

3568 U.S. PTO
09/747519



424	Class	449	Subclass
ISSUE CLASSIFICATION			

P

PATENT NUMBER
6316023
6316023

U.S. UTILITY Patent Application

303/869

O.I.P.E. <i>AM</i>	PATENT DATE MAY 1 2 2001
SCANNED <i>MSD</i> O.A. <i>UR</i>	

APPLICATION NO.	CONT/PRIOR	CLASS	SUBCLASS	ART UNIT	EXAMINER
09/747519	D F	424	449	1616	<i>Williamson</i>

APPLICANTS

Bodo Amussen
Michael Horstmann
Kai Kopke
Henricus Tiemessen

TTS containing an antioxidant

**CERTIFICATE
MAR 25 2003
OF CORRECTION**

PTO-2040
12/99

ISSUING CLASSIFICATION					
ORIGINAL		CROSS REFERENCE(S)			
CLASS	SUBCLASS	CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)		
424	449	424	449		
INTERNATIONAL CLASSIFICATION		682	57	68	
A 61 k	9/70	604	290	305	307
<input type="checkbox"/> Continued on Issue Slip Inside File Jacket					

<input checked="" type="checkbox"/> TERMINAL DISCLAIMER	DRAWINGS			CLAIMS ALLOWED	
	Sheets Drwg.	Figs. Drwg.	Print Fig.	Total Claims	Print Claim for O.G.
	-	-	-	9	1
<input type="checkbox"/> The term of this patent subsequent to _____ (date) has been disclaimed.	<i>Michael A. Williamson</i> 4/2001 (Assistant Examiner) (Date)			NOTICE OF ALLOWANCE MAILED	
<input type="checkbox"/> The term of this patent shall not extend beyond the expiration date of U.S. Patent No. _____				7/3/01	
	<i>1616</i> <i>Mark Clady</i> 7/02/01 (Primary Examiner) (Date)			ISSUE FEE	
				Amount Due	Date Paid
		1240.00	9-27-01		
<input type="checkbox"/> The terminal _____ months of this patent have been disclaimed.	<i>7/02</i> (Legal Instruments Examiner) (Date)			ISSUE BATCH NUMBER	
				I77	

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NOVARTIS EXHIBIT 2028
Noven v. Novartis and LTS Lohmann

PATENT APPLICATION SERIAL NO. 09-747519

U.S. DEPARTMENT OF COMMERCE
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FEE RECORD SHEET

01/26/2001 YGIZAW 00000005 190134 09747519
01 FC:101 710.00 CH

PTO-1556
(5/87)

U.S. GPO: 1999-459-082/18144

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Bib Data Sheet

CONFIRMATION NO. 3806

SERIAL NUMBER 09/747,519	FILING DATE 12/20/2000 RULE	CLASS 424	GROUP ART UNIT 1616	ATTORNEY DOCKET NO. 4-30127B/N1C1
APPLICANTS Bodo Asmussen, Bendorf-Sayn, GERMANY; Michael Horstmann, Neuwied, GERMANY; Kai Kopke, Triengen, SWITZERLAND; Henricus L.G.M. Tiemessen, Weil-Haltingen, GERMANY; Steven Minh Dinh, Briarcliff Manor, NY; Paul M. Gargiulo, New York, NY;				
** CONTINUING DATA ***** <i>MSD</i> THIS APPLICATION IS A CON OF 09/291,498 04/14/1999 WHICH IS A CIP OF PCT/EP99/00078 01/08/1999				
** FOREIGN APPLICATIONS ***** <i>MSD</i> UNITED KINGDOM 9800526.7 01/12/1996				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 01/26/2001				
Foreign Priority claimed <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	35 USC 119 (a-d) conditions met <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance	STATE OR COUNTRY GERMANY	SHEETS DRAWING	TOTAL CLAIMS 13 INDEPENDENT CLAIMS 3
Verified and Acknowledged <i>MSD</i> Examiner's Signature Initials				
ADDRESS 001095				
TITLE TTS containing an antioxidant				
FILING FEE RECEIVED 710	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

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12/21/00

76950 U.S. PTO
12/20/00

Docket Number 4-30127B/N1C1

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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December 20, 2000
Date of Deposit

09/02/01
6514/60
H 8893C

Address to: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

UTILITY PATENT APPLICATION TRANSMITTAL AND FEE SHEET

Transmitted herewith for filing under 37 CFR §1.53(b)(1) is a **continuation** of prior Application No. 09/291,498, filed April 14, 1999.

Applicant (or identifier): ASMUSSEN ET AL.

Title: TTS CONTAINING AN ANTIOXIDANT

Enclosed are:

09747519.122000

- 1. Specification (Including Claims and Abstract) - 15 pages
- 2. Drawings - sheets
- 3. Declaration and Power of Attorney
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (signed or with indication that original was signed)
 - i. Deletion of Inventors
Signed statement attached deleting inventor(s) named in the prior application
- 4. Incorporation By Reference
The entire disclosure of the prior application, from which a copy of the Declaration and Power of Attorney is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- 5. Microfiche Computer Program (appendix)
- 6. Nucleotide and/or Amino Acid Sequence Submission
 - Computer Readable Copy
 - Paper Copy
 - Statement Verifying Identity of Above Copies
- 7. Preliminary Amendment
- 8. Assignment Papers (Cover Sheet & Document(s))
- 9. English Translation of
- 10. Information Disclosure Statement
- 11. Certified Copy of Priority Document(s)
- 12. Return Receipt Postcard
- 13. Other:

The right to elect an invention or species that is different from that elected in parent Application No. 09/291,498 in the event of a restriction or election of species requirement that is identical or substantially similar to that made in said parent application is hereby reserved.

Filing fee calculation:

- Before calculating the filing fee, please enter the enclosed Preliminary Amendment.
 Before calculating the filing fee, please cancel claims

Basic Filing Fee							\$	710
Multiple Dependent Claim Fee (\$ 270)							\$	
Foreign Language Surcharge (\$ 130)							\$	
	For	Number Filed		Number Extra		Rate		
Extra Claims	Total Claims	13	-20	0	x	\$ 18	= \$	
	Independent Claims	3	-3	0	x	\$ 80	= \$	
TOTAL FILING FEE							\$	710


- Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of \$710. An additional copy of this paper is enclosed. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.16 and §1.17 which may be required in connection with this application, or credit any overpayment, to Deposit Account No. 19-0134 in the name of Novartis Corporation.

Please address all correspondence to the address associated with Customer No. 001095, which is currently:

Thomas Hoxie
 Novartis Corporation
 Patent and Trademark Dept.
 564 Morris Avenue
 Summit, NJ 07901-1027

Please direct all telephone calls to the undersigned at the number given below and all telefaxes to (908) 522-6955.

Respectfully submitted,


 John D. Thallemer
 Attorney for Applicants
 Reg. No. 34,940
 Tel. No. (908) 522-6950

Date: December 20, 2000

000221-61524760

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