

COMMISSIONER'S DECISION

INSUFFICIENT CLAIM: Adding Carrier to Alleged New Compound
Claims More Than Entitled.

Ostensibly on findings in re Sandoz: when there are claims defining the process of producing the alleged new cephalosporin compounds and defining the compounds dependent on the process per S. 41(1), there is not entitlement or justification to the protection afforded by the claims under rejection which define the process and compounds with the step of 'associating with suitable carriers' added.

FINAL ACTION: Affirmed.

The review by the Commissioner dated December 11, 1973 of the Final Action dated November 15, 1972, on patent application 027,931 filed August 20, 1968 an invention entitled: Movements In or Relating to Cephalosporin Compounds.

This decision has not been reproduced as the issues involved and the Final Action are substantially the same as in C.D. 172. The applicant's responses to the Final Actions and the Decisions are substantially verbatim.

Agent for Applicant

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