

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Control Nos.:	<b>90/ 007,542</b> <b>90/ 007,859</b>	Group Art Unit:	3991
Confirmation Nos.:	7585 ('542) 6447 ('859)	Examiner:	P. Ponnaluri
Filed:	13 May 2005 ('542) 23 December 2005 ('859)		
Patent Owner:	Genentech, Inc. and City of Hope		
For:	Merged Reexaminations of U.S. Patent No. 6,331,415 (Cabilly <u>et al.</u> )		

Mail Stop **Ex Parte Reexam**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

Sir:

Further to the Notice of Appeal under 37 C.F.R. § 41.31 filed in this merged reexamination proceeding on 22 August 2008, Owners file this appeal brief in compliance with § 41.37. On 17 October 2008, the Office granted a request to extend the time for filing a brief to 10 December 2008. Accordingly, this brief is timely filed.

Owners request that the Director debit the fee for filing an appeal brief, **\$540** (§ 41.20(b)(2)), as well as any other fees required to make this or any other paper submitted in support of this appeal timely or proper, from our **Deposit Account No. 18-1260**.

Sections (1) to (7) below correspond to the requirements of § 41.37(c)(1)(i)-(vii), respectively. The sections required under § 41.37(c)(1)(viii)-(x) appear as appendices to this brief.

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