

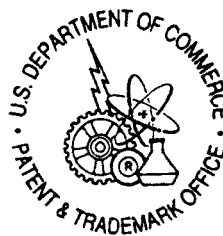
EXHIBIT B

Godfrey Decl. in Support of Amgen's Memorandum to it's Motion for Summary Judgment of No Obvious Type Double Patenting

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Manual of PATENT EXAMINING PROCEDURE

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Revision 11, April 1989
Revision 12, July 1989
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Chapter 100 Secrecy,* Access>, National Security and Foreign Filing<

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101 General [R-9]

35 U.S.C. 122. Confidential status of applications.

Applications for patents shall be kept in confidence by the Patent and Trademark Office and no information concerning the same given without authority of the applicant or owner unless necessary to carry out the provisions of any Act of Congress or in such special circumstances as may be determined by the Commissioner.

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Interoffice mail must be sent in appropriate envelopes.

No part of any application or paper related thereto should be reproduced or copied except for official purposes.

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Whenever an application is removed from the operating area having custody of the file, a charge on the PALM system must be properly and promptly made.

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Normally, drawings will be returned within three days. Any drawings which have not been returned within five days or which are returned in damaged condition should be reported immediately to the Office of Publications (557-3794).

102 Information as to Status of an Application [R-9]

Status information of an application means only the following information:

1. that the application is abandoned, or
2. that the application is pending, or
3. that the application was issued as a patent and the patent number, issue date and classification of such patent.

PATENTED

If an application on which status information is requested has matured into a patent, the fact that the application is patented and the patent number, issue date and classification relative to the application may be given to anyone.

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- (a) The applicant.
- (b) The attorney or agent of record in the application.
- (c) The assignee of record in the Patent and Trademark Office.
- (d) Anyone who has and furnishes written authority from a, b, or c.

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REFERENCED APPLICATION, SOURCE DOCUMENT NOT PRESENTED

If a written request for status information is presented without a copy of the source document, Patent and Trademark Office employees will check to see that the source document and the application in question are properly identified and that the source document refers to the application in question before supplying the status information. Requests for information not accompanied with a copy of the source document may require the Office to obtain a copy of the source document for verification before status information can be supplied. This may result in some delay before the desired status information can be forwarded to the requester.

*->REFERENCED< APPLICATION, SOURCE DOCUMENT PRESENTED

If a copy of the source document is presented, the Office will verify that the United States application in question is cited therein. After checking, status information may be immediately given and the source document copy may be returned to the requester. In either case, at the time the status information is supplied, the person supplying the status information marks the request "Information furnished", the date and his or her name. The request is then placed in the file wrapper or forwarded to the appropriate area (group art unit, abandoned files, etc.) for inclusion in the file wrapper as part of the official record of the application. The applicant is not consulted. See >MPEP< § 203.08

STATUS LOCATION INFORMATION FOR OFFICE PERSONNEL

When it is desired to determine the current location or status of an application, office personnel should use their PALM terminal.

However, inasmuch as all 60 series applications prior to 714,000 are not currently in the PALM system, Office personnel requesting status/location information on those applications determined not to be in the PALM system will be requested to contact the Record Services Branch at 557-3181 where the numerical index records of the above mentioned applications are maintained.