# **EXHIBIT 1007(A)**





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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
14/661,720	03/18/2015	Amar LULLA	CRT/20632HUS (4137-04708)	2856	
30652 CONLEY ROS	7590 05/07/201 E. P.C.	5	EXAMINER		
5601 GRANITE PARKWAY, SUITE 500 PLANO, TX 75024			NIELSEN, THOR B		
			ART UNIT	PAPER NUMBER	
			1616		
			MAIL DATE	DELIVERY MODE	
			05/07/2015	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.



	14/661,720 LULLA ET AL.		L.			
Office Action Summary	Examiner THOR NIELSEN	Art Unit 1616	AIA (First Inventor to File) Status No			
The MAILING DATE of this communication app	ears on the cover sheet with th	ne corresponden	ce 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 03/25/2015.  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5) Claim(s) is/are pending in the application. 5a) Of the above claim(s) is/are withdrawn from consideration. 6) Claim(s) is/are allowed. 7) Claim(s) is/are rejected. 8) Claim(s) is/are objected to. 9) Claim(s) are subject to restriction and/or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 antip://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.  Application Papers 10) The specification is objected to by the Examiner. 11) The drawing(s) filed on 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(a)						
Attachment(s)    Notice of References Cited (PTO-892)	3) N Interview Summ					

Application No.

Applicant(s)



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

### **DETAILED ACTION**

### Status of Claims and Examination

The application was filed on March 18, 2015 with a Track One request. Claims 1-14 are directed to a method for the treatment of seasonal allergic rhinitis were presented. Claims 1-15 are directed to a method for minimizing symptoms of seasonal allergic rhinitis.

The Track One request was granted on April 8, 2015.

The application was accompanied by eight Information Disclosure forms.

### Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the claims at issue are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir.



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1993); In re Longi, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); In re Van Ornum, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); In re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the reference application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO internet Web site contains terminal disclaimer forms which may be used. Please visit http://www.uspto.gov/forms/. The filing date of the application will determine what form should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to

http://www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

Α.

Claims 1-30 are rejected as the ground of nonstatutory double patenting as being unpatentable over claims 1-2, 4-18, 21-22, 24-26, 28-31, 33, and 35-48 of U.S. Patent No. 8,168,620. Although the claims at issue are not identical, they are not patentably distinct from each other because the conflicting claims are drawn to compositions



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