

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dayton T. Reardan et al.

Title: SENSITIVE DRUG DISTRIBUTION SYSTEM AND METHOD

Docket No.: 101.031US1  
Filed: December 17, 2002  
Examiner: Lena Najarian

Serial No.: 10/322,348  
Due Date: July 28, 2007  
Group Art Unit: 3626

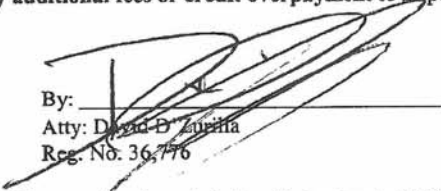
**MS Appeal Brief - Patents**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- Substitute Appeal Brief Under 37 C.F.R. § 41.37 (32 pgs., including 1-page table of contents and 31-page Substitute Appeal Brief).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By:   
Atty: David B. Zurina  
Reg. No. 36,776

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 18 day of July, 2007.

John D. Gustav. W. Reardan  
Name

John P. Gustav. W. Reardan  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)



ParXyrem 003304

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

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PATENT

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In re Application of: Dayton T. Reardan et al. Examiner: Lena Najarian

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For: SENSITIVE DRUG DISTRIBUTION SYSTEM AND METHOD

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**SUBSTITUTE APPEAL BRIEF UNDER 37 CFR § 41.37**

Mail Stop Appeal Brief- Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Substitute Appeal Brief is presented in support of the Notice of Appeal to the Board of Patent Appeals and Interferences, filed on March 19, 2007, from the Final Rejection of claims 32-42 of the above-identified application, as set forth in the Final Office Action mailed on October 26, 2006, and further in response to the Notice of Non-Compliant Appeal Brief mailed June 28, 2007.

The Commissioner of Patents and Trademarks is hereby authorized to charge Deposit Account No. 19-0743 in the amount of \$250.00 which represents the requisite fee set forth in 37 C.F.R. § 41.20(b)(2). The Appellants respectfully request consideration and reversal of the Examiner's rejections of pending claims.

ParXvrem 003306

## **1. REAL PARTY IN INTEREST**

The real party in interest of the above-captioned patent application is the assignee, Jazz Pharmaceuticals.

## **2. RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences known to Appellant that will have a bearing on the Board's decision in the present appeal.

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