

Attorney Docket No.: Enz-7(P)(C3)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 25 2005

In re Application of: Jannis Stavrianopoulos et al.

Serial No.: 08/486,070

Group Art Unit: 1631

Filed: June 7, 1995

SPE: Ardin H. Marschel, Ph.D

For: **NUCLEIC ACIDS FIXED OR IMMOBILIZED TO NON-POROUS
SOLID SUPPORT, AND SYSTEM, ARRAY AND NON-POROUS
GLASS OR PLASTIC SOLID SUPPORT COMPRISING SUCH FIXED
OR IMMOBILIZED NUCLEIC ACIDS**

Confirmation No.:

CERTIFICATE OF FACSIMILE TRANSMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

I hereby certify that the attached correspondence (total of 137 pages including this sheet) comprising:

Amendment Under 37 C.F.R. §1.115
(In Response To November 26, 2004 Office Action) (including Exhibits A, B & C);

and Request For Extension Of Time (3 Months)

was sent to the United States Patent and Trademark Office by telefax to (703) 872-9306.

Respectfully submitted,



Date: May 25, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Stavrianopoulos, <i>et al.</i>
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SPE: Ardin H. Marschel, Ph.D.

527 Madison Avenue, 9th Floor
New York, NY 10022-4304
May 25, 2005

VIA FILED BY FACSIMILE TRANSMISSION

TO: (703) 872-9306

Mail Stop -- Amendment
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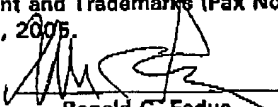
AMENDMENT UNDER 37 C.F.R. §1.115
(IN RESPONSE TO THE NOVEMBER 26, 2004 OFFICE ACTION)

Dear Sirs:

This paper (Amendment Under 37 C.F.R. §1.115) is responsive to the November 26, 2004 Office Action mailed in connection with the above-identified application. A response to the November 26, 2004 Office Action was initially due by February 26, 2004. This paper is accompanied by a Request For Extension Of Time (Three Months), and authorization for the fee therefor. Upon the expected granting of Applicants' extension request, the response deadline will be extended to May 26, 2005. Accordingly, this paper is being timely filed.

Enz-7(P)(C3)

Page 2 [Amendment Under 37 C.F.R. §1.115 (In Response To The
November 26, 2004 Office Action) -- May 25, 2005]

CERTIFICATE OF TRANSMISSION	
I hereby certify that this paper (Amendment Under 37 C.F.R. §1.115 (In Response To The November 26, 2004 Office Action) (along with any documents referred to as attached or enclosed) is being facsimile transmitted to the United States Patent and Trademarks (Fax No. 703-872-9306) on May 25, 2005.	
MAY 25 2005	
Date	Ronald C. Fedus Reg. No. 32,567

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 45 of this paper.

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Page 3 [Amendment Under 37 C.F.R. §1.115 (In Response To The
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Amendments to the Claims: This listing of the claims below will replace all prior versions and listing of claims in this application.

Listing of Claims:

Claims 1-3143 (Canceled).

Claim 3144. (Currently Amended) A non-porous solid support comprising one or more amine(s), hydroxyl(s) or epoxide(s) thereon, wherein at least one single-stranded nucleic acid is directly or indirectly fixed or immobilized thereto in hybridizable form to said non-porous solid support via said one or more amine(s), hydroxyl(s) or epoxide(s). ~~wherein when said nucleic acid is indirectly fixed or immobilized to said non-porous solid support, said indirect fixation or immobilization is not to a cell fixed *in situ* to said non-porous solid support.~~

Claim 3145. (Currently Amended) A non-porous solid support comprising one or more amine(s), hydroxyl(s) or epoxide(s) thereon, wherein at least one double-stranded nucleic acid is fixed or immobilized thereto, to said non-porous solid support via said one or more amine(s), hydroxyl(s) or epoxide(s), and wherein at least one nucleic acid strand of said at least one double-stranded nucleic acid has covalently attached thereto either:

- (i) a non-radioactive signaling moiety, or
- (ii) a non-radioactive bridging moiety covalently or non-covalently attached to a non-radioactive signaling moiety.

~~comprises at least one non-radioactive chemical label which is quantifiable or detectable, wherein when said nucleic acid is indirectly fixed or immobilized to said non-porous solid support, said indirect fixation or immobilization is not to a cell fixed *in situ* to said non-porous solid support.~~

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Page 4 [Amendment Under 37 C.F.R. §1.115 (In Response To The
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Claim 3146. (Currently Amended) The non-porous solid support of ~~claim~~ claims 3144, ~~or~~ 3145, 3287, 3324 or 3325, wherein said non-porous solid support comprises glass or plastic.

Claim 3147. (Currently Amended) The non-porous solid support of ~~claim~~ claims 3144, ~~or~~ 3145, 3287, 3324 or 3325, wherein said non-porous solid support comprises a plate or plates, a well or wells, a microtiter well or microtiter wells, a depression or depressions, a tube or tubes, a cuvette or cuvettes, or a bead or beads, or a set of said plates, wells, depressions, tubes, cuvettes or beads.

Claim 3148-3149. (Canceled).

Claim 3150. (Currently Amended) The non-porous solid support of claim 3287 or 3325 ~~3149~~, wherein said reactive sites ~~or binding sites~~ comprising ~~comprise~~ one or more amines, ~~hydroxyls or epoxides.~~

Claim 3151. (Currently Amended) The non-porous solid support of ~~claim~~ claims 3144, ~~or~~ 3145, 3287, 3324 or 3325, wherein said non-porous solid support has been treated with a surface treatment agent, a blocking agent, or both.

Claim 3152. (Previously Presented) The non-porous solid support of claim 3151, wherein said surface treatment agent comprises an amine providing compound, an epoxy glue or solution, an acid solution, or ammonium acetate.

Claim 3153. (Previously Presented) The non-porous solid support of claim 3151, wherein said blocking agent comprises Denhardt's solution.

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