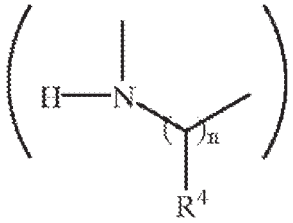
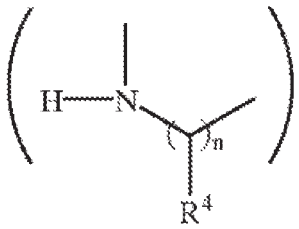


form a 5 to 7 membered ring containing a total of 2 to 4 heteroatoms selected from N, O, S, SO, or SO_2;

or optionally R^1 and R^3 together with



form a 4 to 8 membered cycloheteroalkyl ring wherein the cycloheteroalkyl ring has an optional aryl ring fused thereto or an optional 3 to 7 membered cycloalkyl ring fused thereto;

with the proviso that where x is 1 and y is 0, X is H, n is o, and one of R^1 and R^2 is H and the other is alkyl, then R^3 is other than pyridyl or substituted pyridyl;

including all stereoisomers thereof;

or [and] a pharmaceutically acceptable salt thereof[, or a prodrug ester thereof], and all stereoisomers thereof.

Amend claim 12 as follows:

12. A pharmaceutical combination comprising a [DP4 inhibitor] compound as defined in claim 1 and an antidiabetic agent other than a DP4 inhibitor for treating diabetes and related diseases, an anti-obesity agent and/or a lipid-modulating agent.

Amend claim 13 as follows:

13. The pharmaceutical combination as defined in claim 12 comprising said [DP4 inhibitor] compound as defined in claim 1 and [an] the antidiabetic agent other than a DP4 inhibitor.

Amend claim 16 as follows:

16. The combination as defined in claim 13 wherein the compound as defined in claim 1 is present in a weight ratio to the antidiabetic agent within the range from about 0.01 to about 100:1.

Amend claim 17 as follows:

17. The combination as defined in claim 12 wherein the anti-obesity agent is a beta 3 adrenergic agonist, a lipase inhibitor, [a serotonin (and dopamine) reuptake inhibitor,] a thyroid receptor beta compound, an anorectic agent, and/or a fatty acid oxidation upregulator.

Amend claim 21 as follows:

21. The combination as defined in claim 19 wherein the compound as defined in claim 1 [DP4 inhibitor] is present in a weight ratio to the lipid-modulating agent within the range from about 0.01 to about 100:1.

Amend claim 22 as follows:

22. A pharmaceutical combination comprising a [DP4 inhibitor] compound as defined in claim 1 and an agent for treating infertility, an agent for treating polycystic ovary syndrome, an agent for treating a growth disorder and/or frailty, an anti-arthritis agent, an agent for preventing or inhibiting allograft rejection in transplantation, an agent for treating autoimmune disease, an anti-AIDS agent, an agent for treating inflammatory bowel disease/syndrome, an agent for treating anorexia nervosa, an anti-osteoporosis agent and/or an anti-obesity agent.

Amend added claim 29 to read as follows:

29. The composition of claim 27 or 28 further comprising an antidiabetic agent other than a DP4 inhibitor.

Amend added claim 30 to read as follows:

30. The composition of claim 29 wherein the antidiabetic agent is metformin.

Amend added claim 31 to read as follows:

31. The composition of claim 29 wherein the antidiabetic agent is a SGLT2 inhibitor.

Cancel added claims 36 and 37.

Amend added claim 38 to read as follows:

38. The method of any one of claims 32, 33, 34, or 35, wherein the pharmaceutical composition further comprises an antidiabetic agent other than a DP4 inhibitor.

Amend added claim 39 to read as follows:

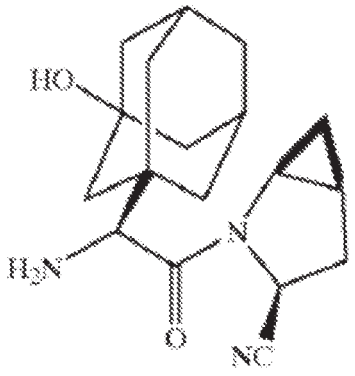
39. The method of claim 38 wherein the antidiabetic agent is metformin.

Amend added claim 40 to read as follows:\

40. The method of claim 38 wherein the antidiabetic agent is a SGLT2 inhibitor.

Add new claims 41 to 45 to read as follows:

41. A method for treating type II diabetes in a mammal comprising administering to the mammal a pharmaceutical composition comprising a compound that is



or a pharmaceutically acceptable salt thereof, and a pharmaceutically acceptable carrier therefor.

42. The method of claim 41, wherein the pharmaceutically acceptable salt is the hydrochloride salt.

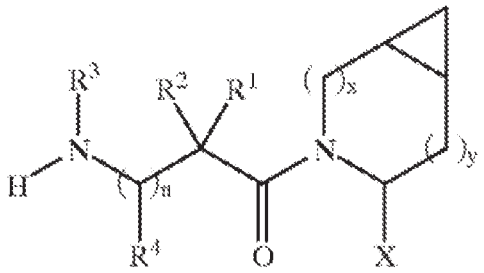
43. The method of any one of claims 41 or 42, wherein the pharmaceutical composition further comprises an antidiabetic agent other than a DP4 inhibitor.

44. The method of claim 43, wherein the antidiabetic agent is metformin.

45. The method of claim 43, wherein the antidiabetic agent is a SGLT2 inhibitor.

Complete Listing of Claims As Amended (including status identifiers):

1. (Amended) A compound having the structure



wherein x is 0 or 1 and y is 0 or 1, provided that

x=1 when y=0 and

x=0 when y=1; and wherein

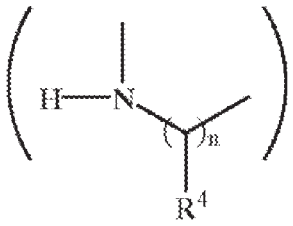
n is 0 or 1;

X is H or CN;

R^1, R^2, R^3 and R^4 are the same or different and are independently selected from hydrogen, alkyl, alkenyl, alkynyl, cycloalkyl, cycloalkylalkyl, bicycloalkyl, tricycloalkyl, alkylcycloalkyl, hydroxyalkyl, hydroxyalkylcycloalkyl, hydroxycycloalkyl, hydroxybicycloalkyl, hydroxytricycloalkyl, bicycloalkylalkyl, alkylthioalkyl, arylalkylthioalkyl, cycloalkenyl, aryl, aralkyl, heteroaryl, heteroarylalkyl, cycloheteroalkyl or cycloheteroalkylalkyl; all optionally substituted through available carbon atoms with 1, 2, 3, 4 or 5 groups selected from hydrogen, halo, alkyl, polyhaloalkyl, alkoxy, haloalkoxy, polyhaloalkoxy, alkoxycarbonyl, alkenyl, alkynyl, cycloalkyl, cycloalkylalkyl, polycycloalkyl, heteroarylamino, arylamino, cycloheteroalkyl, cycloheteroalkylalkyl, hydroxy, hydroxyalkyl, nitro,

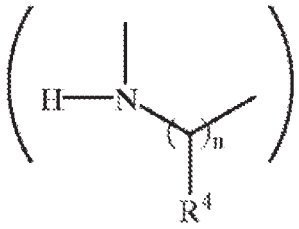
cyano, amino, substituted amino, alkylamino, dialkylamino, thiol, alkylthio, alkylcarbonyl, acyl, alkoxycarbonyl, aminocarbonyl, alkynylaminocarbonyl, alkylaminocarbonyl, alkenylaminocarbonyl, alkylcarbonyloxy, alkylcarbonylamino, arylcarbonylamino, alkylsulfonylamino, alkylaminocarbonylamino, alkoxycarbonylamino, alkylsulfonyl, aminosulfinyl, aminosulfonyl, alkylsulfinyl, sulfonamido or sulfonyl;

and R^1 and R^3 may optionally be taken together to form $(CR^5R^6)_m$ where m is 2 to 6, and R^5 and R^6 are the same or different and are independently selected from hydroxy, alkoxy, H, alkyl, alkenyl, alkynyl, cycloalkyl, halo, amino, substituted amino, cycloalkylalkyl, cycloalkenyl, aryl, arylalkyl, heteroaryl, heteroarylalkyl, cycloheteroalkyl, cycloheteroalkylalkyl, alkylcarbonylamino, arylcarbonylamino, alkoxycarbonylamino, aryloxycarbonylamino, alkoxycarbonyl, aryloxycarbonyl, or alkylaminocarbonylamino, or R^1 and R^4 may optionally be taken together to form $(CR^7R^8)_p$ wherein p is 2 to 6, and R^7 and R^8 are the same or different and are independently selected from hydroxy, alkoxy, cyano, H, alkyl, alkenyl, alkynyl, cycloalkyl, cycloalkylalkyl, cycloalkenyl, halo, amino, substituted amino, aryl, arylalkyl, heteroaryl, heteroarylalkyl, cycloheteroalkyl, cycloheteroalkylalkyl, alkylcarbonylamino, arylcarbonylamino, alkoxycarbonylamino, aryloxycarbonylamino, alkoxycarbonyl, aryloxycarbonyl, or alkylaminocarbonylamino, or optionally R^1 and R^3 together with



form a 5 to 7 membered ring containing a total of 2 to 4 heteroatoms selected from N, O, S, SO, or SO_2;

or optionally R^1 and R^3 together with



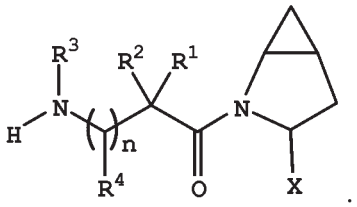
form a 4 to 8 membered cycloheteroalkyl ring wherein the cycloheteroalkyl ring has an optional aryl ring fused thereto or an optional 3 to 7 membered cycloalkyl ring fused thereto;

with the proviso that where x is 1 and y is 0, X is H, n is o, and one of R^1 and R^2 is H and the other is alkyl, then R^3 is other than pyridyl or substituted pyridyl;

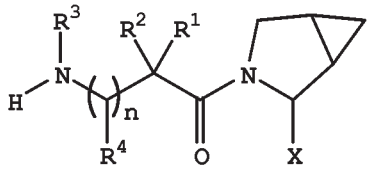
including all stereoisomers thereof;

or [and] a pharmaceutically acceptable salt thereof[, or a prodrug ester thereof], and all stereoisomers thereof.

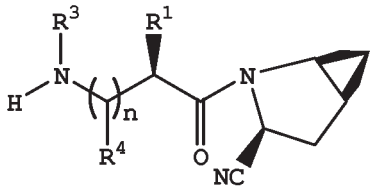
2. (Original) The compound as defined in claim 1 having the structure:



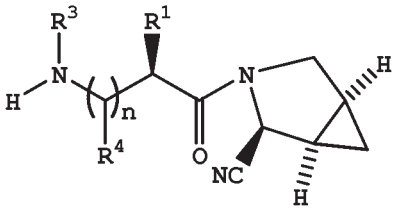
3. (Original) The compound as defined in claim 1 having the structure:



4. (Original) The compound as defined in claim 1 having the structure:



5. (Original) The compound as defined in claim 1 having the structure:



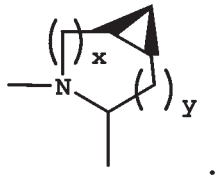
6. (Original) The compound as defined in claim 1 wherein:

R^3 is H, R^1 is H, alkyl, cycloalkyl, bicycloalkyl, tricycloalkyl, alkylcycloalkyl, hydroxyalkyl, hydroxyalkylcycloalkyl, hydroxycycloalkyl hydroxybicycloalkyl, or hydroxytricycloalkyl,

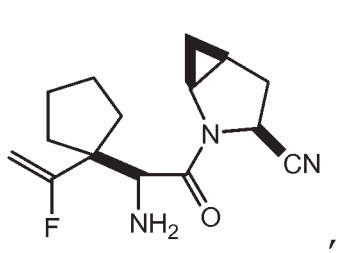
R^2 is H or alkyl, n is 0,

X is CN.

7. (Original) The compound as defined in claim 1 wherein the cyclopropyl fused to the pyrrolidine has the configuration:



8. (Original) A compound having the structure:



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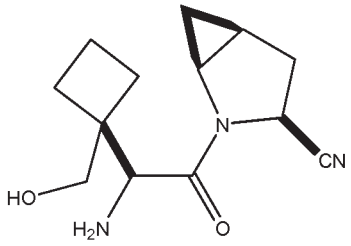

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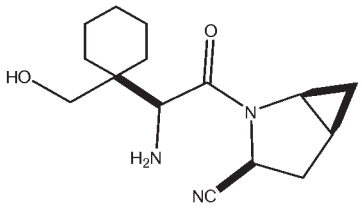

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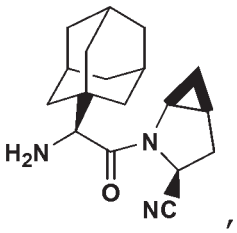

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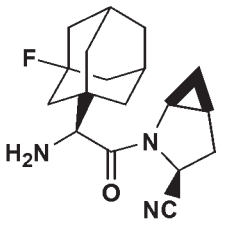

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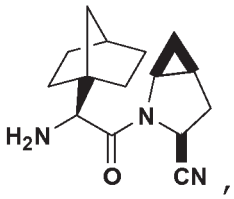

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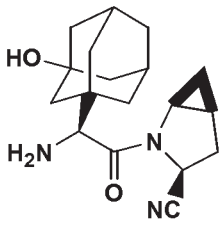
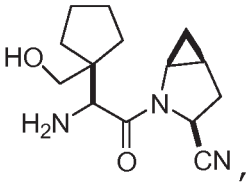


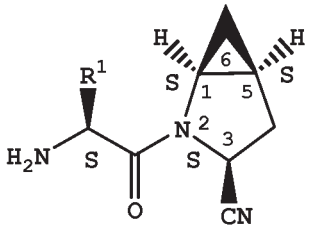
or


,

or a pharmaceutically acceptable salt thereof.

9. (Original) The compound as defined in claim 8 wherein the pharmaceutically acceptable salt is the hydrochloride salt or the trifluoroacetic acid salt.

10. (Original) A compound which is

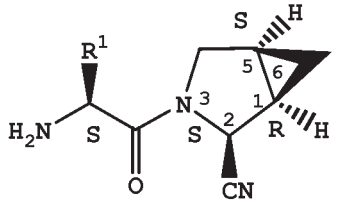


A

(1S,2(2S),3S,5S)

wherein R^1 is alkyl, cycloalkyl, bicycloalkyl, tricycloalkyl, alkylcycloalkyl, hydroxyalkyl, hydroxycycloalkyl, hydroxyalkylcycloalkyl, hydroxybicycloalkyl, or hydroxytricycloalkyl,

or



B

(1R,2S,3(2S),5S)

wherein R^1 is alkyl, cycloalkyl, bicycloalkyl, tricycloalkyl, alkylcycloalkyl, hydroxyalkyl, hydroxycycloalkyl, hydroxyalkylcycloalkyl, hydroxybicycloalkyl, or hydroxytricycloalkyl.

11. (Original) A pharmaceutical composition comprising a compound as defined in claim 1 and a pharmaceutically acceptable carrier therefor.

12. (Amended) A pharmaceutical combination comprising a [DP4 inhibitor] compound as defined in claim 1 and an antidiabetic agent other than a DP4 inhibitor for treating diabetes and related diseases, an anti-obesity agent and/or a lipid-modulating agent.

13. (Twice Amended) The pharmaceutical combination as defined in claim 12 comprising said [DP4 inhibitor] compound as defined in claim 1 and [an] the antidiabetic agent other than a DP4 inhibitor.

14. (Original) The combination as defined in claim 13 wherein the antidiabetic agent is 1, 2, 3 or more of a biguanide, a sulfonyl urea, a glucosidase inhibitor, a PPAR agonist, a PPAR / dual agonist, an SGLT2 inhibitor, an aP2 inhibitor, a glycogen phosphorylase inhibitor, an AGE inhibitor, an insulin sensitizer, a glucagon-like peptide-1 (GLP-1) or mimetic thereof, insulin and/or a meglitinide.

15. (Original) The combination as defined in Claim 14 wherein the antidiabetic agent is 1, 2, 3 or more of metformin, glyburide, glimepiride, glipyride, glipizide, chlorpropamide, gliclazide, acarbose, miglitol, pioglitazone, troglitazone, rosiglitazone, insulin, Gl-262570, isaglitazone, JTT-501, NN-2344, L895645, YM-440, R-119702, AJ9677, repaglinide, nateglinide, KAD1129, AR-HO39242, GW-409544, KRP297, AC2993, Exendin-4, LY307161, NN2211, and/or LY315902.

16. (Amended) The combination as defined in claim 13 wherein the compound as defined in claim 1 is present in a weight ratio to the antidiabetic agent within the range from about 0.01 to about 100:1.

17. (Amended) The combination as defined in claim 12 wherein the anti-obesity agent is a beta 3 adrenergic agonist, a lipase inhibitor, [a serotonin (and dopamine) reuptake inhibitor,] a thyroid receptor beta compound, an anorectic agent, and/or a fatty acid oxidation upregulator.

18. (Original) The combination as defined in claim 17 wherein the anti-obesity agent is orlistat, ATL-962, AJ9677, L750355, CP331648, sibutramine, topiramate, axokine, dexamphetamine, phentermine, phenylpropanolamine, famoxin, and/or mazindol.

19. (Original) The combination as defined in claim 12 wherein the lipid modulating agent is an MTP inhibitor, an HMG CoA reductase inhibitor, a squalene synthetase inhibitor, a fibric acid derivative, an upregulator of LDL receptor activity, a lipoxygenase inhibitor, an ACAT inhibitor, a cholesteryl ester transfer protein inhibitor, or an ATP citrate lyase inhibitor.

20. (Original) The combination as defined in claim 19 wherein the lipid modulating agent is pravastatin, lovastatin, simvastatin, atorvastatin, cerivastatin, fluvastatin, nisvastatin, visastatin, fenofibrate, gemfibrozil, clofibrate, implitapide, CP-529,414, avasimibe, TS-962, MD-700, and/or LY295427.

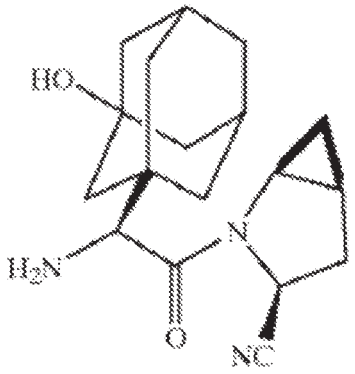
21. (Amended) The combination as defined in claim 19 wherein the compound as defined in claim 1 [DP4 inhibitor] is present in a weight ratio to the lipid-modulating agent within the range from about 0.01 to about 100:1.

22. (Amended) A pharmaceutical combination comprising a [DP4 inhibitor] compound as defined in claim 1 and an agent for treating infertility, an agent for treating polycystic ovary syndrome, an agent for treating a growth disorder and/or frailty, an anti-arthritis agent, an agent for preventing or inhibiting allograft rejection in transplantation, an agent for treating autoimmune disease, an anti-AIDS agent, an agent for treating inflammatory bowel disease/syndrome, an agent for treating anorexia nervosa, an anti-osteoporosis agent and/or an anti-obesity agent.

23. (Canceled)

24. (Canceled)

25. (New) A compound that is



; or a pharmaceutically acceptable salt thereof.

26. (New) The compound as defined in claim 25, wherein the pharmaceutically acceptable salt is the hydrochloride salt.

27. (New) A pharmaceutical composition comprising the compound of claim 25 and a pharmaceutically acceptable carrier therefor.

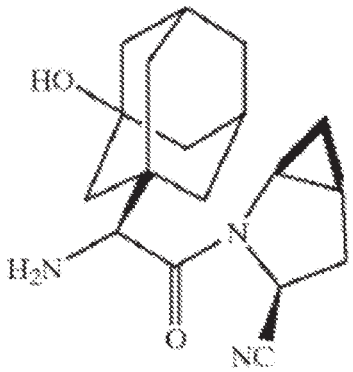
28. (New) A pharmaceutical composition comprising the compound of claim 26 and a pharmaceutically acceptable carrier therefor.

29. (New/Amended) The composition of claim 27 or 28 further comprising an antidiabetic agent other than a DP4 inhibitor.

30. (New/Amended) The composition of claim 29 wherein the antidiabetic agent is metformin.

31. (New/Amended) The composition of claim 29, wherein the antidiabetic agent is a SGLT2 inhibitor.

32. (New) A method for treating diabetes, insulin resistance, hyperglycemia, hyperinsulinemia, impaired glucose homeostasis, or impaired glucose tolerance in a mammal comprising administering to the mammal a pharmaceutical composition comprising a compound that is



or a pharmaceutically acceptable salt thereof, and a pharmaceutically acceptable carrier therefor.

33. (New) The method of claim 32, wherein the pharmaceutically acceptable salt is the hydrochloride salt.

34. (New) The method of claim 32, for treating diabetes.

35. (New) The method of claim 33, for treating diabetes.

36. (Canceled)

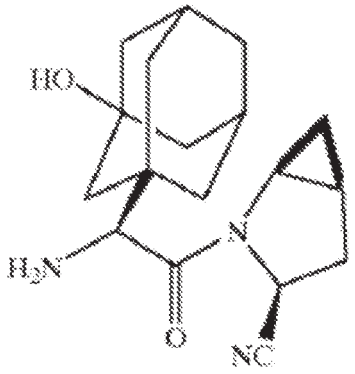
37. (Canceled)

38. (New/Amended) The method of any one of claims 32, 33, 34, or 35 wherein the pharmaceutical composition further comprises an antidiabetic agent other than a DP4 inhibitor.

39. (New/Amended) The method of claim 38, wherein the antidiabetic agent is metformin.

40. (New/Amended) The method of claim 38, wherein the antidiabetic agent is a SGLT2 inhibitor.

41. (New) A method for treating type II diabetes in a mammal comprising administering to the mammal a pharmaceutical composition comprising a compound that is



or a pharmaceutically acceptable salt thereof, and a pharmaceutically acceptable carrier therefor.

42. (New) The method of claim 41, wherein the pharmaceutically acceptable salt is the hydrochloride salt.

43. (New) The method of any one of claims 41 or 42, wherein the pharmaceutical composition further comprises an antidiabetic agent other than a DP4 inhibitor.

44. (New) The method of claim 43, wherein the antidiabetic agent is metformin.

45. (New) The method of claim 43, wherein the antidiabetic agent is a SGLT2 inhibitor.

REMARKS

Claims 1, 12, 13, 16, 17, 21, 22, 29, 30, 31, 38, 39, and 40 are amended herein. Claims 36 and 37 are canceled and new claims 41 to 45 are added herein. Support for each of the new claims and/or amendments is implicit in the prior versions of the claims, or is set forth in the chart that was submitted with the preliminary amendment filed December 1, 2011. No new matter is added.

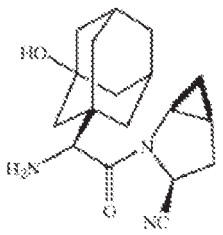
After entry of the present amendments, claims 1-22, 25-35, and 38-45 will remain pending.

Summary of the Interview

The undersigned thanks Examiners Polansky and Anderson for the courtesy of the telephonic interview conducted on May 22, 2012. The pending claims were discussed, as well as the objections and alleged rejections set forth in the May 8, 2012 Office Action. In particular, the undersigned thanks the Examiners for clarifying the objections to the Applicants' reissue declaration, the incorporation of corrections provided in the Certificates of Correction for the original patent, and the procedures to be followed to remedy any perceived errors.

Reissue Oath/Declaration

The Office alleges that the reissue declaration is defective because it fails to identify at least one specific error which is relied upon to support the reissue application. Without conceding the propriety of this assertion and in the interest of advancing prosecution of the application, a supplemental declaration is filed herewith, which states that the specific error relied upon is that, while the patent included claims encompassing the compound below, the patentee failed to include claims that are specifically directed to the compound:



or a pharmaceutical salt thereof, as set forth in added claims 25 to 35 and 38 to 45.

The supplemental declaration also sets forth the mailing addresses and residences of the inventors. Patent Owner asserts that the supplemental reissue declaration complies with 37 C.F.R. 1.175.

Certificates of Correction

The Office has noted that changes to the specification and claims made via the Certificates of Correction for the original patent should be incorporated into the reissue patent. Said changes have been effected by the Patent Owner according to the procedure described in the Office Action. *See* MPEP 1453.VI.(C).

Claim Objections

The Office objects to added claim 38 for reciting, "The method of any one of claims 32, 33, 34, **25**, **26**, or 37…" Added claim 38 has been amended to recite "The method of any one of claims 32, 33, 34, or **35** …" Withdrawal of the objection is requested.

The Office objects to claim 38 for reciting "an agent for preventing inhibiting allograft rejection in transplantation…" As discussed in the telephonic interview, claim 22, not claim 38, recites the identified language. Claim 22 has accordingly been amended to recite, "an agent for preventing **or** inhibiting allograft rejection in transplantation." Withdrawal of the objection is requested.

Rejections under 35 U.S.C. § 112, Second Paragraph

Claims 1-7, 11-22, 29-31, and 38-40 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. In light of the present claim amendments, withdrawal of the rejections is requested.

Claim 1 has been amended to more clearly identify pharmaceutically acceptable salts as an alternative, *i.e.,* "**or** a pharmaceutically acceptable salt thereof." The rejection of claim 1 therefore is considered moot.

Claim 12 has been amended to recite "a [DP4 inhibitor] compound as defined in claim 1." Claim 13 has been similarly amended. The rejection of claims 12 and 13 is considered moot.

Claim 22 has been amended to recite "A pharmaceutical combination comprising a [DP4 inhibitor] compound as defined in claim 1." The rejection of claim 22 is considered moot. Patent Owner notes that claim 21 has been amended to recite, "The combination as defined in claim 19 wherein the compound as defined in claim 1 [DP4 inhibitor] is present in a weight ratio to the lipid-modulating agent within the range from about 0.01 to about 100:1." Claim 16 has been amended similarly to claim 21.

Claim 17 has been amended to delete the limitation, "a serotonin (and dopamine) reuptake inhibitor." The rejection of claim 17 is considered moot.

Claim 29 has been amended to recite, "The composition of claim 27 or 28 further comprising **an** antidiabetic agent other than a DP4 inhibitor." The rejection of claim 29 is considered moot. Dependent claims 30 and 31 have been amended to recite, "wherein the antidiabetic agent is . . ."

Claim 38 has been amended to recite, "The method of any one of claims 32, 33, 34, or **35**." The rejection is considered moot. . Claim 38 has also been amended to recite, "wherein the pharmaceutical composition further comprises an antidiabetic agent other than a DP4 inhibitor." Dependent claims 39 and 40 have been amended to recite "wherein the antidiabetic agent is…" Dependent claim 40 has also been amended to recite "The method of claim 38…"

Rejections under 35 U.S.C. § 112, First Paragraph

Claims 1-7 and 11-22 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly not complying with the written description requirement for reciting the "prodrug esters" of the compounds of claim 1. While not conceding the propriety of the rejection, the term "prodrug ester thereof" has been deleted from claim 1 to advance prosecution. Withdrawal of the rejection is requested.

CONCLUSION

Patent Owner believes that the foregoing addresses all issues raised in the Office Action dated May 8, 2012, and that the application is now in condition for allowance. If any further issues remain, the Examiner is invited to contact Patent Owner's undersigned representative at the contact number listed below.

Date: August 8, 2012

/S. Maurice Valla/
S. Maurice Valla
Registration No. 43,966

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

Electronic Patent Application Fee Transmittal

Application Number:	13308658
Filing Date:	01-Dec-2011
Title of Invention:	Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method
First Named Inventor/Applicant Name:	Jeffrey A. Robl
Filer:	SAMUEL VALLA/D. McCarty
Attorney Docket Number:	BMS-2856

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	1202	3	60	180
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**180**

Electronic Acknowledgement Receipt

EFS ID:	13444151
Application Number:	13308658
International Application Number:	
Confirmation Number:	7781
Title of Invention:	Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method
First Named Inventor/Applicant Name:	Jeffrey A. Robl
Customer Number:	23377
Filer:	SAMUEL VALLA/D. McCarty
Filer Authorized By:	SAMUEL VALLA
Attorney Docket Number:	BMS-2856
Receipt Date:	08-AUG-2012
Filing Date:	01-DEC-2011
Time Stamp:	11:20:56
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$180
RAM confirmation Number	8914
Deposit Account	233050
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	BMS-2856-Transmittal-reply-to-05-08-12.PDF	262560 f5c75d475478a99889c129e8444656fa3c189c57	no	2
Warnings:					
Information:					
2		BMS-2856-reply-to-05-08-12.PDF	359181 85b8b25bcf56ed3f67b7e901298ecc99f2eecdee	yes	36

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	32
	Applicant Arguments/Remarks Made in an Amendment	33	36

Warnings:					
Information:					
3	Oath or Declaration filed	BMS-2856-Supplemental-Declaration.PDF	86103 d141ce311b111da19ff431467fc6fd89f40c777f	no	4
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30247 a92269519b1df66b248102c534e402d4b530cadc	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	738091		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Doc Code: TRAN.LET

Document Description: Transmittal Letter

PTO/SB/21 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	13/308,658
Filing Date	December 1, 2011
First Named Inventor	Jeffrey A. Robl
Art Unit	1629
Examiner Name	Gregg Polansky
Attorney Docket Number	BMS-2856

Total Number of Pages in This Submission

ENCLOSURES (*Check all that apply*)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☑ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):

Supplemental Reissue Declaration

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Woodcock Washburn, LLP		
Signature	/S. Maurice Valla/		
Printed name	S. Maurice Valla		
Date	August 8, 2012	Reg. No.	43,966

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PTO/SB/52 (05-08)
Approved for use through 08/31/2013. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE	Docket Number (optional) BMS-2856

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: Bristol-Myers Squibb Company

and the title of my position with said assignee is: Assistant General Counsel

The entire title to the patent identified below is vested in said assignee.

Inventor Jeffrey A. Robl	Citizenship United States
Residence/Mailing Address 7 Tulip Drive, Newtown, PA 18940	
Inventor Richard B. Sulsky	Citizenship United States
Residence/Mailing Address 311 Pennington-Rocky Hill Road, Pennington, NJ 08534	
☑ Additional Inventors are named on separately numbered sheets attached hereto.	
Patent Number 6,395,767	Date of Patent Issued May 28, 2002

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

Cyclopropyl-Fused Pyrrolidine-Based Inhibitors of Dipeptidyl Peptidase IV and Method

the specification of which

☐ is attached hereto.

☑ was filed on December 1, 2011 as reissue application number 13 / 308,658

and was amended on 12/1/2011 and 8/8/2012 (If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☑ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

PTO/SB/52 (05-08)
Approved for use through 08/31/2013. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE	Docket Number (Optional) BMS-2856

At least one error upon which reissue is based is described as follows:

See attached sheet

[Attach additional sheets, if needed.]

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint:

☑ Practitioners associated with Customer Number: 23377

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:

☑ The address associated with Customer Number: 23377

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

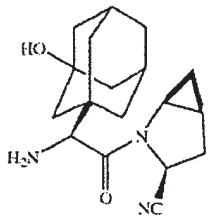
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signature	Date Aug 8, 2012
Full name of person signing (given name, family name)	Warren K. Volles
Address of Assignee	Bristol-Myers Squibb Co.; Patent Department; P.O. Box 4000; Princeton, NJ 08543-4000

Supplemental Declaration Additional Sheet

At least one error upon which reissue is based is described as follows:

While the patent included claims encompassing the compound below, the patent failed to include



claims that are specifically directed to the compound or a pharmaceutical salt thereof, as set forth in added claims 25 to 35 and 38 to 45.

ADDITIONAL INVENTORS
Page 1 of 1

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UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

23377 e 2012-08-13

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Paper No.

Application No.:	**13/308,658**	**Date Mailed:**	**2012-08-13**
First Named Inventor:	Robl, Jeffrey, A.	Examiner:	POLANSKY, GREGG
Attorney Docket No.:	BMS-2856	Art Unit:	1629
Confirmation No.:	7781	Filing Date:	2011-12-01

Please find attached an Office communication concerning this application or proceeding.

Commissioner for Patents

PTO-90c (Rev.08-06)

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. 13/308,658	Applicant(s) ROBL ET AL.
		Art Unit 1700

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on *08 August, 2012* is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other _____.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period if the non-compliant amendment is an** after-final amendment or an amendment filed after allowance, or a drawing submission (only) If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.

2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable /BRUCE HARRISON/ Telephone No: (571)272-1016

UNITED STATES PATENT AND TRADEMARK OFFICE

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23377 e 2012-08-21

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Paper No.

Application No.:	**13/308,658**	**Date Mailed:**	**2012-08-21**
First Named Inventor:	Robl, Jeffrey, A.	Examiner:	POLANSKY, GREGG
Attorney Docket No.:	BMS-2856	Art Unit:	1629
Confirmation No.:	7781	Filing Date:	2011-12-01

Please find attached an Office communication concerning this application or proceeding.

Commissioner for Patents

PTO-90c (Rev.08-06)

Letter Withdrawing a Notice of Non-Compliant Amendment	Application No.: 13/308,658	Applicant(s): ROBL ET AL.
		Art Unit: 1700

The Notice of Non-Compliant Amendment mailed on 13 August, 2012 was sent in error, and is hereby withdrawn. The application is being forwarded to the examiner for appropriate action. (Note: this letter does not apply to any Notice of Non-Compliant Amendment where the amendment was a reply to a final Office action.)

Legal Instruments Examiner (LIE):	Telephone Number:
/BRUCE HARRISON/	(571)272-1016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Jeffrey A. Robl**	Confirmation No.: **7781**
Application No.: **13/308,658**	Group Art Unit: **1629**
Filing Date: **December 1, 2011**	Examiner: **Gregg Polansky**

For: **Cyclopropyl-Fused Pyrrolidine-Based Inhibitors of Dipeptidyl Peptidase IV and Method**

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

Dear Commissioner:

SUPPLEMENTAL REPLY PURSUANT TO 37 CFR § 1.111

In further response to the Official Action dated **May 8, 2012**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

☒ **A Listing of Prior Changes to U.S. 6,395,767 ("the 767 patent") Made By Certificate of Correction** begin on page 2 of this paper.

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

☐ **Amendments to the Drawings** begin on page of this paper and include an attached replacement sheet.

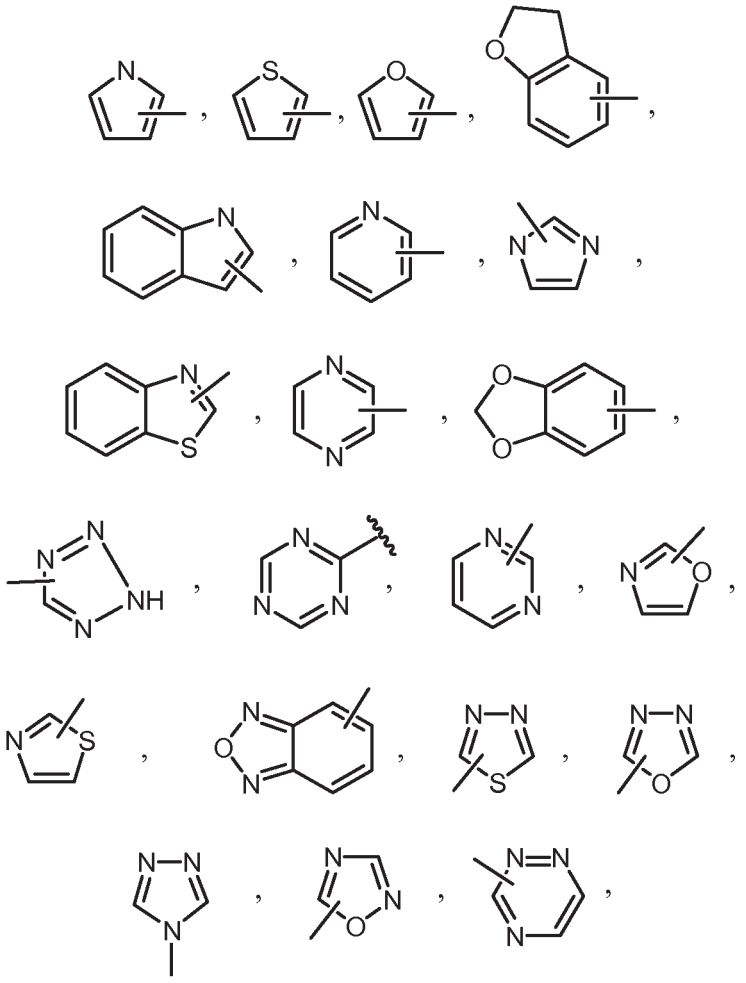
☒ **Remarks** begin on page 6 of this paper.

☒ The Commissioner is hereby authorized to charge any fee deficiency, charge any additional fees, or credit any overpayment of fees, associated with this application in connection with this filing, or any future filing, submitted to the U.S. Patent and Trademark Office during the pendency of this application, to Deposit Account No. 23-3050.

Changes to 767 Patent Previously Entered by Certificate of Correction

1. As indicated by the Certificate of Correction, please substitute the following paragraph for the paragraph at col. 14, lines 13-54 of the 767 patent:

Unless otherwise indicated, the term "heteroaryl" as used herein alone or as part of another group refers to a 5- or 6- membered aromatic ring which includes 1, 2, 3 or 4 hetero atoms such as nitrogen, oxygen or sulfur, and such rings fused to an aryl, cycloalkyl, heteroaryl or cycloheteroalkyl ring (e.g. benzothiophenyl, indolyl), and includes possible N-oxides. The heteroaryl group may optionally include l to 4 substituents such as any of the substituents set out above for alkyl. Examples of heteroaryl groups include the following:



and the like.

2. As indicated by the Certificate of Correction, please substitute the following paragraph for the paragraph at col. 14, lines 55-58 of the 767 patent:

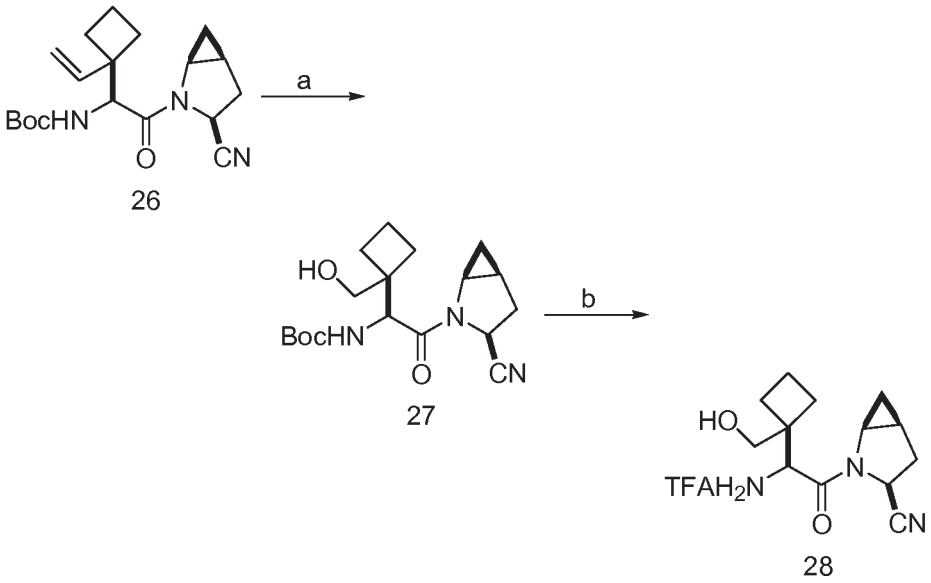
The term "cycloheteroalkylalkyl" as used herein alone or as part of another group refers to cycloheteroalkyl groups as defined above linked through a C atom or heteroatom to a $(CH_2)_r$ chain.

3. As indicated by the Certificate of Correction, please substitute the following paragraph for the paragraph at col. 43, lines 20-38 of the 767 patent:

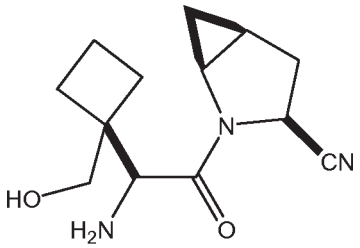
To a flame-dried 500-mL round-bottomed flask containing cyclopentylideneacetic acid ethyl ester (17.5 g, 113 mmol) in 100 mL anhydrous toluene at -78°C under argon was added DIBAL-H (189 mL of a 1.5 M solution in toluene, 284 mmol, 2.50 equiv) dropwise over a 30 min period through an addition funnel, and the mixture was then allowed to warm to rt, stirring for 18 h. The reaction mixture was then recooled to -78°C, and quenched by the careful addition of 30 mL anhydrous MeOH. Upon warming to rt, 1 N Rochelle's salt (100 mL) was added, and the mixture was stirred 90 min. The biphasic reaction mixture was then diluted with Et_2O (200 mL) in a separatory funnel, and the layers were separated. The organic layer was then washed with brine (100 mL), dried (Na_2SO_4), and concentrated under reduced pressure. Purification by flash column chromatography (silica gel, CH_2Cl_2 / EtOAc, 10:1) gave 11.6 g (92%) of the desired allylic alcohol as a colorless oil.

4. As indicated by the Certificate of Correction, please substitute the following Scheme 7 for the Scheme 7 at col. 52, line 37- col. 53, line 25 of the 767 patent:

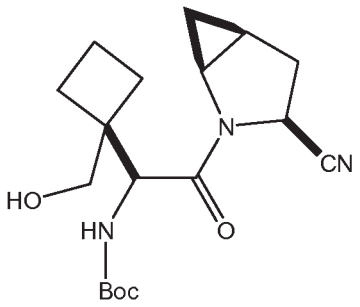
Scheme 7
General Method E, Examples 45 47



a.OsO_4, THF:H_2O, 1:1; $NaIO_4$; workup,then $NaBH_4$, MeOH, RT. 56%
b. TFA:CH_2Cl_2, 1:2, 0 degrees C to RT.

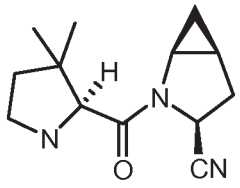


Step 1



5. As indicated by the Certificate of Correction, please substitute the following paragraph for the paragraph at col. 70, lines 55-65 of the 767 patent:

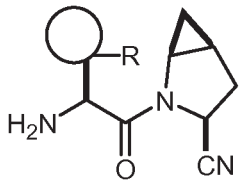
EXAMPLE 67



Step 1

6. As indicated by the Certificate of Correction, please substitute the following Table 5 for the Table 5 at col. 84, lines 23-42 of the 767 patent:

TABLE 5



Example #	Cycloalkane	R	MS Data M+H
79	cyclohexane	Methyl	262
80	cyclohexane	Ethyl	276
81	cyclopentane	Methyl	248
82	cyclopentane	Allyl	274
83	cyclopentane	Propyl	276
84	cyclobutane	Methyl	234

REMARKS

The Patent Owner thanks the examiner for the courtesy of the telephonic interview conducted on January 10, 2013 with Stephanie A. Barbosa, attorney for Patent Owner. Examiner Polansky requested that the Patent Owner file a supplemental response that addresses certain changes to U.S. 6,395,767 that were previously entered by certificate of correction. In particular, Examiner Polansky identified that all changes must be set forth *via* entire paragraph, scheme, and table replacements rather than single line replacements. This supplemental response also includes the changes from the Certificate of Correction for col. 14, lines 55-58 and col. 43, lines 20-38 to correct typographical errors from the previous reply. This supplemental paper is filed in response to the Examiner's request.

Date: January 18, 2013

/S. Maurice Valla/
S. Maurice Valla
Registration No. 43,966

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

Electronic Acknowledgement Receipt

EFS ID:	14735292
Application Number:	13308658
International Application Number:	
Confirmation Number:	7781
Title of Invention:	Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method
First Named Inventor/Applicant Name:	Jeffrey A. Robl
Customer Number:	23377
Filer:	SAMUEL VALLA/Joanne Gallagher
Filer Authorized By:	SAMUEL VALLA
Attorney Docket Number:	BMS-2856
Receipt Date:	18-JAN-2013
Filing Date:	01-DEC-2011
Time Stamp:	11:44:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	BMS-2856_transmittal.PDF	262602 8e5106d1ec81a16c38e02e973075a62abfcdd811	no	2

Warnings:	
Information:	

2		BMS-2856_supplemental_response_to_OA_dtd_05-08-2012.PDF	136534 1c40d87f232354c96586a5ba11ee6350365d5654	yes	6

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Supplemental Response or Supplemental Amendment	1	1
Claims	2	5
Applicant Arguments/Remarks Made in an Amendment	6	6

Warnings:	
Information:	
Total Files Size (in bytes):	399136

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Doc Code: TRAN.LET

Document Description: Transmittal Letter

PTO/SB/21 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	8

Application Number	13/308,658
Filing Date	December 1, 2011
First Named Inventor	Jeffrey A. Robol
Art Unit	1629
Examiner Name	Gregg Polansky
Attorney Docket Number	BMS-2856

ENCLOSURES (*Check all that apply*)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☑ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please Identify below):

Remarks

Supplemental Reply

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Woodcock Washburn LLP		
Signature	/S. Maurice Valla/		
Printed name	S. Maurice Valla		
Date	January 18, 2013	Reg. No.	43,966

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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NOTICE OF ALLOWANCE AND FEE(S) DUE

23377 7590 02/13/2013
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER	
POLANSKY, GREGG	
ART UNIT	PAPER NUMBER
1629	

DATE MAILED: 02/13/2013

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/308,658	12/01/2011	Jeffrey A. Robl	BMS-2856	7781

TITLE OF INVENTION: Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1770	$0	$0	$1770	05/13/2013

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

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Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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CIRA CENTRE, 12TH FLOOR
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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/308,658	12/01/2011	Jeffrey A. Robl	BMS-2856	7781

TITLE OF INVENTION: Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1770	$0	$0	$1770	05/13/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
POLANSKY, GREGG	1629	514-252190

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

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(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. The following fee(s) are submitted:

❑ Issue Fee

❑ Publication Fee (No small entity discount permitted)

❑ Advance Order - # of Copies _____

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❑ Payment by credit card. Form PTO-2038 is attached.

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

❑ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

❑ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/308,658	12/01/2011	Jeffrey A. Robl	BMS-2856	7781

23377 7590 02/13/2013

WOODCOCK WASHBURN LLP
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2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER	
POLANSKY, GREGG	

ART UNIT	PAPER NUMBER
1629	

DATE MAILED: 02/13/2013

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

A reissue patent is for "the unexpired part of the term of the original patent." See 35 U.S.C. 251. Accordingly, the above-identified reissue application is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No.	Applicant(s)	
	13/308,658	ROBL ET AL.	
	Examiner	Art Unit	
	Gregg Polansky	1629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *papers filed 8/08/2012 & 1/18/2013*.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are *1-22,25-35 and 38-45*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov .

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
5. ☐ Examiner's Amendment/Comment
6. ☐ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/SAVITHA RAO/ Primary Examiner, Art Unit 1629	/Gregg Polansky/ Examiner, Art Unit 1629

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	2	("6395767").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	OFF	2013/01/24 17:16
L3	10	onglyza	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L4	1478	saxagliptin	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L5	1480	L3 or L4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L6	375	BMS-477118	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L7	476	BMS adj "477118"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L8	476	BMS adj2 "477118"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L9	476	L6 or L7	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L10	0	"361442-05-9"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:16
L11	808	548/452.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:20
L12	1048	514/412.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	AND	ON	2013/01/24 17:20

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L13	464	514/412.ccls.	USPAT; UPAD	AND	ON	2013/01/24 17:20
L14	506	548/452.ccls.	USPAT; UPAD	AND	ON	2013/01/24 17:21

1/24/2013 5:21:49 PM
C:\Users\gpolansky\Documents\EAST\Workspaces\13308658 Reissue of US 6395767.wsp

Application Number	Application No.	Applicant(s)
	13308658	Robl et al.
	Notice of Reissue Published in OG on 02/14/2012	

Original Patent Number of Patent To Be Reissued is 6395767

The Maintenance fee status is:

☒ up to date.
☐ not required.

This reissue patent is subject to A Terminal Disclaimer that:

☐ was filed during the prosecution of the reissue application.
☐ was of record prior to the filing of the reissue application.

Physical surrender of the letters patent

☐ was made.
☐ was not made, but a statement of loss/inaccessibility was provided.
☒ is not required

Final SPRE Review

BC
(INITIALS)

2/7/2013
(DATE)

U.S. Patent and Trademark Office

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13308658	ROBL ET AL.
	Examiner	Art Unit
	GREGG POLANSKY	1629

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
514	412	1/24/2013	GP
548	452	1/24/2013	GP

SEARCH NOTES		
Search Notes	Date	Examiner
EAST Search: see EAST Search Histroy	5/2/2012	GP
STN Search: see STN Search History	5/2/2012	GP
Litigation Search: see Litigation Search History	5/2/2012	GP
PALM Inventor Search	5/2/2012	GP
EAST Search: see EAST Search Histroy	1/24/2013	GP
Reviewed previous STN Search History	1/24/2013	GP
PALM Inventor Search	1/24/2013	GP

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
514	412	1/24/2013	GP
548	452	1/24/2013	GP

/GREGG POLANSKY/ Examiner.Art Unit 1629	/SAVITHA RAO/ Primary Examiner, Art Unit 1629

Issue Classification

Application/Control No.	Applicant(s)/Patent Under Reexamination
13308658	ROBL ET AL.
Examiner	**Art Unit**
GREGG POLANSKY	1629

CPC		
Symbol	**Type**	**Version**
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CPC Combination Sets				
Symbol	**Type**	**Set**	**Ranking**	**Version**
/				
/				

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**
514	412

CROSS REFERENCE(S)

CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)				
548	452				

INTERNATIONAL CLASSIFICATION

CLAIMED					NON-CLAIMED				
C	0	7	D	209 / 02 (2006.01.01)					
A	6	1	K	31 / 403 (2006.01.01)					

/GREGG POLANSKY/ Examiner.Art Unit 1629 (Assistant Examiner)	1/24/2013 (Date)	**Total Claims Allowed:** 41
(Primary Examiner)	(Date)	O.G. Print Claim(s): 1 / O.G. Print Figure: NONE

U.S. Patent and Trademark Office

Part of Paper No. 20130124

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13308658	ROBL ET AL.
	Examiner	**Art Unit**
	GREGG POLANSKY	1629

/GREGG POLANSKY/ Examiner.Art Unit 1629	1/24/2013	**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	41	
		O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	NONE

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13308658	ROBL ET AL.
	Examiner	**Art Unit**
	GREGG POLANSKY	1629

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	17	17	33	33										
2	2	18	18	34	34										
3	3	19	19	35	35										
4	4	20	20		36										
5	5	21	21		37										
6	6	22	22	36	38										
7	7	23	23	37	39										
8	8	24	24	38	40										
9	9	25	25	39	41										
10	10	26	26	40	42										
11	11	27	27	41	43										
12	12	28	28	42	44										
13	13	29	29	43	45										
14	14	30	30												
15	15	31	31												
16	16	32	32												

/GREGG POLANSKY/ Examiner.Art Unit 1629 (Assistant Examiner)	1/24/2013 (Date)	**Total Claims Allowed:** 41
(Primary Examiner)	(Date)	O.G. Print Claim(s): 1 / O.G. Print Figure: NONE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

BIB DATA SHEET

CONFIRMATION NO. 7781

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/308,658	12/01/2011	514	1629	BMS-2856

APPLICANTS

Jeffrey A. Robl, Newtown, PA;
Richard B. Sulsky, West Trenton, NJ;
David J. Augeri, Princeton, NJ;
David R. Magnin, Hamilton, NJ;
Lawrence G. Hamann, Cherry Hill, NJ;
David A. Betebenner, Lawrenceville, NJ;

**** CONTINUING DATA ***************************

This application is a REI of 09/788,173 02/16/2001 PAT 6,395,767
which claims benefit of 60/188,555 03/10/2000

**** FOREIGN APPLICATIONS ***************************

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ****

12/06/2011

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /GREGG POLANSKY/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		PA		40	3

ADDRESS

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891
UNITED STATES

TITLE

Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method

FILING FEE RECEIVED		
3130	FEES: Authority has been given in Paper No._____ to charge/credit DEPOSIT ACCOUNT No._____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13308658	ROBL ET AL.
	Examiner	Art Unit
	GREGG POLANSKY	1629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	05/01/2012	02/06/2013							
1	1	✓	=							
2	2	✓	=							
3	3	✓	=							
4	4	✓	=							
5	5	✓	=							
6	6	✓	=							
7	7	✓	=							
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11	11	✓	=							
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25	25	✓	=							
26	26	✓	=							
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28	28	✓	=							
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30	30	✓	=							
31	31	✓	=							
32	32	✓	=							
33	33	✓	=							
34	34	✓	=							
35	35	✓	=							
	36	✓	-							

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13308658	ROBL ET AL.
	Examiner	Art Unit
	GREGG POLANSKY	1629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIM		DATE								
Final	Original	05/01/2012	02/06/2013							
	37	✓	-							
36	38	✓	=							
37	39	✓	=							
38	40	✓	=							
39	41		=							
40	42		=							
41	43		=							
42	44		=							
43	45		=							

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

23377 7590 02/13/2013
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/308,658	12/01/2011	Jeffrey A. Robl	BMS-2856	7781

TITLE OF INVENTION: Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1770	$0	$0	$1770	05/13/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
POLANSKY, GREGG	1629	514-252190

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 Woodcock Washburn LLP
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Bristol-Myers Squibb Company

(B) RESIDENCE: (CITY and STATE OR COUNTRY): Princeton, NJ

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ☒ Corporation or other private group entity ❑ Government

4a. The following fee(s) are submitted:
- ☒ Issue Fee
- ❑ Publication Fee (No small entity discount permitted)
- ❑ Advance Order - # of Copies _____

4b. Payment of Fee(s): (**Please first reapply any previously paid issue fee shown above**)
- ❑ A check is enclosed.
- ❑ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 233050 (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ❑ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ❑ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /S. Maurice Valla/ Date February 15, 2013

Typed or printed name S. Maurice Valla Registration No. 43,966

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Electronic Patent Application Fee Transmittal

Application Number:	13308658
Filing Date:	01-Dec-2011
Title of Invention:	Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method
First Named Inventor/Applicant Name:	Jeffrey A. Robl
Filer:	SAMUEL VALLA/Ann Trevisani
Attorney Docket Number:	BMS-2856

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	1501	1	1770	1770
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**1770**

Electronic Acknowledgement Receipt

EFS ID:	14971738
Application Number:	13308658
International Application Number:	
Confirmation Number:	7781
Title of Invention:	Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method
First Named Inventor/Applicant Name:	Jeffrey A. Robl
Customer Number:	23377
Filer:	SAMUEL VALLA/Ann Trevisani
Filer Authorized By:	SAMUEL VALLA
Attorney Docket Number:	BMS-2856
Receipt Date:	15-FEB-2013
Filing Date:	01-DEC-2011
Time Stamp:	14:29:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$1770
RAM confirmation Number	897
Deposit Account	233050
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	Issue_Fee_Transmittal.PDF	1027096 48570b69ef33e9f3be16d22f5b113851e67190a1	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30083 39951163a67f4d4a649a4c2438c239a98d3eca4d	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1057179		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/308,658	04/30/2013	RE44186	BMS-2856	7781

23377 7590 04/10/2013

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

A reissue patent is for "the unexpired part of the term of the original patent." See 35 U.S.C. 251. Accordingly, the above-identified reissue application is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Jeffrey A. Robl, Newtown, PA;
Richard B. Sulsky, West Trenton, NJ;
David J. Augeri, Princeton, NJ;
David R. Magnin, Hamilton, NJ;
Lawrence G. Hamann, Cherry Hill, NJ;
David A. Betebenner, Lawrenceville, NJ;

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jeffrey A. Robl; Richard B. Sulsky; David J. Augeri; David R. Magnin; Lawrence G. Hamann; David A. Betebenner

Confirmation No.: 7781

Patent No.: RE44,186 E

Issued: April 30, 2013

Application No.: 13/308,658

Filing Date: December 1, 2011

For: CYCLOPROPYL-FUSED PYRROLIDINE-BASED INHIBITORS OF DIPEPTIDYL PEPTIDASE IV AND METHOD

Commissioner for Patents
Attn: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR PTO MISTAKE PURSUANT TO 37 CFR § 1.322(a)

It is respectfully requested that a Certificate of Correction be issued for the above-identified patent. In accordance with 37 CFR § 1.322(a), the patent has errors in it that occurred through the fault of the Patent and Trademark Office as clearly disclosed by the records and files of the office.

Enclosed herewith please find a completed Certificate of Correction form.

Since the errors are not due to applicants' mistake, no correction fee is due. Please charge any fees for copies and any additional fees to our Deposit Account No. 23-3050.

Date: July 3, 2013

/Stephanie A. Lodise/
Stephanie A. Lodise
Registration No. 51,430

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO	:	RE44,186 E
APPLICATION NO.	:	13/308,658
ISSUE DATE	:	April 30, 2013
INVENTOR(S)	:	Jeffrey A. Robl; Richard B. Sulsky; David J. Augeri; David R. Magnin; Lawrence G. Hamann; David A. Betebenner

It is certified that errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 4,
Line 56, delete "alkylcyclo alkyl," and insert -- alkylcycloalkyl, --.
Line 56, delete "hydroxytricyclo alkyl," and insert -- hydroxytricycloalkyl, --.

Column 17,
Line 48, delete "a-phosphono-sulfonates" and insert -- α-phosphono-sulfonates --.

Column 19,
Line 51, delete "lipoxygevase" and insert -- lipoxygenase --.

Column 28,
Lines 16-17, delete "butoxycarbonylisoleucine" and insert -- butoxycarbonyl-isoleucine --.

Column 33,
Lines 38-39, delete "1-[(3-dimethypamino)propyl]" and insert -- 1-[(3-dimethyl)amino)propyl] --.

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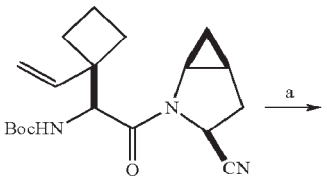
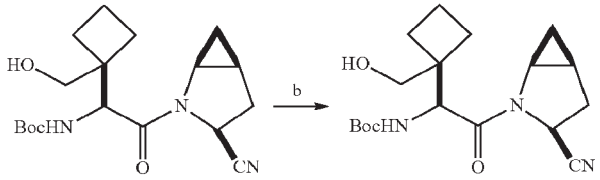
Column 51,
Lines 1-30, delete "

Scheme 7
General Method E, Examples 45 47



26



27 28

a. OsO_4, THF:H_2O, 1:1; $NaIO_4$; workup, then $NaBH_4$, MeOH, RT. 56%
b. TFA:CH_2Cl_2, 1:2, 0 degrees C. to RT.

"

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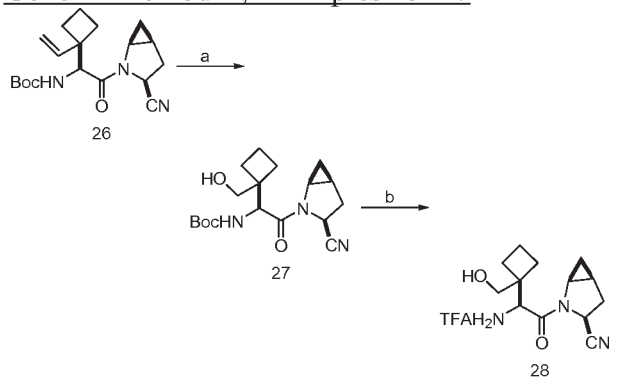
and insert --

Scheme 7
General Method E, Examples 45 47



a.OsO_4, THF:H_2O, 1:1; $NaIO_4$; workup,then $NaBH_4$, MeOH, RT. 56%
b. TFA:CH_2Cl_2, 1:2, 0 degrees C to RT.

--.

Column 51,
Line 54, delete "OsO4" and insert -- OsO_4 --.

UNITED STATES PATENT AND TRADEMARK OFFICE
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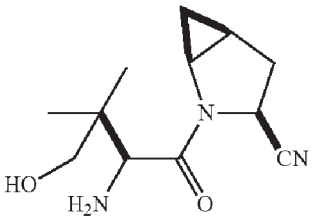
INVENTOR(S)	:	Jeffrey A. Robl; Richard B. Sulsky; David J. Augeri; David R. Magnin; Lawrence G. Hamann; David A. Betebenner

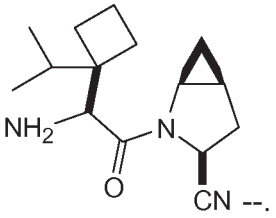
Column 55,
Lines 19-31, EXAMPLE 57, delete "

Step 3



"

and insert --



--.

UNITED STATES PATENT AND TRADEMARK OFFICE
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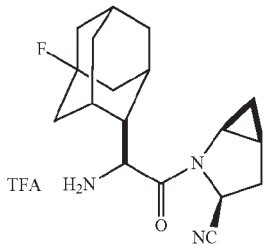
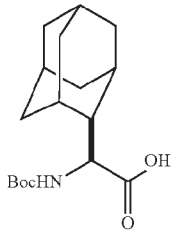
INVENTOR(S)	:	Jeffrey A. Robl; Richard B. Sulsky; David J. Augeri; David R. Magnin; Lawrence G. Hamann; David A. Betebenner

Column 63,
Lines 25-46, EXAMPLE 62, delete "



Step 1



"

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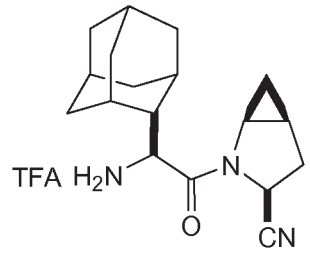
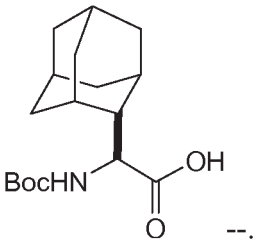
and insert --



Step 1



--.

Column 64,
Line 31, delete "$NaHS0_3$" and insert -- $NaHSO_3$ --.

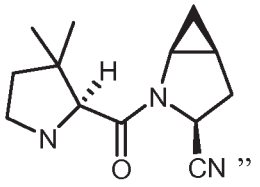
UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO	:	RE44,186 E
APPLICATION NO.	:	13/308,658
ISSUE DATE	:	April 30, 2013
INVENTOR(S)	:	Jeffrey A. Robl; Richard B. Sulsky; David J. Augeri; David R. Magnin; Lawrence G. Hamann; David A. Betebenner

Column 69,
Lines 20-32, delete "

EXAMPLE 67

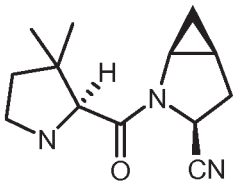
Step 1



"

and insert --

EXAMPLE 67



Step 1--.

Column 70,
Line 59, delete "19,8 mmol" and insert -- 19.8 mmol --.

Column 82,
Line 27, after "30 min" insert -- . --.

UNITED STATES PATENT AND TRADEMARK OFFICE
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Column 87,
Line 7, Claim 1, delete "R4" and insert -- R^4 --.

Column 92,
Line 21, Claim 36, delete "any one of claim" and insert -- any one of claims --.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891

Electronic Acknowledgement Receipt

EFS ID:	16226296
Application Number:	13308658
International Application Number:	
Confirmation Number:	7781
Title of Invention:	Cyclopropyl-Fused Pyrrolidine-Based Inhibitors Of Dipeptidyl Peptidase IV And Method
First Named Inventor/Applicant Name:	Jeffrey A. Robl
Customer Number:	23377
Filer:	Stephanie A. Barbosa/Laura Taylor
Filer Authorized By:	Stephanie A. Barbosa
Attorney Docket Number:	BMS-2856
Receipt Date:	03-JUL-2013
Filing Date:	01-DEC-2011
Time Stamp:	10:47:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	BMS-2856Transmittal.PDF	262282 737646480d28b903831e03b6cac6fb353f3ca960	no	2

Warnings:	
Information:	

2	Request for Certificate of Correction	BMS-2856ReqCertCorr.PDF	79227 213fd4d2d20f04bd0a7d68fb5ba2c2aa8db7a560	no	2
Warnings:					
Information:					
3	Request for Certificate of Correction	BMS-2856CertCorr.PDF	137994 97e3cffefa5eb7df3ce58ae7eaee4e54e2adb3ae	no	8
Warnings:					
Information:					
			Total Files Size (in bytes):	479503	

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Doc Code: TRAN.LET

Document Description: Transmittal Letter

PTO/SB/21 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	12

Application Number	13/308,658
Filing Date	December 1, 2011
First Named Inventor	Jeffrey A. Robl
Art Unit	1629
Examiner Name	Gregg Polansky
Attorney Docket Number	BMS-2856

ENCLOSURES (*Check all that apply*)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):
  - Request for Certificate of Correction (2 pages)
  - Certificate of Correction (8 pages)

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Woodcock Washburn LLP		
Signature	/Stephanie A. Lodise/		
Printed name	Stephanie A. Lodise		
Date	July 3, 2013	Reg. No.	51430

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.: _____

DATE : July 18, 2013

TO SPE OF : ART UNIT 1629

SUBJECT : Request for Certificate of Correction for Appl. No.: 13308658 Patent No.: RE44186

COCIN mailroom date: July 3, 2013

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

Certificates of Correction Branch (CofC)
Randolph Square – 9D10-A
Palm Location 7580

In Particular note:

Valerie Jackson
Certificates of Correction Branch
703-756-1814

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:
Note your decision on the appropriate box.

- ☐ **Approved** — **All** changes apply.
- ☐ **Approved in Part** — Specify below which changes **do not** apply.
- ☐ **Denied** — State the reasons for denial below.

Comments: _____

_____

_____

_____

_____

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

SPE Art Unit

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

Paper No.: _____

DATE : July 18, 2013

TO SPE OF : ART UNIT 1629

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Randolph Square – 9D10-A
Palm Location 7580

In Particular note:

Valerie Jackson
Certificates of Correction Branch
703-756-1814

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Note your decision on the appropriate box.

X Approved	**All** changes apply.
☐ **Approved in Part**	Specify below which changes **do not** apply.
☐ **Denied**	State the reasons for denial below.

Comments: _____

_____

_____

_____

_____

/Jeffrey S. Lundgren/ 1629

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

SPE

Art Unit

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : RE44,186 E
APPLICATION NO. : 13/308658
DATED : April 30, 2013
INVENTOR(S) : Jeffrey A. Robl et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Specifications:

Column 4,
Line 56, delete "alkylcyclo alkyl," and insert -- alkylcycloalkyl, --.
Line 56, delete "hydroxytricyclo alkyl," and insert
-- hydroxytricycloalkyl, --.

Column 17,
Line 48, delete "a-phosphono-sulfonates" and insert -- α-phosphono-sulfonates --.

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Lines 16-17, delete "butoxycarbonylisoleucine" and insert
-- butoxycarbonyl-isoleucine --.

Column 33,
Lines 38-39, delete "1-[(3-dimethypamino)propyl]" and insert
-- 1-[(3-dimethyl)amino)propyl] --.

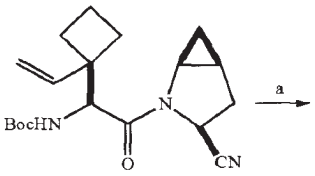
Signed and Sealed this
Eighth Day of October, 2013

Teresa Stanek Rea
Deputy Director of the United States Patent and Trademark Office

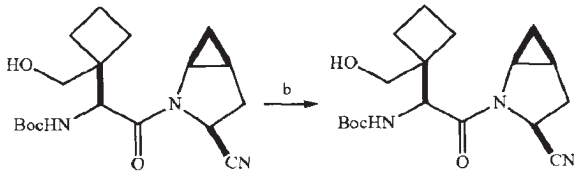
In the Specifications:

Column 51,

Scheme 7
General Method E, Examples 45 47



26

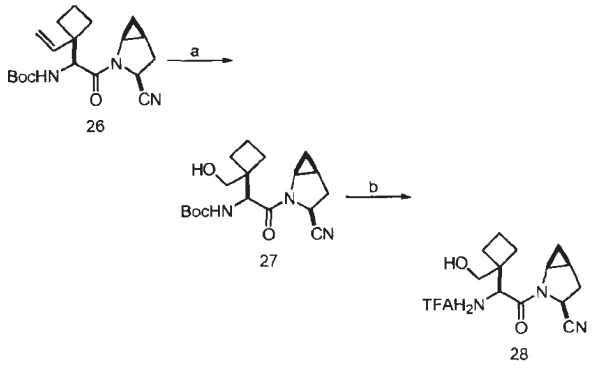


27 28

a. OsO_4, THF:H_2O, 1:1; $NaIO_4$; workup, then $NaBH_4$, MeOH, RT. 56%
b. TFA:CH_2Cl_2, 1:2, 0 degrees C. to RT.

Lines 1-30, delete " "

and insert --Scheme 7
General Method E, Examples 45 47



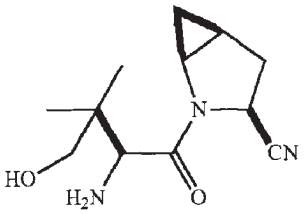
a.OsO_4, THF:H_2O, 1:1; $NaIO_4$; workup,then $NaBH_4$, MeOH, RT. 56%
b. TFA:CH_2Cl_2, 1:2, 0 degrees C to RT.

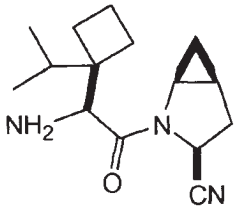
--.

Column 51,
Line 54, delete "OsO4" and insert -- OsO_4 --.

In the Specifications:

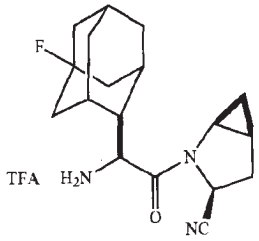
Column 55,

Lines 19-31, EXAMPLE 57, delete " Step 3  " and

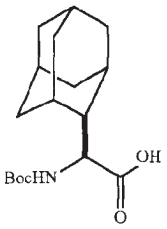


insert -- --.

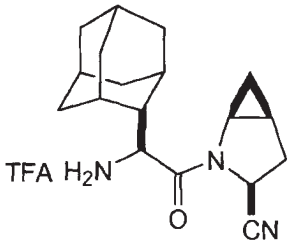
Column 63,



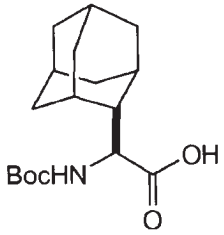
Step 1



Lines 25-46, EXAMPLE 62, delete " " and



Step 1



insert -- --.

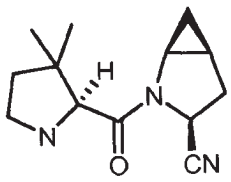
In the Specifications:

Column 64,
Line 31, delete "$NaHS0_3$" and insert -- $NaHSO_3$ --.

Column 69,

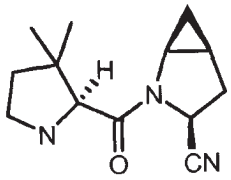
EXAMPLE 67

Step 1



Lines 20-32, delete " " and

EXAMPLE 67



insert -- Step 1 --.

Column 70,
Line 59, delete "19,8 mmol" and insert -- 19.8 mmol --.

Column 82,
Line 27, after "30 min" insert -- . --.

In the Claims:

Column 87,
Line 7, Claim 1, delete "R4" and insert -- R^4 --.

Column 92,
Line 21, Claim 36, delete "any one of claim" and insert -- any one of claims --.

AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court United States District Court for the District of Delaware on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT United States District Court for the District of Delaware
PLAINTIFF ASTRAZENECA AB		DEFENDANT WOCKHARDT BIO AG and WOCKHARDT USA LLC

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE44,186	April 30, 2013	AstraZeneca AB
2	7,951,400	May 31, 2011	AstraZeneca AB
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

AO 120 (Rev. 08/10)

TO:	**Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313–1450**	**REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the **U.S. District Court for the District of New Jersey** on the following:
____ Trademarks or **X** Patents. (____ the patent action involves 35 U.S.C. § 292.)

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
3:14–cv–03552–MLC–DEA	6/3/2014	TRENTON, NJ

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	SUN PHARMA GLOBAL FZE

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US RE44,186 E	April 30, 2013	Bristol–Myers Squibb Company
2 US 7,951,400 B2	May 31, 2011	Bristol–Myers Squibb Company
3 US 8,628,799 B2	January 14, 2014	Bristol–Myers Squibb Company
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ___ Amendment ___ Answer ___ Cross Bill ___ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
William T. Walsh	s/ Marlene Kalbach	6/3/2014

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AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District of Delaware on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	6/2/2014	District of Delaware

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	SUN PHARMA GLOBAL FZE, SUN PHARMACEUTICAL INDUSTRIES LTD. and CARACO PHARMACEUTICAL LABORATORIES LTD.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE44,186	4/30/2013	AstraZeneca AB
2	7,951,400	5/31/2011	AstraZeneca AB
3	8,628,799	1/14/2014	AstraZeneca AB
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District of Delaware on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	6/2/2014	District of Delaware

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	AMNEAL PHARMACEUTICALS LLC

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE44,186	4/30/2013	AstraZeneca AB
2	7,951,400	5/31/2011	AstraZeneca AB
3	8,628,799	1/14/2014	AstraZeneca AB
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

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AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District of Delaware on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	6/2/2014	District of Delaware

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	MYLAN PHARMACEUTICALS, INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE44,186	4/30/2013	AstraZeneca AB
2	7,951,400	5/31/2011	AstraZeneca AB
3	8,628,799	1/14/2014	AstraZeneca AB
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
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CLERK	(BY) DEPUTY CLERK	DATE

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1:14-CV-94

AO 120 (Rev. 08/10)

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Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of West Virginia on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

FILED
JUN 3 2014
U.S. DISTRICT COURT-WVN
WHEELING, WV 26003

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	6/3/2014	Northern District of West Virginia

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	MYLAN PHARMACEUTICALS, INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE44,186	4/30/2013	AstraZeneca AB
2	7,951,400	5/31/2011	AstraZeneca AB
3	8,628,799	1/14/2014	AstraZeneca AB
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

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AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Delaware on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	8/15/2014	for the District of Delaware

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	WATSON LABORATORIES, INC., ACTAVIS, INC. and ACTAVIS LLC

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE44,186	4/30/2013	AstraZeneca AB
2			
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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CLERK	(BY) DEPUTY CLERK	DATE

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AO 120 (Rev. 08/10)

TO:	**Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313–1450**	**REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the **U.S. District Court for the District of New Jersey** on the following:
____ Trademarks or **X** Patents. (____ the patent action involves 35 U.S.C. § 292.)

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
3:14–cv–03552–MLC–DEA	6/3/2014	TRENTON, NJ

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	SUN PHARMA GLOBAL FZE

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US RE44,186 E	April 30, 2013	Bristol–Myers Squibb Company
2 US 7,951,400 B2	May 31, 2011	Bristol–Myers Squibb Company
3 US 8,628,799 B2	January 14, 2014	Bristol–Myers Squibb Company
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In the above––entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ___ Amendment ___ Answer ___ Cross Bill ___ Other Pleading

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above––entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
William T. Walsh	s/ Marlene Kalbach	6/3/2014

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AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 **Director of the U.S. Patent and Trademark Office** **P.O. Box 1450** **Alexandria, VA 22313-1450**	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court District of New Jersey on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
14-cv-5513 (KSH)	9/3/2014	District of New Jersey

PLAINTIFF	DEFENDANT
LifePort Sciences LLC	C.R. Bard Inc. Bard Peripheral Vascular Inc.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	6,673,103	1/6/2004	LifePort Sciences LLC
2			
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
WILLIAM T. WALSH	LEROY DUNBAR	9/3/2014

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AO 120 (Rev. 08/10)

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Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Delaware on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	10/31/2014	for the District of Delaware

PLAINTIFF	DEFENDANT
ASTRAZENECA AB	ACTAVIS LABORATORIES FL, INC. f/k/a WATSON LABORATORIES FL, INC., WATSON LABORATORIES, INC., ACTAVIS, INC., and ACTAVIS LLC,

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE44,186	4/30/2013	AstraZeneca AB
2	8,628,799	1/14/2014	AstraZeneca AB
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AO 120 (Rev. 08/10)

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Mail Stop 8 **Director of the U.S. Patent and Trademark Office** **P.O. Box 1450** **Alexandria, VA 22313-1450**	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Delaware on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED 12/9/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF ASTRAZENECA AB		DEFENDANT AUROBINDO PHARMA LTD., and AUROBINDO PHARMA U.S.A., INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	RE 44,186	4/30/2013	AstraZeneca AB
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