

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

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	064507-5014-US20
	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.  **Fee Transmittal Form**  
(PTO/SB/17 or equivalent)
2.  **Applicant asserts small entity status.**  
See 37 CFR 1.27
3.  **Applicant certifies micro entity status.** See 37 CFR 1.29.  
Applicant must attach form PTO/SB/15A or B or equivalent.
4.  **Specification** [Total Pages 316]  
Both the claims and abstract must start on a new page.  
(See MPEP § 608.01(a) for information on the preferred arrangement)
5.  **Drawing(s)** (35 U.S.C. 113) [Total Sheets 63]
6. **Inventor's Oath or Declaration** [Total Pages \_\_\_\_\_]  
(including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e))
  - a.  Newly executed (original or copy)
  - b.  A copy from a prior application (37 CFR 1.63(d))
7.  **Application Data Sheet** \* See note below.  
See 37 CFR 1.76 (PTO/AIA/14 or equivalent)
8. **CD-ROM or CD-R**  
in duplicate, large table, or Computer Program (Appendix)
  - Landscape Table on CD
9. **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, items a. – c. are required)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PAPERS**


10.  **Assignment Papers**  
(cover sheet & document(s))  
Name of Assignee \_\_\_\_\_
11.  **37 CFR 3.73(c) Statement**  **Power of Attorney**  
(when there is an assignee)
12.  **English Translation Document**  
(if applicable)
13.  **Information Disclosure Statement**  
(PTO/SB/08 or PTO-1449)  
 Copies of citations attached
14.  **Preliminary Amendment**
15.  **Return Receipt Postcard**  
(MPEP § 503) (Should be specifically itemized)
16.  **Certified Copy of Priority Document(s)**  
(if foreign priority is claimed)
17.  **Nonpublication Request**  
Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.
18.  **Other:** \*Request To Use Computer Form of Sequence Listing  
From Another Application Under 37 C.F.R. § 1.821(e);  
\*Request For Prioritized Examination  
\_\_\_\_\_  
\_\_\_\_\_

**\*Note:** (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 must 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).

**19. CORRESPONDENCE ADDRESS**

The address associated with Customer Number: 43850 OR  Correspondence address below

Name		Address	
City	State	Zip Code	
Country	Telephone	Email	

Signature		Date	<u>4/20/2016</u>
Name (Print/Type)	<b>Todd Esker</b>	Registration No. (Attorney/Agent)	<b>46,690</b>

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.


*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

**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 	Date 4/20/2016
Name (Print/Typed) <b>Todd Esker</b>	Practitioner Registration Number <b>46,690</b>

**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.\*

\*Total of \_\_\_\_\_ forms are submitted.



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.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/134,286	04/20/2016	Stephen J. BAKER	064507-5014-US20	5251
43850	7590	06/07/2016	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
			06/07/2016	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



The present application is being examined under the pre-AIA first to invent provisions.

### DETAILED ACTION

1. Claims 1-29 are pending in the application.

#### ***Election/Restriction***

2. The group set forth in the claims includes both independent and distinct inventions, and patentably distinct compounds (or species) within each invention. However, this application discloses and claims a plurality of patentably distinct inventions far too numerous to list individually. Moreover, each of these inventions contains a plurality of patentably distinct compounds, also far too numerous to list individually. For these reasons provided below, restriction to one of the following Groups is required under 35 U.S.C. 121, wherein an Group is a set of patentably distinct inventions of a broad statutory category (e.g. Compounds, Methods of Use, Methods of Making, etc.):

- I. Claims 1-12, drawn to methods of use, classified in classes 514/558, numerous subclasses.
- II. Claims 13-29, drawn to methods of use, classified in classes 514/558, numerous subclasses.

In accordance with the decisions in *In re Harnisch*, 631 F.2d 716, 206 USPQ 300 (CCPA 1980); and *Ex parte Hozumi*, 3 USPQ2d 1059 (Bd. Pat. App. & Int. 1984),

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.