

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: . Nemeth, et al.
Title: Calcium Receptor-Active
Molecules
Patent No.: 6,011,068
Filing Date: 12/8/1994

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.	
<u>IRENE BETKE</u>	(Printed Name)
<u><i>Irene Betke</i></u>	(Signature)
<u>5-16-03</u>	
(Date of Deposit)	

TERMINAL DISCLAIMER

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

Sir:

The Owners, NPS PHARMACEUTICALS, INC., having its principal place of business at 420 Chipeta Way, Suite 240, Salt Lake City, Utah 84108, and THE BRIGHAM AND WOMEN'S HOSPITAL, INC., having its principal place of business at 75 Francis Street, Boston, Massachusetts 02115, who jointly are the owners of the entire right, title and interest in and to U.S. Patent No. 6,011,068, hereby disclaim the terminal part of the term of U.S. Patent No. 6,011,068 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent No. 6,001,884, and hereby agree that U.S. Patent No. 6,011,068 shall be enforceable only for and during such period that it and U.S. Patent No. 6,001,884 are commonly owned. This agreement runs with U.S. Patent No. 6,011,068 and is binding upon the grantee, its successors and assigns.

In making the above disclaimer, the Owners do not disclaim any terminal part of U.S. Patent No. 6,011,068 that would extend beyond the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,001,884, as shortened by any terminal disclaimer, in the

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Atty. Dkt. No. 072827-0601

event that U.S. Patent No. 6,001,884 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate or as a result of an interference proceeding, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

Further, Owners do not disclaim any terminal part of U.S. Patent No. 6,011,068 that would extend beyond the present termination of U.S. Patent 6,001,884, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Owners' right to extend the term of a patent granted on U.S. Patent No. 6,011,068 to the extent provided by law.

The undersigned is an Attorney of Record.

Respectfully submitted,

Date 5/16/03

By: _____

Richard Warburg
Attorney for Applicant
Registration No. 32,327

FOLEY & LARDNER
Customer Number: 33588



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Michael A. Whittaker



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Title: CALCIUM RECEPTOR-ACTIVE MOLECULES
Inventor(s): Nemeth, et al. Date of Deposit: May 16, 2003
Docket No. 072827-0601 MAW/igb
Patent No.: 6,011,068 Issue Date: December 8, 1994

16, 2003
MAW/igb
December 8, 1994

- Transmittal (2 pages);
- Terminal Disclaimer (2 pages); and
- Return Postcard

Documents
attached hereto

Commissioner for Patents:

Please acknowledge receipt of the above-identified documents
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and mailing this card.

Respectfully,
Foley & Lardner



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(Printed Name)	
<u><i>Irene Betce</i></u>	
(Signature)	
<u>5-16-03</u>	
(Date of Deposit)	

TRANSMITTAL TO TERMINAL DISCLAIMER

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Alexandria, VA 22313-1450

Sir:

Enclosed is a Terminal Disclaimer.

The Commissioner is hereby authorized to charge the \$110.00 filing fee and any additional fees that are due, such as fees required under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872 and referencing Attorney Docket No. 072827-0601. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the

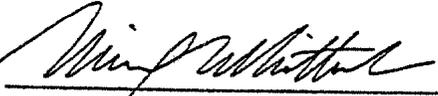
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Page 2

Atty. Dkt. No. 072827-0601

Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872 and referencing Attorney Docket No. 072827-0601.

Respectfully submitted,

Date May 16, 2003

By: 

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