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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 11/720,205 | 05/25/2007 | John M. Kovarik | 34053-US-PCT | 5868 |
| 1095 | 7590 | 12/21/2011 | EXAMINER | |
| NOVARTIS CORPORATE INTELLECTUAL PROPERTY ONE HEALTH PLAZA 101/2 EAST HANOVER, NJ 07936-1080 | | | BLAKELY III, NELSON CLARENCE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1629 | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 12/21/2011 | PAPER |

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

The time period for reply, if any, is set in the attached communication.

| | | | |
|---|---------------------------------------|---------------------------------------|--|
| Examiner-Initiated Interview Summary | Application No. 11/720,205 | Applicant(s) KOVARIK ET AL. | |
| | Examiner NELSON BLAKELY III | Art Unit 1629 | |

All participants (applicant, applicant's representative, PTO personnel):

- (1) Nelson C Blakely III (Examiner). (3)_____.
- (2) Karen DeBenedictis (Attorney). (4)_____.

Date of Interview: 13 December 2011.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: _____.

Identification of prior art discussed: _____.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

In a voicemail message on 12/13/2011, Attorney of Record DeBenedictis confirmed that no response was filed with the Office.

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/Nelson C Blakely III/
Examiner, Art Unit 1629

/Jeffrey S. Lundgren/
Supervisory Patent Examiner, Art Unit 1629

| | | |
|------------------------------|------------------------|---------------------|
| Notice of Abandonment | Application No. | Applicant(s) |
| | 11/720,205 | KOVARIK ET AL. |
| | Examiner | Art Unit |
| | NELSON BLAKELY III | 1629 |

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

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 25 May 2011.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.

2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.

3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.

4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. The reason(s) below:

See attached Interview Summary.

/Jeffrey S. Lundgren/
Supervisory Patent Examiner, Art Unit 1629

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent terms.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF Art Unit: 1614
Kovarik, John M. et al. Examiner: Blakely III, Nelson
INTERNATIONAL APPLICATION NO: PCT/US2005/43044
FILED: November 28, 2005
U.S. APPLICATION NO: 11/720205
35 USC §371 DATE: May 25, 2007
FOR: Dosage Regimen of an S1P Receptor Agonist

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Sir:

The Office Action of May 25, 2011 has a shortened statutory time set to expire on August 25, 2011. A three-month extension is hereby requested pursuant to 37 CFR §1.136(a).

The response to said Office Action is a request for filing a continued application of the above-identified application.

Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$1270 for payment of the extension fee. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

Respectfully submitted,



Karen DeBenedictis
Attorney for Applicant
Reg. No. 32,977

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Date:

11/22/11

Electronic Patent Application Fee Transmittal

| | |
|---|---|
| Application Number: | 11720205 |
| Filing Date: | 25-May-2007 |
| Title of Invention: | DOSAGE REGIMEN OF AN S1P RECEPTOR AGONIST |
| First Named Inventor/Applicant Name: | John M. Kovarik |
| Filer: | Karen DeBenedictis/Denise Cooper |
| Attorney Docket Number: | 34053-US-PCT |

Filed as Large Entity

U.S. National Stage under 35 USC 371 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: | | | | |
| Extension-of-Time: | | | | |

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