

Interview Summary

Application No. 08/468,381	Applicant(s)	Lin
Examiner James Martinell	Group Art Unit 1804	

All participants (applicant, applicant's representative, PTO personnel):

- (1) James Martinell
- (2) Mr. Borun
- (3) Mr. Watt
- (4) _____

Date of Interview Dec 11, 1996

Type: Telephonic Personal (copy is given to applicant applicant's representative).

Exhibit shown or demonstration conducted: Yes No. If yes, brief description:
Proposed claims A-E.

Agreement was reached. was not reached.

Claim(s) discussed: 61, 62, 68, and 69.

Identification of prior art discussed:
None.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:
Applicant proposed replacing claims 68 and 69 with claims D and E and amending claim 62 to recite the sequence of Figure 6. Additionally, applicant intends to file a Terminal Disclaimer in connection with US Patent No. 5,441,868. Applicant will point to basis in application for the non-EPO promoter and DNA amplification. Exr. favorably impressed.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

J. Martinell
JAMES MARTINELL, PH.D.
SENIOR LEVEL EXAMINER
GROUP 1800

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.



**CLAIMS FOR DISCUSSION WITH RESPECT TO
SERIAL NOS. 08/468,369, 08/468,381 AND 08/468,556**

A. An isolated erythropoietin glycoprotein having the *in vivo* biological activity of causing bone marrow cells to increase production of reticulocytes and red blood cells, wherein said erythropoietin glycoprotein comprises the mature erythropoietin amino acid sequence of Figure 6 and has glycosylation which differs from that of human urinary erythropoietin.

B. An isolated erythropoietin glycoprotein having the *in vivo* biological activity of causing bone marrow cells to increase production of reticulocytes and red blood cells, wherein said erythropoietin glycoprotein comprises the mature erythropoietin amino acid sequence of Figure 6 and is not isolated from human urine.

C. A process for producing erythropoietin comprising the steps of:

- a) growing, under suitable nutrient conditions, host cells transformed or transfected with DNA encoding the mature erythropoietin amino acid sequence of Figure 6; and
- b) isolating erythropoietin produced by said host cells.

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D. A process for the production of a glycosylated erythropoietin polypeptide having the *in vivo* biological property of causing bone marrow cells to increase production of reticulocytes and red blood cells comprising the steps of:

- a) growing, under suitable nutrient conditions, vertebrate cells comprising promoter DNA, other than human erythropoietin promoter DNA, operatively linked to DNA encoding the mature erythropoietin amino acid sequence of Figure 6; and
- b) isolating said glycosylated erythropoietin polypeptide expressed by said cells.

E. A process for the production of a glycosylated erythropoietin polypeptide having the *in vivo* biological property of causing bone marrow cells to increase production of reticulocytes and red blood cells comprising the steps of:

- a) growing, under suitable nutrient conditions, vertebrate cells comprising amplified DNA encoding the mature erythropoietin amino acid sequence of Figure 6; and
- b) isolating said glycosylated erythropoietin polypeptide expressed by said cells.

[The erythropoietin product of processes C, D and E]

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