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JC14 Rec'd PCT/PTO 0 4 JUN 2002

Attorney Docket No.: 0045-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Serial No.: Filed: For: James E. Brehove Group Art Unit: 3764/ 10/077,521 Examiner: N/A February 15, 2002 TOPICAL APPLICATION FOR TREATING TOENAIL FUNGUS 0045-1 RECEVED

Matter No.:

Assistant Commissioner For Patents Washington, DC 20231

Sir:

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TECHNOLOGY CENTER FIG700

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(b)

In accordance with the duty of disclosure under 37 CFR. §1.**JECH CENTER** 1600/2900 Applicant hereby notifies the U.S. Patent and Trademark Office of the following documents, which are listed on the attached PTO-1449 Form. The Examiner may deem these documents to be relevant to patentability of the claims of the aboveidentified application. A copy of each of the documents is enclosed for the convenience of the Examiner.

The submission of the listed documents is not intended as an admission that any of the documents constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

It is understood that no fee is necessary for submission of this Information Disclosure Statement, as it is being filed before the later of three months from the filing date or the mailing of the first Office Action on the merits. For the reasons set forth above, it is submitted that no additional fee is required for this Information Disclosure Statement. However, in the event that the Commissioner deems that an additional fee is required, it is respectfully requested that applicant's attorney be contacted and accorded an opportunity to pay such additional fee.

Respectfully submitted,

Ernest D. Buff Reg. No. 25,833

Enclosures

Ernest D. Buff & Associates, LLC 245 South Street Morristown, New Jersey 07960 (973) 644-0008

Dated: May 25, 2002

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Of:

FAX: 973-386-0429

Date: December 1, 2000

Pages: 7, Including this cover sheet

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