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CASE 4-31671A

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

LANE ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP02/01714

FILED: 18 FEBRUARY 2002

U.S. APPLICATION NO: Not Yet Known

35 USC §371 DATE: Herewith

FOR: TREATMENT OF SOLID TUMOURS WITH RAPAMYCIN DERIVATIVES

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

#### PRELIMINARY AMENDMENT

Sir:

Prior to the examination of the above-referenced patent application, please enter the following preliminary amendments.

Amendments to the specification begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of the claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 9 of this paper.

## Amendments to the Specification:

A copy of the abstract is herein provided on the following separate sheet.

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### <u>Abstract</u>

Rapamycin derivatives have interesting effects in the treatment of solid tumours, optionally in combination with a chemotherapeutic agent.

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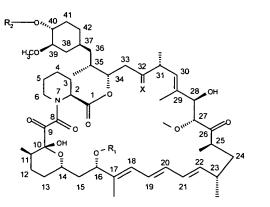
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### Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims:

Claim 1. (currently amended) Use of a compound of formula I <u>A</u> method for treating solid tumors in a subject in need thereof, comprising administering to said subject a therapeutically effective amount of a compound of formula I



wherein

R<sub>1</sub> is CH<sub>3</sub> or C<sub>3-6</sub>alkynyl,

R<sub>2</sub> is H or -CH<sub>2</sub>-CH<sub>2</sub>-OH, and

X is =O, (H,H) or (H,OH)

provided that  $R_2$  is other than H when X is =O and  $R_1$  is  $CH_3[[,]]_.$ 

in the preparation of a pharmaceutical composition for use in the treatment of solid tumors.

Claims 2-10. (cancelled)

Claim 11. (new) The method of claim 1, wherein said compound of formula I is administered concomitantly or sequentially with a co-agent which is a chemotherapeutic agent.

Claim 12. (new) The method of claim 11 wherein the co-agent is selected from the group consisting of

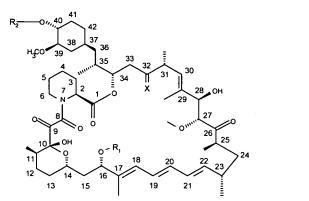
- i. an aromatase inhibitor,
- ii. an antiestrogen, an anti-androgen or a gonadorelin agonist,
- iii. a topoisomerase I inhibitor or a topoisomerase II inhibitor,
- iv. a microtubule active agent, an alkylating agent, an antineoplastic antimetabolite or a platin compound,
- a compound targeting/decreasing a protein or lipid kinase activity or a protein or lipid phosphatase activity, a further anti-angiogenic compound or a compound which induces cell differentiation processes,

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vi. a bradykinin 1 receptor or an angiotensin II antagonist,

- vii. a cyclooxygenase inhibitor, a bisphosphonate, a histone deacetylase inhibitor, a heparanase inhibitor, a biological response modifier, an ubiquitination inhibitor, or an inhibitor which blocks anti-apoptotic pathways,
- viii. an inhibitor of Ras oncogenic isoforms,
- ix. a telomerase inhibitor, and
- x. a protease inhibitor, a matrix metalloproteinase inhibitor, a methionine aminopeptidase inhibitor, or a proteosome inhibitor.

Claim 13. (new) A method for treating solid tumor invasiveness or symptoms associated with such tumor growth in a subject in need thereof comprising administering to said subject a therapeutically effective amount of a compound of formula I



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wherein

 $R_1$  is CH<sub>3</sub> or C<sub>3-6</sub>alkynyl,

R<sub>2</sub> is H or -CH<sub>2</sub>-CH<sub>2</sub>-OH, and

X is =O, (H,H) or (H,OH)

provided that  $R_2$  is other than H when X is =O and  $R_1$  is  $CH_3$ .

Claim 14. (new) The method of claim 13, wherein said compound of formula I is administered concomitantly or sequentially with a co-agent which is a chemotherapeutic agent.

Claim 15. (new) The method of claim 14, wherein the co-agent is selected from the group consisting of

- i. an aromatase inhibitor,
- ii. an antiestrogen, an anti-androgen or a gonadorelin agonist,
- iii. a topoisomerase I inhibitor or a topoisomerase II inhibitor,
- iv. a microtubule active agent, an alkylating agent, an antineoplastic antimetabolite or a platin compound,
- a compound targeting/decreasing a protein or lipid kinase activity or a protein or lipid phosphatase activity, a further anti-angiogenic compound or a compound which induces cell differentiation processes,

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