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(54) Title: COMPOSITIONS OF BIOCHEMICAL COMPOUNDS INVOLVED IN BIOENERGY METABOLISM OF CELLS

(57) Abstract: A composition of biochemical compounds involved in bioenergy metabolism of cells and a method of use in prevention and therapy of diseases.

INTERNATIONAL SEARCH REPORT

Internati Application No
PCT/EP 02/01545A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K31/194 A61K31/122 A61K38/41 A61K31/198 A61P3/00

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 A61K A61P

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, PAJ, WPI Data, BIOSIS, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99 21565 A (BLASS JOHN P ; CORNELL RES FOUNDATION INC (US)) 6 May 1999 (1999-05-06) the whole document ---	2-8
E	WO 02 58488 A (N.V.NUTRICIA) 1 August 2002 (2002-08-01) page 13, line 12 -page 15, line 27 claims 1-21 ---	2-8
X	GB 2 322 551 A (WAUGH WILLIAM H) 2 September 1998 (1998-09-02) the whole document ---	5-8
X	EP 0 747 035 A (BEIERSDORF AG) 11 December 1996 (1996-12-11) examples 1, 1A, 2, 2A, 3, 4, 4A, 5, 6 claims 1-4 ---	5, 7, 8
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 Further documents are listed in the continuation of box C. 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
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- *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.
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Date of the actual completion of the international search

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31/01/2003

Name and mailing address of the ISA

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INTERNATIONAL SEARCH REPORT

Internati Application No

PCT/EP 02/01545

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 97 09975 A (BEIERSDORF AG ;SAUERMANN GERHARD (DE)) 20 March 1997 (1997-03-20) page 2, paragraph 3 -page 3, paragraph 7 page 4, paragraph 5 page 8, paragraph 3 - paragraph 4 examples 1-7 claims 1-3 ---	5-8
X	WO 95 15147 A (BEIERSDORF AG ;ENNEN JOACHIM (DE); SAUERMANN GERHARD (DE); STAEB F) 8 June 1995 (1995-06-08) the whole document examples 1-10 claims 1-8 ---	5-8
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X	WO 95 12991 A (GRAMINEER AB ;SEMPER AB (SE); OLIN THOMAS (SE)) 18 May 1995 (1995-05-18) page 6, line 2 -page 15, line 4 claims 1-11 ---	2-8
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INTERNATIONAL SEARCH REPORT

Internat	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 96 40167 A (ORGAN INC ;LIFE RESUSCITATION TECH (US)) 19 December 1996 (1996-12-19) claims 1-37 -----	3,6-8
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X	EP 0 146 742 A (EISAI CO LTD) 3 July 1985 (1985-07-03) the whole document claims 1-8 -----	4,7,8

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP 02/01545**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. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.: 1-8
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.: 1-8

Present claim 1 relates to an extremely large number of possible compounds/products since it discloses all possible compounds involved in cell metabolism. In fact, the claim contains so many options that a lack of clarity within the meaning of Article 6 PCT arises to such an extent as to render a meaningful search of the claims impossible. The initial phase of the search of the remaining claims 2-8 revealed a very large number of documents relevant to the issue of novelty since the compounds disclosed in said claims 2-8 are ubiquitous in nature and are constituents of all organic materials. So many documents were retrieved that it is impossible to determine which parts of the claims may be said to define subject-matter for which protection might legitimately be sought (Article 6 PCT). For these reasons, a meaningful search over the whole breadth of the claims is impossible. Exemplary documents disclosing compositions as claimed, used in various technical fields are mentioned in the search report.

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.

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