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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No.	064507-5014-US18
		First Named Inventor	Stephen J. Baker
		Title	BORON-CONTAINING SMALL MOLECULES
		Express Mail Label No.	
<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>		<b>ADDRESS TO:</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
1. <input type="checkbox"/> <b>Fee Transmittal Form</b> (PTO/SB/17 or equivalent)		<b>ACCOMPANYING APPLICATION PAPERS</b>	
2. <input type="checkbox"/> <b>Applicant asserts small entity status.</b> See 37 CFR 1.27		10. <input type="checkbox"/> <b>Assignment Papers</b> (cover sheet & document(s)) Name of Assignee _____	
3. <input type="checkbox"/> <b>Applicant certifies micro entity status.</b> See 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent.		11. <input type="checkbox"/> <b>37 CFR 3.73(c) Statement</b> <input type="checkbox"/> <b>Power of Attorney</b> (when there is an assignee)	
4. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <u>314</u> ] Both the claims and abstract must start on a new page. (See MPEP § 608.01(a) for information on the preferred arrangement)		12. <input type="checkbox"/> <b>English Translation Document</b> (if applicable)	
5. <input checked="" type="checkbox"/> <b>Drawing(s)</b> (35 U.S.C. 113) [Total Sheets <u>63</u> ]		13. <input type="checkbox"/> <b>Information Disclosure Statement</b> (PTO/SB/08 or PTO-1449) <input type="checkbox"/> Copies of citations attached	
6. <b>Inventor's Oath or Declaration</b> [Total Pages _____] (including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e))		14. <input checked="" type="checkbox"/> <b>Preliminary Amendment</b>	
a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> A copy from a prior application (37 CFR 1.63(d))		15. <input type="checkbox"/> <b>Return Receipt Postcard</b> (MPEP § 503) (Should be specifically itemized)	
7. <input checked="" type="checkbox"/> <b>Application Data Sheet</b> * See note below. See 37 CFR 1.76 (PTO/AIA/14 or equivalent)		16. <input type="checkbox"/> <b>Certified Copy of Priority Document(s)</b> (if foreign priority is claimed)	
8. <b>CD-ROM or CD-R</b> in duplicate, large table, or Computer Program (Appendix) <input type="checkbox"/> Landscape Table on CD		17. <input type="checkbox"/> <b>Nonpublication Request</b> Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.	
9. <b>Nucleotide and/or Amino Acid Sequence Submission</b> (if applicable, items a. – c. are required)		18. <input checked="" type="checkbox"/> <b>Other:</b> *Request To Use Computer Form of Sequence Listing From Another Application Under 37 C.F.R. § 1.821(e); *Request For Prioritized Examination	
a. <input type="checkbox"/> Computer Readable Form (CRF)		_____ _____	
b. <input checked="" type="checkbox"/> Specification Sequence Listing on:		_____ _____	
i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or		_____ _____	
ii. <input checked="" type="checkbox"/> Paper		_____ _____	
c. <input checked="" type="checkbox"/> Statements verifying identity of above copies		_____ _____	
<p><b>*Note:</b> (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 <b>must</b> be included in an Application Data Sheet (ADS).          (2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).</p>			
<b>19. CORRESPONDENCE ADDRESS</b>			
<input checked="" type="checkbox"/> The address associated with Customer Number: <u>43850</u> OR <input type="checkbox"/> Correspondence address below			
Name			
Address			
City	State	Zip Code	
Country	Telephone	Email	
Signature	/ Todd Esker /	Date	March 11, 2016
Name (Print/Type)	Todd Esker	Registration No. (Attorney/Agent)	46,690

This collection of information is required by 37 CFR 1.53(b). 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 1.11 and 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, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**CERTIFICATION AND REQUEST FOR PRIORITIZED EXAMINATION  
UNDER 37 CFR 1.102(e) (Page 1 of 1)**

First Named Inventor:	Stephen J. Baker	Nonprovisional Application Number (if known):	To be assigned
Title of Invention:	BORON-CONTAINING SMALL MOLECULES		

**APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.**

1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently \$0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.
2. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.
3. The applicable box is checked below:
  - I.  **Original Application (Track One) - Prioritized Examination under § 1.102(e)(1)**
    - i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web.  
---OR---  
(b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.
    - ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, or the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.
  - II.  **Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)**
    - i. A request for continued examination has been filed with, or prior to, this form.
    - ii. If the application is a utility application, this certification and request is being filed via EFS-Web.
    - iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
    - iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
    - v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Signature / Todd Esker /	Date March 11, 2016
Name (Print/Typed) Todd Esker	Practitioner Registration Number 46,690

*Note: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.\**

## 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.

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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.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/068,352	03/11/2016	Stephen J. Baker	064507-5014-US18	3696
43850	7590	07/06/2016	EXAMINER	
MORGAN, LEWIS & BOCKIUS LLP (SF) One Market, Spear Street Tower, Suite 2800 San Francisco, CA 94105			SHIAO, REI TSANG	
			ART UNIT	PAPER NUMBER
			1628	
			NOTIFICATION DATE	DELIVERY MODE
			07/06/2016	ELECTRONIC

**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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sfipdocketing@morganlewis.com  
donald.mixon@morganlewis.com

<b>Office Action Summary</b>	<b>Application No.</b> 15/068,352	<b>Applicant(s)</b> BAKER ET AL.	
	<b>Examiner</b> REI-TSANG SHIAO	<b>Art Unit</b> 1628	<b>AIA (First Inventor to File) Status</b> No

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

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 3/11/2016.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.    2b)  This action is non-final.
- 3)  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.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims\***

- 5)  Claim(s) 1-6 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 1-6 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, 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](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on 3/11/2016 is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- 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)).

\*\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
- 3)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

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