

ANNEX A: The Claims of the Patent as proposed to be amended

1.

"...for the preparation of a pharmaceutical composition for use as an integrase inhibitor for preventing or treating a viral disease"

(claim 1 as proposed to be amended)

"...for use as an integrase inhibitor for preventing or treating a viral disease".

(claim 8 as proposed to be amended)

2.

"...for the preparation of a pharmaceutical composition for use as an integrase inhibitor for preventing or treating HIV~~a viral disease~~"

(claim 1 as proposed to be amended)

"...for use as an integrase inhibitor for preventing or treating HIV~~a viral disease~~".

(claim 8 as proposed to be amended)

IN THE HIGH COURT OF JUSTICE

CHANCERY DIVISION
PATENTS COURT

BETWEEN:

MERCK SHARP & DOHME LIMITED

Claimant

and

SHIONOGI & CO., LTD

Defendant

Section 75 Patents Act 1977

Application for Amendment of European (UK) Patent EP 1 422 218 B1 entitled:

"Antiviral Agent"

SCHEDULE OF AMENDMENTS

The proposed amendments are as follows:-

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|--------------------|---|
| Page 4 Line 32 | <i>After "containing the same are" insert "integrase inhibitors and are"</i> |
| Line 34 | <i>Delete "and an integrase inhibitor"</i> |
| Line 36 | <i>After "containing the same are" insert "integrase inhibitors and are"</i>
<i>After "anti-HIV agent," delete "an integrase inhibitor"</i> |
| Page 5 Lines 32/33 | <i>Before "for preventing or treating a viral disease" insert "as an integrase inhibitor"</i> |
| Line 33 | <i>Before "detail, the invention" insert "In"</i> |
| Page 265 Line 33 | <i>Claim 1</i>
<i>After "pharmaceutical composition" insert "for use as an integrase inhibitor"</i> |
| Page 266 Line 47 | <i>Claim 8</i>
<i>After "for use" insert "as an integrase inhibitor for"</i>
<i>Delete "in"</i>
<i>Replace "viraldisease" with "viral disease"</i> |

The alternative conditional amendments are as follows:

- Page 4 Line 32 *After* "containing the same are" *insert* "integrase inhibitors and are"
- Line 34 *Delete* "and an integrase inhibitor"
- Line 36 *After* "containing the same are" *insert* "integrase inhibitors and are"
After "anti-HIV agent," *delete* "an integrase inhibitor"
- Page 5 Lines 32/33 *Before* "for preventing or treating a viral disease" *insert* "as an integrase inhibitor"
- Line 33 *Before* "detail, the invention" *insert* "In"
- Page 265 Line 33 *Claim 1*
After "pharmaceutical composition" *insert* "for use as an integrase inhibitor"
- Line 34 *Replace* "a viral disease" with "HIV"
- Page 266 Line 47 *Claim 8*
After "for use" *insert* "as an integrase inhibitor for"
Delete "in"
Replace "a viraldisease" with "HIV"