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CONSOLIDATED LIST - KONSOLIDIERTE LISTE - LISTE RÉCAPITULATIVE

P: Bristol-Myers Squibb Company
1: Michalski Hüttermann & Partner Patentanwälte mbB
2: Lederer & Keller Patentanwälte Partnerschaft mbB
3: Pajaro Limited
4: Maiwald Patentanwalts- und Rechtsanwaltsgesellschaft mbH
5: Sandra Pohlmann
6: Elisabeth Greiner

	CITATIONS-ENTGEGENHALTUNGEN-CITATIONS	P	1	2	3	4	5	6
D1	WO 2017/210637 A1 (Application as originally filed), Publ. Date 07 Dec 2017		D1		BB2	WO		WO
D2	US 201662345662 P (Priority Document)		D2		BB3	P		P
D3	Overman et al. (2016) Nivolumab +/- ipilimumab in treatment (tx) of patients (pts) with metastatic colorectal cancer (mCRC) with and without high microsatellite instability (MSI-H): CheckMate-142 interim results. Meeting Abstract, 2016 ASCO Annual Meeting. Journal of Clinical Oncology Vol. 34 No. 15 Suppl., 3501; Publ. Date 20 May 2016		D3	D1	BB4	D1	D1	D3
D3a	See D3 above; Screenshot version, Publ. Date 20 May 2016		D3a					
D3b	EMail Confirmation by Jessica Wood, Counsel of the American Society of Clinical Oncology, regarding the publication date D3, received 01 July 2022		D3b					
D3c	Power Point presentation corresponding to abstract D3, presented at the ASCO Annual Meeting 2016 (June 3 to June 7, 2016)							D3a
D3d	Snapshot of http://abstract.asco.org/176/CatAbstView_176_729_AT.html, dated May 24, 2016							D3b

Amgen Exhibit 1078
Amgen v. BMS
IPR2025-00603

	CITATIONS-ENTGEGENHALTUNGEN-CITATIONS	P	1	2	3	4	5	6
D4	A Study of Nivolumab and Nivolumab plus Ipilimumab in recurrent and metastatic Colon Cancer (CheckMate 142). Clinical Study NCT02060188. PageTop; first submitted 18 Dec 2013; [retrieved on 06 July 2022], Publ. Date 11 Feb 2014		D4					
D4a	Clinical study record NCT02060188 entitled "A Study of Nivolumab and Nivolumab Plus Ipilimumab in Recurrent and Metastatic Colon Cancer (CheckMate 142)", version 50, 25th May 2016			D2	BB5	D3		D1
D4b	History of Changes for Study NCT02060188, database entry dated June 1, 2017							D2
D5	Larkin et al. (2015) Combined nivolumab and ipilimumab or monotherapy in untreated melanoma. New England Journal of Medicine Vol. 373, p. 23-34, Publ. Date 31 May 2015		D5					
D6	Duraiswamy et al. (2013) Dual blockade of PD-1 and CTLA-4 combined with tumor vaccine effectively restores T cell rejection function in tumors. Cancer Research Vol. 73 No. 12, p. 3591-3603, Publ. Date 15 June 2013		D6					
D7	Llosa et al. (2015) The vigorous immune microenvironment of microsatellite instable colon cancer is balanced by multiple counter-inhibitory checkpoints. Cancer Discovery Vol. 5 No. 1, p. 43-51, Publ. Date 01 July 2015		D7	D3	BB12			D7
D8	Kroemer et al. (2015) Colorectal cancer: the first neoplasia found to be under immunosurveillance and the last one to respond to immunotherapy? OncoImmunology Vol. 4 No. 7, p. 1-3, Publ. Date July 2015		D8			D13		
D9	Xiao and Freeman (2015) The microsatellite instable (MSI) subset of colorectal cancer is a particularly good candidate for checkpoint blockade immunotherapy. Cancer Discovery Vol. 5 No. 1, p. 16-18, Publ. Date Jan 2015		D9					
D10	Hammers et al. (2015) Expanded cohort results from CheckMate 016: A phase I study of nivolumab in combination with ipilimumab in metastatic renal cell carcinoma (mRCC). Journal of Clinical Oncology Vol. 33 No. 15 Suppl., 2015 ASCO Annual Meeting Proceedings, Abstract # 4516, Publ. Date 20 May 2015		D10					

	CITATIONS-ENTGEGENHALTUNGEN-CITATIONS	P	1	2	3	4	5	6
D11	Hammers et al. (2015) CheckMate 214: A phase III, randomized, openlabel study of nivolumab combined with ipilimumab versus sunitinib monotherapy in patients with previously untreated metastatic renal cell carcinoma. Journal of Clinical Oncology Vol. 33 No. 15 Suppl., 2015 ASCO Annual Meeting Proceedings, Abstract # TPS4578, Publ. Date 20 May 2015		D11					
D12	Antonia et al. (2015) Phase I/II study of nivolumab with or without ipilimumab for treatment of recurrent small cell lung cancer (SCLC): CA209- 032. Journal of Clinical Oncology Vol. 33 No. 15 Suppl., 2015 ASCO Annual Meeting Proceedings, Abstract # 7503, Publ. Date 20 May 2015		D12					D17
D13	Le et al. (2015) PD-1 blockade in tumors with mismatch-repair deficiency. New England Journal of Medicine Vol. 372, p. 2509-2520, Publ. Date 30 May 2015,		D13		BB10	D11		D10
D14	WO 2016/077553 A1, Publ. Date19 May 2016		D14			D12		
D15	Nivolumab US Prescription Label 9/2015, Publ. Date Sept 2015		D15					
D16	Pawlik et al. (2004) Colorectal carcinogenesis: MSI-H versus MSI-L. Disease Markers Vol. 20, p. 199-206, Publ. Date 2004		D16		BB16		D18	
D17	Rosenbaum, M.W. et al., Mod. Pathol. 2016, 29 1104-1112			D4	BB17			
D18	Dudley, J.C. *et al.*, *Clin. Cancer Res.* **2016**, 22(4) 813-820			D5	BB15	D14		D6
D19	Boutros, C. *et al.*, *Nat. Rev. Clin. Oncol.* **2016**, 13(8), 473-86			D6				
D20	EP 3 464 373 B1 (opposed patent)				BB1			
D20a	Feature analysis of claim 1 of the opposed patent				BB1a			
D21	List of medical abbreviations (excerpt of Wikipedia)				BB6			
D22	Wolchok et al. N Engl J Med 2013, 369, 2, 122-133				BB7			D15
D23	Meeting Abstract; 2016 ASCO Annual Meeting I; Journal of Clinical Oncology, Volume 34, Issue 15 suppl; published online May 20, 2016				BB8			
D24	Ansell et al. N Engl J Med 2015, 372, 4, 311-319				BB9			
D25	WO 2016/077553 (published on 19 May 2016)				BB11			
D26	Postow ASCO EDUCATIONAL BOOK, 2015, 76-83				BB13			
D27	Hamid et al. N Engl J Med 2013, 369, 2, 134-144				BB14			
D28	Karahan et al. Int J Clin Exp Pathol 2015, 8(4), 4044-4053				BB18			
D29	McDermott et al. Cancer Medicine 2013, 2(5), 662–673				BB19			

	CITATIONS-ENTGEGENHALTUNGEN-CITATIONS	P	1	2	3	4	5	6
D30	Banerjee et al. PLoS ONE, 2008, 3(7), e2740, 1-16				BB20			
D31	Demetri et al. J Clin. Oncol. 2009, 27(25) 4188-4196				BB21			
D32	Raedler et al. Am Health Drug Benefits. 2015; 8 (Spec Feature), 180-183				BB22			
D33	Hammers et al. Annals of Oncology 2014, 25 (Supplement 4): iv361–iv372				BB23			
D34	Meeting Abstract; 2016 ASCO Annual Meeting I; Journal of Clinical Oncology, 34, No. 15 suppl; published online May 20, 2016				BB24			
D35	Confirmation of D1's publication date from ASCO					D2		
D36	Marjorie Canfield Willis: Medical Terminology, The Language of Health Care; Second Edition, Lippincott, Williams & Wilkins, 2006					D4		
D37	A-Z Family Medical Encyclopedia, BMA, 2014					D5		
D38	Jaafar and Flores-Rozas: Elucidating the role of human mismatch repair factor hMLH3; Cancer Biology & Therapy 8:14, 1421-1423; 15 July 2009					D6		
D39	Boland: Roles of the DNA Mismatch Repair Genes in Colorectal Tumorigenesis; Int. J. Cancer (Pred. Oncol.): 69, 47-49 (1996)					D7		
D40	Buchbinder and Desai: CTLA-4 and PD-1 Pathways – Similarities, Differences, and Implications of Their Inhibition; Am J Clin Oncol 2016;39:98-106;					D8		D8
D41	NCT02231749 from clinicaltrials.gov, version of May 25, 2016					D9		D23
D42	Broderick: Nivolumab/Ipilimumab Combo More Effective than Monotherapy in mCRC; www.targetedonc.com, June 15, 2016					D10		
D43	Selby et al.: Preclinical Development of Ipilimumab and Nivolumab Combination Immunotherapy: Mouse Tumor Models, In Vitro Functional Studies, and Cynomolgus Macaque Toxicology; PLOS ONE | DOI:10.1371/journal.pone.0161779 September 9, 2016					D15		
D44	Snapshot of the website, Cancer.net, taken on May 23, 2016 by the WayBack machine						D2	
D45	Excerpts from Alberts et al., Essential Cell Biology, second edition, 2004						D3	
D46	Snapshot of Meriam Webster's definition of "colorectal" taken on May 22, 2016 by the WayBack Machine						D4	
D47	Excerpt from Stedman's Medical Dictionary, 27th Ed., 2000						D5	

	CITATIONS-ENTGEGENHALTUNGEN-CITATIONS	P	1	2	3	4	5	6
D48	Boland CR, et al., "A National Cancer Institute Workshop on Microsatellite Instability for cancer detection and familial predisposition: development of international criteria for the determination of microsatellite instability in colorectal cancer", 1998, Cancer Res. 58(22):5248-57						D6	
D49	Boland CR, Goel A., "Microsatellite instability in colorectal cancer", 2010, Gastroenterology, 138(6):2073-2087						D7	D11
D50	Poulogiannis G et al., "DNA mismatch repair deficiency in sporadic colorectal cancer and Lynch syndrome", 2010, Histopathology, 56(2):167-79						D8	
D51	Buecher B et al., "Role of microsatellite instability in the management of colorectal cancers", 2013, Dig Liver Dis., 45(6):441-9						D9	
D52	Vilar E, Gruber SB. "Microsatellite instability in colorectal cancer-the stable evidence", 2010, Nat Rev Clin Oncol., 7(3):153-62						D10	D12
D53	Bellizzi AM and Frankel WL, "Colorectal cancer due to deficiency in DNA mismatch repair function: a review", 2009, Adv Anat Pathol.,16(6):405-17						D11	
D54	Jass JR., "Towards a molecular classification of colorectal cancer", 1999, Int J Colorectal Dis., 14(4-5):194-200						D12	
D55	Dietmaier, W. „Mikrosatelliteninstabilität", 2010, Pathologe, 31:268–273						D13	
D56	Weissman SM, et al., "Genetic counseling considerations in the evaluation of families for Lynch syndrome--a review", 2011, J Genet Couns., 20(1):5-19						D14	
D57	Giardiello FM, et al., "AGA technical review on hereditary colorectal cancer and genetic testing", 2001, Gastroenterology, 121(1):198-213						D15	
D58	Loughrey MB, et al., "Incorporation of somatic BRAF mutation testing into an algorithm for the investigation of hereditary non-polyposis colorectal cancer", 2007, Fam Cancer., 6(3):301-10						D16	
D59	Gatalica Z, et al., "High microsatellite instability (MSI-H) colorectal carcinoma: a brief review of predictive biomarkers in the era of personalized medicine", 2016, Fam Cancer., 15(3):405-412						D17	
D60	Sharma, P. and Allison, J. P. *Science* **2015**, 348, 56-61							D4
D61	Hamid, O. and Carvajal, R. D. *Expert Opin. Biol. Ther.* **2013**, *13(6)*, 847-61							D5
D62	Sunshine, J and Taube, J. M., *Curr. Opin. Pharmacol.* **2015**, *23*, 32-38							D9

	CITATIONS-ENTGEGENHALTUNGEN-CITATIONS	P	1	2	3	4	5	6
D63	Pino, M. S. and Chung, D. C.*, Expert Rev. Gastroeneterol. Hepatol.* **2011**, *5(3)*, 385- 399							D13
D64	Antonia *et al.*, *J. Clin. Oncol.* **2016**, *34(15 Suppl)*, 100 (e-pub. **May 20, 2016**)							D14
D65	Antonia *et al.*, *J. Clin. Oncol.* **2014**, *32(15 Suppl)*, 8023							D16
D66	Power Point presentation, presented at the ASCO Annual Meeting 2015 (**May 29 to June 2, 2015**)							D17a
D67	History of Changes for Study NCT01928394, database entry dated **May 25, 2016**							D18
D68	Postow, M. A. *et al.*, *N. Engl. J. Med* **2015**, 372, 2006-17							D19
D69	Overman, M. J*. et al.*, *Annals Oncol.* **2016**, *27* (Supplement 6): vi149–vi206 (**October 2016**)							D20
D70	Topalian, S. L. *et al.*, *N. Engl. J. Med.* **2012**, *366*, 2443-54							D21
D71	Hoffman, J. **2016**, Cancer Therapy Advisor, press release re. ASCO Annual Meeting 2016, published on **June 5, 2016**							D22