

## Bilski Pharma Sample

| S.No. | Patent/Publication No. | Application Date | Date of Publication | Date of rejection | FR or N/FR | Rejection type                   | 101 Rejection   | 102 Rejection   | 103 Rejection  |
|-------|------------------------|------------------|---------------------|-------------------|------------|----------------------------------|---|---|--|
| 1     | US20050220771A1        | 3/24/2005        | 10/6/2005           | 12/5/2008         | N/FR       | 102, 103 and 112 rejections      | N/A   | Claims 130-133 are rejected under 35 U.S.C. 102(b) as being anticipated by US 20040259966 (?966).   | Claims 130-135 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5885234 (?234) in view of US 20040249327 (?327).  |
| 2     | US20050260243A1        | 4/25/2005        | 11/24/2005          | 1/16/2009         | FR         | 103 rejections                   | N/A   | N/A   | 1. Claims 1-5, 7-10 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Beerse et al. (US Patent 6,190,675B1) in view of Tautvydas et al. (WO 01143549 A2; cited in the IDS). 2. Claims 1 and 5-6 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Beerse et al. (US Patent 6,190,675B1) in view of Tautvydas et al. (WO 01143549 A2; cited in the IDS), further in view of Diehl et al. (US Patent 5,591,442).   |
| 3     | US20050261189A1        | 4/18/2005        | 11/24/2005          | 10/15/2007        | N/FR       | 101, 102, 103 and 112 rejections | Claim 43 is rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101 | 1. Claims 1-4, 7-10, 13,14, 17-19, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 200017326 A1, March 30,2000 (of record). 2. Claims 1-10, 17-19,2 1,23-30, 32,33-37, and 40-43 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent ~ ~ p l i c a t i o n 0 6 0 1 15464, filed with a claim of priority to June 25, 2003 | 1. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Application 200601 15464 as applied to claims 1-10,23-30,32, 33, 35-37,40,41, and 43 above, and further in view of Reichsman et al., J. Cell Biol. 1996 135: 819-827. 2. Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Application 200601 15464 as applied to claims 1-10,23-30, 32, 33, 35-37?, 40,41, and 43 above, and further in view of US Patent 159462, ~ecembe1r 2,2000 |
| 4     | US20060079574A1        | 10/7/2005        | 4/13/2006           | 5/17/2006         | N/FR       | 101, 102 and 112 rejection       | Claim 7 is rejected under 35 U.S.C. 101 as claiming the same  | Claims 1-1 0 are rejected under 35 U.S.C. 102(b) as being anticipated by Weiss  | N/A  |

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|---|-----------------|------------|------------|-----------|------|------------------------|--|---|--|--|
|   |                 |            |            |           |      |                        | invention as that of claim 2 of prior U.S. Patent No. 5,925,672 of record. | (U.S. Patent No. 5,208,244) of record.  |  |  |
| 5 | US20050209181A1 | 11/4/2004  | 9/22/2005  | 7/14/2008 | FR   | 112 rejection          | N/A  | N/A   | N/A  |  |
| 6 | US20050249704A1 | 12/22/2004 | 11/10/2005 | 6/11/2008 | FR   | 103 and 112 rejections | N/A  | N/A   | 1. Claims 1, 3-6, 8-10, 12-14, 16-17, and 19-28 remain rejected under 35 USC 5 103(a) as being obvious in view of the combination of Nakatani et al ("Nakatani"), Vincenti et al ("Vincenti"), Hayosh et al ("Hayosh"), Paty et al ("Paty") and Jacobs et al ("Jacobs"), as set forth on pages 4-7 of the office action mailed on 1/30/2007. 2. Claims 1, 3-6, 8-14, 16-17, and 19 remain rejected, and amended new claims 20-26 are also rejected, under 35 USC § 103(a) as being obvious in view of the combination of the "Study of Zenepax" document, Khoury et al ("Khoury"), Paty et al ("Paty"), and Jacobs et al ("Jacobs"), as set forth on pages 7-9 of the office action mailed on 8/11/2006. |  |
| 7 | US20050249823A1 | 10/28/2004 | 11/10/2005 | 3/24/2008 | N/FR | 102 and 103 rejections | N/A  | Claims 1, 5-14, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hermelin et al. (US Patent No. 6258846). | Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hermelin et al. in view of Kilian et al. (US PG PUB No. 200210040058).   |  |
| 8 | US20050250688A1 | 10/22/2003 | 11/10/2005 | 8/7/2007  | FR   | 103 rejection          | N/A  | N/A   | Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toledo-Pereyra (Klin Wochenschr, 1991, 69: 1099-1104) in view of Benedict et al. (of record on the 9/20/04 IDS) and in view of the product use sheet from L-5-dansyl-Glu-Gly-Arg chloromethyl ketone from Calbiochem (revision 27 May 1997).  |  |
| 9 | US20050260161A1 | 3/8/2005   | 11/24/2005 | 4/21/2008 | FR   | 102, 103 and 112       | N/A  | Claims 46-47, 49-51   | Claim 48 is rejected under 35 U.S.C.   |  |

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|    |                 |           |           |           |      | rejections                  |     | and 54 are rejected under 35 U.S.C. 102(b) as being anticipated by Eriksson et al. (WO 00127879).   | 103(a) as being unpatentable over Eriksson et al. (WO 00127879 in view of Alitalo et al. (WO 01162942).   |
| 10 | US20060014719A1 | 7/13/2005 | 1/19/2006 | 7/25/2006 | N/FR | 112 rejection               | N/A | N/A   | N/A   |
| 11 | US20060014165A1 | 1/26/2005 | 1/19/2006 | 6/18/2008 | FR   | 112 rejection               | N/A | N/A   | N/A   |
| 12 | US20060019890A1 | 1/18/2005 | 1/26/2006 | 8/10/2007 | N/FR | 102, 103 and 112 rejections | N/A | Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Burger et al. (American Heart Journal, December 2002).   | Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi et al. (JACC Abstracts, February 2000, citation 4 in the IDS of 8/12/05) in view of Ogawa et al. (Can J Physiol Pharmacol, 2001). |
| 13 | US20060116315A1 | 7/18/2005 | 6/1/2006  | 9/24/2007 | FR   | 102 and 112 rejections      | N/A | Claims 2 and 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al., US 2003/0224450, filing date of 08/12/2001 for reasons of record as applied to claim 2 in section 10 of Paper mailed on April 2, 2007. | N/A   |

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| 14 | US20060210541A1 | 5/26/2006 | 9/21/2006 | 4/23/2008 | FR   | 103 rejection               | N/A | N/A  | Claims 1,2, 5, 6, 8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cutler (WO 98109644) taken with Wilson et al. (US 5,866,552).         |
| 15 | US20060211769A1 | 5/24/2006 | 9/21/2006 | 2/9/2007  | FR   | 112 rejection               | N/A | N/A  | N/A  |
| 16 | US20060211020A1 | 2/22/2006 | 9/21/2006 | 6/27/2008 | N/FR | 112 rejection               | N/A | N/A  | N/A  |
| 17 | US20070010435A1 | 1/26/2006 | 1/11/2007 | 8/7/2008  | N/FR | 102, 103 and 112 rejections | N/A | Claims 1-3, 5-7, 10 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 99127944 to Schenk (Cite No. BE on Applicants? IDS dated 17 October 2005). | Claims 14 and 15 are under 35 U.S.C. 103(a) as being unpatentable over WO99127944 to Schenk, in view of Carro et al. (citation CS on IDS dated 17 October 2005). |

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| 18 | US20070049614A1 | 4/17/2006  | 3/1/2007   | 10/31/2007 | FR  | 103 and 112 rejections                | N/A | N/A | Claims 1 - 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bradette et al., Gastroenterology, and Caras et al., Gastroenterology, in view of Stacher et al., British Journal of Clinical Pharmacology. |  |
| 19 | US20050209300A1 | 9/13/2004  | 9/22/2005  | N/A        | N/A | Examination information not available | N/A | N/A | N/A   |  |
| 20 | US20050208054A1 | 12/9/2004  | 9/22/2005  | N/A        | N/A | Examination information not available | N/A | N/A | N/A   |  |
| 21 | US20050249805A1 | 12/18/2004 | 11/10/2005 | N/A        | N/A | Examination information not available | N/A | N/A | N/A   |  |
| 22 | US20060079533A1 | 2/2/2004   | 4/13/2006  | N/A        | N/A | Examination information not available | N/A | N/A | N/A   |  |
| 23 | US20070010484A1 | 6/23/2006  | 1/11/2007  | N/A        | N/A | Examination information not available | N/A | N/A | N/A   |  |
| 24 | US20070054328A1 | 10/10/2006 | 3/8/2007   | N/A        | N/A | Examination information not available | N/A | N/A | N/A   |  |