----- WO 2005/054240 A (CHEMI SPA [IT]; TURCHETTA STEFANO [IT]; MASSARDO PIETRO [IT]; AROMATAR) 16 June 2005 (2005-06-16) cited in the application claim 1	1-14
X	----- WO 2006/134491 A (AUROBINDO PHARMA LTD [IN]; DANDALA RAMESH [IN]; MITRA JAYATI [IN]; GUP) 21 December 2006 (2006-12-21) cited in the application claims 1,2	1-14
X	----- WO 2007/010555 A (MSN LAB LTD [IN]; SATYANARAYANA REDDY MANNE [IN]; NAGARAJU CHAKILAM [I]) 25 January 2007 (2007-01-25) cited in the application claims 2,7	1-14
A	----- WO 2004/039804 A (RANBAXY LAB LTD [IN]; BISWAS SUJAY [IN]; BOSE PROSENJIT [IN]; KUMAR YA) 13 May 2004 (2004-05-13) cited in the application claim 1	1-14

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2009/050089

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.:
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:

see additional sheet

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

2. ☐ As all searchable claims could be searched without effort justifying an 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.:

1-14

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.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-14

Claims linked to Form alpha1

2. claims: 15-32

Claims linked to Form alpha2

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/EP2009/050089

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