

EXHIBIT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#29/D
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JAN 20 1990

BOARD OF PATENT APPEALS
AND INTERFERENCES

AKW
1/24/93

In re Application of

LIN

Serial No.: 113,179

Group Art Unit: 184

Filed: October 23, 1987

Examiner: Tanenholtz

For: PRODUCTION OF ERYTHROPOIETIN

AMENDMENT ACCOMPANYING CONTINGENT MOTION

Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

Sir:

Please amend the above application as follows:

IN THE CLAIMS:

JK TO
Please
show

Claim 65, lines 7 - 9, delete "a polypeptide having a primary structural
conformation sufficiently duplicative of that of naturally occurring"; and

lines 10 - 13, delete "to allow possession of the in vivo biological
property of causing bone marrow cells to increase production of reticulocytes and red
blood cells, or the progeny thereof,".

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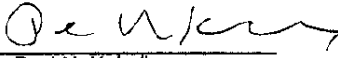
LIN -- Serial No. 113,179

REMARKS

The present amendment is being filed in conjunction with the Applicant's contingent motion in Interference No. 102,097. As amended, claim 65 would conform with proposed count L-A.

Respectfully submitted,

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