

EXHIBIT D-3

Table D-3

Original Group IV Claims	'349 Cell Claims
<p>Original Claim</p> <p>42. Vertebrate cells which can be propagated <i>in vitro</i> continuously and which upon growth in culture are capable of producing in the medium of their growth in excess of 100 U of erythropoietin per 10^6 cells in 48 hours as determined by radioimmunoassay.</p> <p>43. Vertebrate cells according to claim 42 capable of producing in excess of 500 U erythropoietin per 10^6 cells in 48 hours.</p> <p>44. Vertebrate cells according to claim 42 capable of producing in excess of 1,000 U erythropoietin per 10^6 cells in 48 hours.</p> <p>45. Vertebrate cells according to claim 42 which are mammalian or avian cells.</p> <p>46. Vertebrate cells according to claim 45 which are COS-1 cells or CHO cells.</p>	<p>1. Vertebrate cells which can be propagated <i>in vitro</i> and which are capable upon growth in culture of producing erythropoietin in the medium of their growth in excess of 100 U of erythropoietin per 10^6 cells in 48 hours as determined by radioimmunoassay, said cells comprising non-human DNA sequences which control transcription of DNA encoding human erythropoietin.</p> <p>2. Vertebrate cells according to claim 1 capable of producing in excess of 500 U erythropoietin per 10^6 cells in 48 hours.</p> <p>3. Vertebrate cells according to claim 1 capable of producing in excess of 1000 U erythropoietin per 10^6 cells in 48 hours.</p> <p>4. Vertebrate cells which can be propagated <i>in vitro</i> which comprise transcription control DNA sequences, other than human erythropoietin transcription control sequences, for production of human erythropoietin, and which upon growth in culture are capable of producing in the medium of their growth in excess of 100 U of erythropoietin per 10^6 cells in 48 hours as determined by radioimmunoassay.</p> <p>5. Vertebrate cells according to claim 4 capable of producing in excess of 500 U erythropoietin per 10^6 cells in 48 hours.</p> <p>6. Vertebrate cells according to claim 4 capable of producing in excess of 1000 U erythropoietin per 10^6 cells in 48 hours</p> <p>7. A process for producing erythropoietin comprising the step of culturing, under suitable nutrient conditions, vertebrate cells according to claim 1, 2, 3, 4, 5 or 6.</p>