

COMMISSIONER'S DECISION

SECTION 41(1): Includes Therapeutically Inactive Chemical Intermediates.

New chemical compounds, having no known utility unless chemically converted by the process claimed into other compounds which are medicines, are 'intended for medicine' subject to the prohibition of 'per se' claims by S. 41(1); even where they are themselves therapeutically inactive (C.D.'s 197, 198, 230 and 231 are similar).

FINAL ACTION: Affirmed.

The Review by the Commissioner of the Final Action dated August 1, 1973, of patent application 161866 (class 260, subclass 238.62), filed January 23, 1973 as a division of 114432 bearing Convention priority of June 4, 1970 for an invention entitled: "2,6-Methano-3-Benzazocines and Preparation Thereof".

This decision has not been reproduced as the Final Action and issues involved are substantially the same as the Commissioner's Decisions numbers 197, 198 and 234 reproduced relating to the applications 965900, 946848 and 146139.

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