Terminat DISCL ALAM TO OBIATE A DOUBLE PATENTING

REJECITION OVER A "PRIOR" PATENT

In re Application of: Nancy Smyth-Templeton et al.
Application No.: 10/825,803-Conf. #8697
Filed: April 15, 2004

For: NOVEL LIPOSOME COMPLEXES FOR INCREASED SYSTEMIC DELIVERY

The owner*, National Institutes of Health, of 100 percent interest in the
instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the
instant application which would extend beyond the expiration date of the full statutory term of prior patents Nos. 6,413,544 and
6,770,291
as the terms of said prior patents are defined in 35 U.S.C. 154 and 173, and as the terms of said prior patents are presently
shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be
enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any
patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant
application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior
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have all claims canceled by a reexamination certificate;
are reissued; or
are in any manner terminated prior to the expiration of their full statutory terms as presently shortened by any terminal
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Check either box 1 or 2 below, if appropriate.

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etc.), the undersigned is empowered to act on behalf of the business/organization.

   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 were made with the knowledge that willful false statements
   and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code
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2. x The undersigned is an attorney or agent of record. Reg. No. 34,558

   Signature
   February 14, 2005
   Date

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x Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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Signature: Judy Daley

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