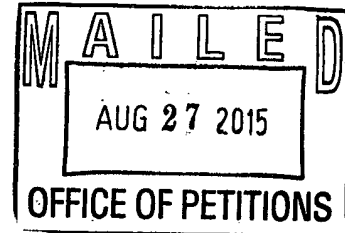




UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 5400
SEATTLE WA 98104



In re Patent No. 8,030,292 :
Issue Date: October 4, 2011 :
Application No. 12/402,461 :
Filed: March 11, 2009 :
Attorney Docket No. 120178.436C3 :

NOTICE

This is a decision on the renewed petition acceptance of a fee deficiency submission under 37 CFR 1.28(c), filed August 17, 2015.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28(c) is hereby **ACCEPTED**.

Status a small entity has been removed. Accordingly, all future fees paid in this patent must be paid at the undiscounted entity rate.

Inquiries related to this communication should be directed to Angela Walker at (571) 272-1058.

/JoAnne Burke/
JoAnne Burke
Paralegal Specialist
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David A. Stein et al.
Application No. : 12/402,461
Filed : March 11, 2009
Patent No : 8,030,292 B2
Issued : October 4, 2011
For : ANTISENSE ANTIVIRAL COMPOUNDS AND METHODS FOR
TREATING A FILOVIRUS INFECTION

Docket No. : 120178.436C3
Date : August 17, 2015

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF DISMISSAL REGARDING
CORRECTION OF ENTITY STATUS UNDER 37 CFR § 1.28

Dear Sir or Madam:

On March 18, 2015, a Request to Correct Entity Status was filed for the above-referenced patent. On July 29, 2015, the Office of Petitions issued a Notice of Dismissal stating that the calculation of fees was incorrect. In response to the Notice of Dismissal, Applicants have recalculated the fees and re-submit the Request to Correct Entity Status.

Small entity status is hereby withdrawn and all fee deficiencies are paid herewith. These errors were made without deceptive intent. Enclosed is \$1,893.00, which is the difference between the amount previously paid as a Small Entity and the amount due as a Large Entity according to the current fee schedule. As the Issue Fee has decreased since the date of payment (September 1, 2011), the deficiency owed is equal to the amount previously paid (\$755.00). The fees submitted are itemized below:

ORIGINAL FEE PAID	TYPE OF FEE PAID	COLUMN A AMOUNT ORIGINALLY PAID	COLUMN B CURRENT FEE AMOUNT AS A LARGE ENTITY (ISSUE FEE IS 2011 RATE)	DEFICIENCY (BASED ON CURRENT FEE AMOUNT)
03/11/2009	Utility Filing Fee	\$82.00	\$280.00	\$198.00
03/11/2009	Search Fee	\$270.00	\$600.00	\$330.00
03/11/2009	Examination Fee	\$110.00	\$720.00	\$610.00
09/01/2011	Issue Fee	\$755.00	\$1,510.00	\$755.00
TOTAL FEE DEFICIENCY				\$1,893.00

Respectfully submitted,
Seed Intellectual Property Law Group PLLC

/Eric A. Harwood/
Eric A. Harwood, Ph.D.
Registration No. 59,937

EAH:hm

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David A. Stein et al.
Application No. : 12/402,461
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Mail Stop Petitions
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P.O. Box 1450
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FEE DEFICIENCY AUTHORIZATION FORM

Commissioner for Patents:

Applicant(s) hereby authorize(s) the Director to charge any deficiencies or credit any overpayment in fees due by way of the enclosed papers only to Deposit Account No. 19-1090.

Respectfully submitted,
SEED Intellectual Property Law Group PLLC

/Eric A. Harwood/
Eric A. Harwood, Ph.D.
Registration No. 59,937

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031

Electronic Acknowledgement Receipt

EFS ID:	23228813
Application Number:	12402461
International Application Number:	
Confirmation Number:	7748
Title of Invention:	ANTISENSE ANTIVIRAL COMPOUNDS AND METHODS FOR TREATING A FILOVIRUS INFECTION
First Named Inventor/Applicant Name:	David A. Stein
Customer Number:	500
Filer:	Eric A. Harwood/Heather McLennand
Filer Authorized By:	Eric A. Harwood
Attorney Docket Number:	120178.436C3
Receipt Date:	17-AUG-2015
Filing Date:	11-MAR-2009
Time Stamp:	17:11:13
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	120178436C3-RESP-EAH.pdf	73493 <small>ea26fc4fdc861f6aaf8bb436b1051bc797defb95</small>	no	2

Warnings:

Information:

2	Miscellaneous Incoming Letter	120178436C3-FDA-EAH.pdf	47363 396db97966b864b7cc2be0c07d4224a55d 176d66	no	1
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Warnings:

Information:

Total Files Size (in bytes):	120856
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

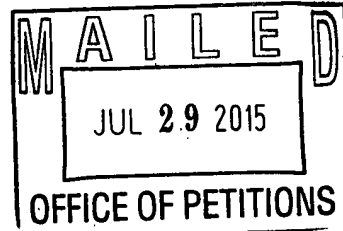
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
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SEATTLE WA 98104



In re Patent No. 8,030,292
Issue Date: October 4, 2011
Application No. 12/402,461
Filed: March 11, 2009
Attorney Docket No.: 120178.436C3

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:
:

NOTICE

This is a notice regarding the request for acceptance of a fee deficiency submission under 37 CFR 37 CFR 1.28(c) filed March 18, 2015.

The request is **DISMISSED**.

It is noted that an itemization of the fee deficiency was submitted; however, the calculation of the deficiency owed is not in compliance with the requirements of 37 CFR 1.28(c)(2)(i), which reads:

(i) Calculation of the deficiency owed. The deficiency owed for each previous fee erroneously paid as a small entity is the difference between the current fee amount (for other than a small entity) on the date the deficiency is paid in full and the amount of the previous erroneous (small entity) fee payment. The total deficiency payment owed is the sum of the individual deficiency owed amounts for each fee amount previously erroneously paid as a small entity. Where a fee paid in error as a small entity was subject to a fee decrease between the time the fee was paid in error and the time the deficiency is paid in full, the deficiency owed is equal to the amount (previously) paid in error;” Emphasis added

37 CFR 1.28(c)(2)(ii) goes on to say:

(ii) Itemization of the deficiency payment. An itemization of the total deficiency payment is required. The itemization must include the following information:

(A) Each particular type of fee that was erroneously paid as a small entity, (e.g., basic statutory filing fee, two-month extension of time fee) along with the current fee amount for a non-small entity;

(B) The small entity fee actually paid, and when. This will permit the Office to differentiate, for example, between two one-month extension of time fees erroneously paid as a small entity but on different dates;

(C) The deficiency owed amount (for each fee erroneously paid); and

(D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth in paragraph (c)(2)(ii)(C) of this section.

Applicant is given **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to submit the fees required pursuant to 37 CFR 1.28(2)(i) and a replacement itemized listing of each fee erroneously paid as a small entity in compliance with 37 CFR 1.28(c)(2)(ii). **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.**

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By Internet: EFS-Web¹

Any questions concerning this matter may be directed to Angela Walker at (571) 272-1058.

/SDB/
Sherry D. Brinkley
Lead Paralegal Specialist
Office of Petitions

¹ www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David A. Stein et al.
Application No. : 12/402,461
Filed : March 11, 2009
Patent No : 8,030,292 B2
Issued : October 4, 2011
For : ANTISENSE ANTIVIRAL COMPOUNDS AND METHODS FOR
TREATING A FILOVIRUS INFECTION

Docket No. : 120178.436C3
Date : March 18, 2015

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CORRECTION OF ENTITY STATUS UNDER 37 CFR § 1.28

Dear Sir or Madam:

It has come to our attention that a designation of Small Entity was erroneously made when the above referenced patent application was filed. All of the subsequent fees paid were therefore paid for a Small Entity. Small entity status is hereby withdrawn and all fee deficiencies are paid herewith. These errors were made without deceptive intent. Enclosed is \$1,343.00, which is the difference between the amount previously paid as a Small Entity and the amount due as a Large Entity according to the current fee schedule. The fees submitted are itemized below:

ORIGINAL FEE PAID	TYPE OF FEE PAID	COLUMN A AMOUNT ORIGINALLY PAID	COLUMN B CURRENT FEE AMOUNT AS A LARGE ENTITY	DEFICIENCY (BASED ON CURRENT FEE AMOUNT)
03/11/2009	Utility Filing Fee	\$82.00	\$280.00	\$198.00
03/11/2009	Search Fee	\$270.00	\$600.00	\$330.00
03/11/2009	Examination Fee	\$110.00	\$720.00	\$610.00
09/01/2011	Issue Fee	\$755.00	\$960.00	\$205.00
TOTAL FEE DEFICIENCY				\$1343.00

Respectfully submitted,
Seed Intellectual Property Law Group PLLC

/Eric A. Harwood/
Eric A. Harwood, Ph.D.
Registration No. 59,937

EAH:hm

701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031

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Alexandria, VA 22313-1450

FEE DEFICIENCY AUTHORIZATION FORM

Commissioner for Patents:

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Respectfully submitted,
SEED Intellectual Property Law Group PLLC

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Seattle, Washington 98104
Phone: (206) 622-4900
Fax: (206) 682-6031

Electronic Acknowledgement Receipt

EFS ID:	21812915
Application Number:	12402461
International Application Number:	
Confirmation Number:	7748
Title of Invention:	ANTISENSE ANTIVIRAL COMPOUNDS AND METHODS FOR TREATING A FILOVIRUS INFECTION
First Named Inventor/Applicant Name:	David A. Stein
Customer Number:	500
Filer:	Eric A. Harwood/Heather McLennand
Filer Authorized By:	Eric A. Harwood
Attorney Docket Number:	120178.436C3
Receipt Date:	18-MAR-2015
Filing Date:	11-MAR-2009
Time Stamp:	18:31:09
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notification of loss of entitlement to small entity status	120178436C3-ES-EAH.pdf	66939 <small>798a3fcd377f898bf4df9e6729bf4de212e7a1</small>	no	2

Warnings:

Information:

2	Miscellaneous Incoming Letter	120178436C3-FDA-EAH.pdf	44772 30398a2cc6ede0478dc87c3f99c8fc0d6eb585b4	no	1
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Warnings:

Information:

Total Files Size (in bytes):	111711
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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04/03/2015 DALLEN 00000004 191090 12402461
01 FC:1461 1343.00 DA

ORIGINAL FEE PAID	TYPE OF FEE PAID	COLUMN A AMOUNT ORIGINALLY PAID	COLUMN B CURRENT FEE AMOUNT AS A LARGE ENTITY	DEFICIENCY (BASED ON CURRENT FEE AMOUNT)
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09/01/2011	Issue Fee	\$755.00	\$960.00	\$205.00
TOTAL FEE DEFICIENCY				\$1343.00

Respectfully submitted,
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