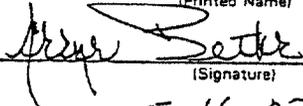


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Van Wagenen, et al.
Title: Calcium Receptor-Active
Molecules
Patent No.: 6,313,146
Filing Date: 6/7/1995

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.	
IRENE BETKE <small>(Printed Name)</small>	
 <small>(Signature)</small>	
5-16-03 <small>(Date of Deposit)</small>	

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. 6,313,146, hereby disclaim the terminal part of the term of U.S. Patent No. 6,313,146 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent No. 6,011,068, and hereby agree that U.S. Patent No. 6,313,146 shall be enforceable only for and during such period that it and U.S. Patent No. 6,011,068 are commonly owned. This agreement runs with U.S. Patent No. 6,313,146 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. 6,313,146 that would extend beyond the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,011,068, as shortened by any terminal disclaimer, in the

In re application of
Van Wagenen, et al.
Patent No. 6,313,146
Page 2

Atty. Dkt. No. 072827-1001

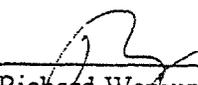
event that U.S. Patent No. 6,011,068 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination 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. 6,313,146 that would extend beyond the present termination of U.S. Patent 6,011,068, 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. 6,313,146 to the extent provided by law.

The undersigned is an Attorney of Record.

Respectfully submitted,

Date 5/16/08

By: 
Richard Waybourn
Attorney for Applicant
Registration No. 32,327

FOLEY & LARDNER
Customer Number: 33588



33588

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6700

Facsimile: (858) 792-6773

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Van Wagenen et al.

Serial No. 08/484,159

Filed: June 7, 1995

For: CALCIUM RECEPTOR-ACTIVE
COMPOUNDS

Group Art Unit 1614

Examiner Jones, D.C.

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

NPS PHARMACEUTICALS, INC., a corporation, having a place of business at Salt Lake City, Utah, represents that it is the Assignee of Application Serial No. 08/484,159.

NPS PHARMACEUTICALS, INC., hereby disclaims the terminal part of any patent granted on the above-identified application Serial No. 08/484,159 which would extend beyond the expiration date of United States Patent No. 6,001,884, filed June 6, 1995, and issued on December 14, 1999, and hereby agrees that any patent so granted on the above-identified application Serial No. 08/484,159 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,001,884, this agreement binding upon the grantee, its successors or assigns.

The undersigned has reviewed all documents in the chain of title of the patent application

CERTIFICATE OF MAILING
(37 C.F.R. § 1.10)

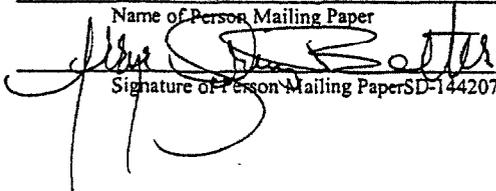
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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Express Mail Label No.

January 20, 2000
Date of Deposit

Irene Grimes Betke

Name of Person Mailing Paper


Signature of Person Mailing PaperSD-144207.1

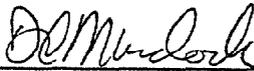
identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above. The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

If there are any fees due in connection with the filing of this terminal disclaimer, please charge or credit our Desposit Account No. 12-2475 for the appropriate amount.

LYON & LYON, LLP

Dated: 1/20/00

By: 
Douglas C. Murdock
Registration No. 37,549

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(619) 552-8500

S.N. 08/484,159 Docket No. 214/101 Date Mailed 1-20-00 Any: DCM
Title: CALCIUM RECEPTOR-ACTIVE COMPOUNDS
(Client Name) NDS PHARMACEUTICALS, INC.

The Following, due in the U.S. Patent & Trademark Office, was received in the Patent & Trademark Office on the date stamped hereon:

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<input type="checkbox"/> Application for Patent Including _____	<input type="checkbox"/> Issue Fee Transmittal _____
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Priority: _____	

S.N. 08/484,159 Docket No. 214/101 Date Mailed 1-20-00 Any: DCM
Title: CALCIUM RECEPTOR-ACTIVE COMPOUNDS
(Client Name) NDS PHARMACEUTICALS, INC.

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Priority: _____	

