

Docket No.: 0020-5041PUS2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mitsutaka NAKAMURA et al.

Application No.: 10/525,021

Confirmation No.: 3141

Filed: February 18, 2007

Art Unit: 1617

For: AGENT FOR TREATMENT OF
SCHIZOPHRENIA

Examiner: C. K. Huynh

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement issued on August 29, 2007, the following remarks are respectfully submitted in connection with the above-identified application:

Remarks begin on **page 2** of this paper.

REMARKS

The Examiner has required a restriction under 35 U.S.C. § 121 and 372 because the Examiner contends that the following three groups of claims define subject matter that allegedly do not form a single inventive concept under PCT Rule 13.1.

Group I, claims 1-13, drawn to a method for treating schizophrenia comprising administering (1R,2S,3R,4S)-N-[(1R,2R)-2-[4-(1,2-benzisothiazol-3-yl)-1-piperazinylmethyl]-1-cyclohexylmethyl]-2,3-bicyclo[2.2.1]heptanedicarboximide of formula (I);

Group II, claims 14-16, drawn to agent for treatment of schizophrenia comprising (1R,2S,3R,4S)-N-[(1R,2R)-2-[4-(1,2-benzisothiazol-3-yl)-1-piperazinylmethyl]-1-cyclohexylmethyl]-2,3-bicyclo[2.2.1]heptanedicarboximide of formula (I); and

Group III, claims 17-19, drawn to a method for the preparation of an agent for treatment of schizophrenia comprising (1R,2S,3R,4S)-N-[(1R,2R)-2-[4-(1,2-benzisothiazol-3-yl)-1-piperazinylmethyl]-1-cyclohexylmethyl]-2,3-bicyclo[2.2.1]heptanedicarboximide of formula (I).

Although Applicants do not agree with the Examiner's assertions, Applicants elect the claims of Group I, claims 1-13, for examination.

Applicants respectfully request early and favorable action on the claims, which define subject matter that meets all statutory patentability requirements.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Mark J. Nuell, Registration No 36,623 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: October 1, 2007

Respectfully submitted,

By 

Mark J. Nuell

Registration No.: 36,623

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