

Provisional Application for Patent Cover Sheet					
This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c)					
Inventor(s)					
Inventor 1					Remove
Given Name	Middle Name	Family Name	City	State	Country
Jeffrey	B	Etter	Boulder	CO	US
All Inventors Must Be Listed – Additional Inventor Information blocks may be generated within this form by selecting the Add button.					Add
Title of Invention		ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS			
Attorney Docket Number (if applicable)		298068-00042			
Correspondence Address					
Direct all correspondence to (select one):					
☒ The address corresponding to Customer Number			☐ Firm or Individual Name		
Customer Number			03705		

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.	
☒ No.	
☐ Yes, the name of the U.S. Government agency and the Government contract number are:	

Entity Status

Applicant claims small entity status under 37 CFR 1.27

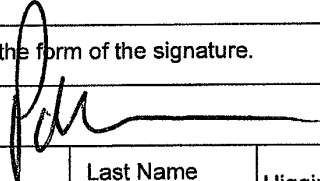
- ☐ Yes, applicant qualifies for small entity status under 37 CFR 1.27
- ☒ No

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Signature

Please see 37 CFR 1.4(d) for the form of the signature.

Signature				Date (YYYY-MM-DD)	May 15, 2008
First Name	Patrick	Last Name	Higgins	Registration Number (If appropriate)	39709

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. This form can only be used when in conjunction with EFS-Web. If this form is mailed to the USPTO, it may cause delays in handling the provisional application.

**A Phase 1, Open-label, Dose-escalation Study to Evaluate the Safety, Pharmacokinetics,
and Pharmacodynamics of Oral Azacitidine in Subjects with Myelodysplastic Syndromes
(MDS) or Acute Myelogenous Leukemia (AML)**

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ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS

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- The present invention is drawn toward azacitidine compositions and dosage forms thereof for oral administration which, for example, yield continuous low-dose drug release profiles upon oral administration and thereby result in improved efficacy, safety, pharmacokinetics, and pharmacodynamics. Oral dosages described herein are administered, for example, for the treatment of myelodysplastic syndromes (MDS) or acute myelogenous leukemia (AML) conditions. Etter, J.B., U.S. Application Ser. No.11/849,958 is incorporated in its entirety by reference. See, for example, the primary examples, and formulation #1 described therein.
- 15 Oral azacitidine dosages (and methods of administration thereof and/or methods of treatment of at least one condition, including but not limited to MDS and AML) of the present invention may range, for example, between about 50 mg/m²/day and about 2,000mg/m²/day, between about 100 mg/m²/day and about 1,000mg/m²/day, between about 100 mg/m²/day and about 500mg/m²/day, between about 120 mg/m²/day and about 250mg/m²/day. Particular
- 20 dosages, for example, are about 120 mg/m²/day, about 140 mg/m²/day, about 150 mg/m²/day, about 180 mg/m²/day, about 200 mg/m²/day, about 220 mg/m²/day, about 240 mg/m²/day, about 250 mg/m²/day, about 260 mg/m²/day, about 280 mg/m²/day, about 300 mg/m²/day, about 320 mg/m²/day, about 350 mg/m²/day, about 380 mg/m²/day, about 400 mg/m²/day, about 450 mg/m²/day, and about 500 mg/m²/day.
- 25 A phase 1, open-label, dose-escalation study to evaluate the safety, pharmacokinetics, and pharmacodynamics of oral azacitidine in subjects with myelodysplastic syndromes (MDS) or acute myelogenous leukemia (AML) is described herein. Azacitidine, a cytidine analog, through its effects on DNA metabolism, gene expression, and cell differentiation, has proven
- 30 beneficial in treatment of MDS and AML. Most notably, prolonged azacitidine therapy recently has been shown to approximately double 2-year survival in higher-risk MDS subjects compared to conventional care. Azacitidine is currently approved for intermittent subcutaneous (SC) and intravenous administration. Development of an oral formulation would provide more convenient dosing, eliminate injection-site reactions, and

allow evaluation of novel, continuous low-dose regimens that may sustain demethylation and improve efficacy. A proprietary formulation of oral azacitidine was shown to be absorbed in a pilot, single-dose study (ASCO 2007). *See, e.g.,* U.S. Application Ser. No.11,849,958.

- 5 **Multicenter, open-label, Phase 1, sequential design, dose-escalation study of oral azacitidine.** The study is designed to evaluate the maximum tolerated dose (MTD), dose limiting toxicities (DLTs), safety, pharmacokinetic (PK) and pharmacodynamic (PD) profiles of increasing doses of orally administered azacitidine in subjects with MDS or AML. Azacitidine was administered SC (75 mg/m²/day x 7 days) during cycle 1, then orally
- 10 starting at 120 mg x 7 days/28 day cycle. Drug levels were measured in plasma and urine, and PD effects including global LINE methylation and gene-specific methylation were assayed.

Results

- 15 Currently, no toxicities have been observed in subjects who have completed both the SC and oral phases of the study at 120 mg. The study continues at the 180 mg dose level. Preliminary PK analysis indicates detectable plasma levels at the 120 mg oral dose. A comparison of plasma PK profiles and PD effects of azacitidine administered at increasing oral doses compared to those of azacitidine administered SC at the approved dose of 75 mg/m²/day for
- 20 all subjects evaluated to date.

Conclusions

Results of oral 5-azacitidine indicate that this formulation is orally bioavailable and safe in subjects with MDS, for example.

25

* * *

EXHIBIT I

- 30 *Attached hereto*, is an Example (image Poster), entitled **A Phase 1, Open-label, Dose-escalation Study to Evaluate the Safety, Pharmacokinetics, and Pharmacodynamics of Oral Azacitidine in Subjects with Myelodysplastic Syndromes (MDS) or Acute Myelogenous Leukemia (AML)**, intended for presentation at ASCO 2008, on or about May 16, 2008.

35

Background

- Azacitidine, an inhibitor of DNA methylation, has proven beneficial in treatment of MDS and AML.
 - Notably, prolonged azacitidine therapy recently has been shown to approximately double 2-year survival in higher-risk MDS patients compared with conventional care.
- Azacitidine is currently approved for intermittent subcutaneous (SC) and intravenous administration. The availability of an oral azacitidine formulation for treatment of AML and MDS patients would have numerous benefits:
 - Provide more convenient dosing
 - Eliminate injection-site reactions
 - Allow evaluation of a novel, continuous low-dose regimen that may sustain demethylation and improve efficacy
 - Eliminate the need for hospital visits.
- A proprietary formulation of oral azacitidine was shown to be absorbed in a pilot, single-dose study.

Objectives

- To determine the maximum tolerated dose (MTD), dose limiting toxicities (DLTs), safety, and pharmacokinetic (PK) profiles of increasing doses of orally administered azacitidine in patients with MDS or AML.
- To determine the biologically active oral azacitidine dose based on safety and PK data.

Methods

- Multicenter, open-label, Phase 1, sequential design, dose-escalation study (Figure 1).
- Patients >18 years of age with MDS or AML and ECOG status 0-2 were eligible.
- Azacitidine was administered SC (75 mg/m²/day x 7 days) during cycle 1, then orally starting at 120 mg x 7 days/28 day cycle.
 - Suggested 6-cycle minimum (cycle 7 on study); patients continued treatment until disease progression.
- Patients enrolled in cohorts of 3 at each dose level, beginning at 120 mg, and DLT were evaluated as shown in Figure 1.
 - If MTD was not reached, doses were increased in 60-mg increments to a maximum of 600 mg.
 - If 2 or more of the initial 3 patients at a dose level experience DLT, then the MTD was considered to have been exceeded and dose escalation stopped.
- PK was assessed at cycles 1, 2, and 7.
 - Azacitidine levels were measured in plasma and in urine using LC/MS/MS methods with limit of quantitation (LOQ) values of 1 ng/mL and 10 ng/mL, respectively.
- Global line methylation was assessed to determine PD effects of oral azacitidine (these analyses not yet available).
- Response to treatment will be assessed (not yet available).
- Safety was evaluated by adverse event (AE) reporting.

References

1. Fenaux et al. Blood 2007;110:817.
2. Ward et al. J Clin Oncol 2007;25:18S.
3. Marcucci et al. J Clin Pharmacol 2005;43:597-602

Presented at the 44th Annual Meeting of the American Society of Clinical Oncology, May 30 – June 3, 2008, Chicago, IL.

Results

Table 1. Demographics

Parameter	N (%) (N=6)
Age, (years)	
Mean $\pm$ SD	66.5 $\pm$ 5.7
Range	60-72
Gender, n (%)	
Male	2 (33.3)
Female	4 (66.7)
Original diagnosis, n (%)	
AML (de novo)	1 (16.7)
AML (transformed from MDS)	1 (16.7)
MDS	4 (66.7)
Time since original diagnosis (months)*	
Mean $\pm$ SD	7.9 $\pm$ 13.5
Range	0-34.9
ECOG performance status, n (%)	
Fully active	3 (50.0)
Restricted activity but ambulatory	2 (33.3)
Ambulatory, unable to do work activities	1 (16.7)
Capable of only limited self-care	0
Completely disabled	0

*Time from original diagnosis to informed consent.

Table 2. Adverse Events

Parameter	Total (N=6)
Febrile neutropenia	1 (16.7)
Abdominal pain	1 (16.7)
Constipation	1 (16.7)
Diarrhea	1 (16.7)
Nausea	1 (16.7)
Vomiting	1 (16.7)
Pneumonia	1 (16.7)
Urinary tract infection	1 (16.7)

Table 3. Oral Azacitidine Pharmacokinetic Parameters

Parameter	SC 75 mg/m ² (n=9)		Oral 120 mg (n=4)		Oral 180 mg (n=2)	
Mean $\pm$ SD	Day 1	Day 7	Day 1	Day 7	Day 1	Day 7
AUC ₀₋₂₄ (hr·ng/mL)	1100 $\pm$ 322	1027 $\pm$ 222	62 $\pm$ 43	137 $\pm$ 110	104 $\pm$ 91	100 $\pm$ 62
C _{max} (ng/mL)	752 $\pm$ 263	668 $\pm$ 200	38 $\pm$ 24	74 $\pm$ 53	60 $\pm$ 41	64 $\pm$ 47
t _{1/2} (hr)	1.6 $\pm$ 1.0	1.8 $\pm$ 1.5	0.4 $\pm$ 0.1	0.5 $\pm$ 0.2	0.4 $\pm$ 0.1	0.4 $\pm$ 0.0
Bioavailability (%)	—	—	6	15	7	7

Figure 1. Dose Escalation Flow Diagram

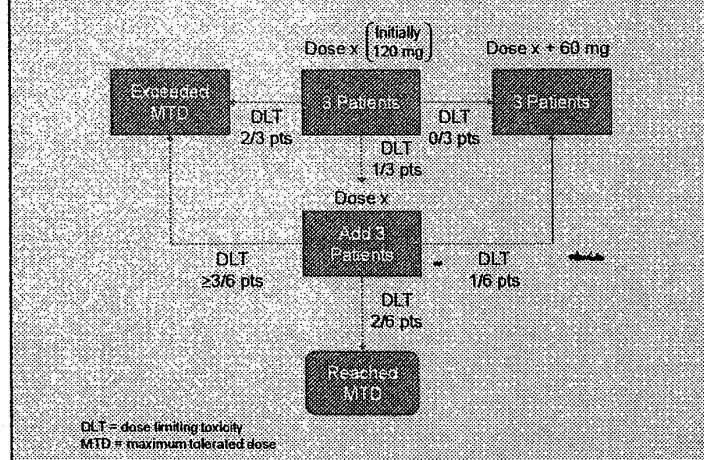
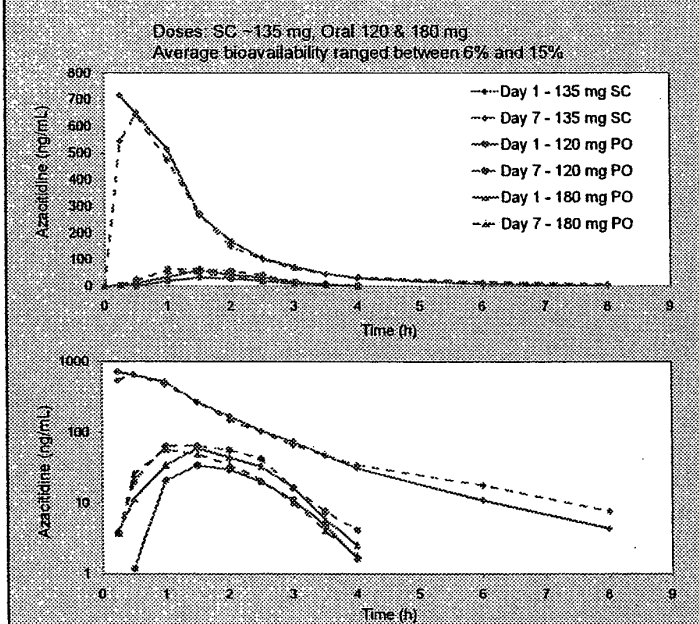


Figure 2: SC versus Oral Azacitidine in Plasma



Patients

- 6 patients enrolled to date.
- Baseline demographic and disease characteristics shown in Table 1.

Safety

- No dose-limiting toxicities have been observed in patients who have completed both the SC and oral phases of the study with azacitidine 120 mg.
- AEs with oral azacitidine are consistent with those observed with SC azacitidine (Table 2).

Preliminary Pharmacokinetic Results (Figure 2 and Table 3)

- Azacitidine plasma levels were quantifiable following single and multiple oral doses at the 120 mg level.
- Azacitidine plasma concentrations peaked at a median of 1.0 to 1.5 hours following oral doses and declined thereafter in a monophasic manner.
- Accumulation of azacitidine was not observed after multiple (7-day) SC doses of 75 mg/m².
- Average oral bioavailability relative to azacitidine SC 75 mg/m²/day was observed to be 6% to 15%.
- Average half-life after SC administration ranged from 1.6 to 1.8 hours and was shorter after oral administration, which ranged from 0.4 and 0.5 hours.
- PK parameters, especially after oral administration, were confounded by high variability.

Discussion

Azacitidine has been formulated as an oral tablet to facilitate ease of drug use by the target population. These tablets had a systemic bioavailability that ranged between 6% and 15% of that observed following SC administration, indicating higher oral doses than 180 mg are necessary to achieve comparable exposure to that observed with SC administration. Higher PK variability was observed with oral azacitidine. PK data following SC administration were consistent with the historical data published,³ and showed similar concentration-over-time profiles after single and multiple (7-day) doses.

Conclusions

- Initial results indicate 120 mg oral azacitidine is well tolerated in patients with MDS and AML. Safety data for patients who received the 180 mg oral azacitidine dose are still under evaluation.
- Azacitidine concentrations were quantifiable in patients' plasma and urine after oral doses of 120 and 180 mg.
- Azacitidine oral bioavailability ranged between 6% and 15% of that observed with the SC dose, indicating higher oral doses are necessary.
- An oral azacitidine formulation would be convenient for patients and may improve outcomes in MDS and AML.
- Since the MTD has not been reached and no DLT have been identified thus far, dose escalation is ongoing.

This study was supported by Celgene Corporation, Summit, NJ

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS		
First Named Inventor/Applicant Name:		JEFFREY B. ETTER		
Filer:		Carol Marmo/Lisa Toth-Maskarinec		
Attorney Docket Number:		298068-00042		
Filed as Large Entity				
Provisional Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Provisional application filing	1005	1	210	210
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				210

Electronic Acknowledgement Receipt

EFS ID:	3312022
Application Number:	61053609
International Application Number:	
Confirmation Number:	7244
Title of Invention:	ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS
First Named Inventor/Applicant Name:	JEFFREY B. ETTER
Customer Number:	03705
Filer:	Carol Marmo/Lisa Toth-Maskarinec
Filer Authorized By:	Carol Marmo
Attorney Docket Number:	298068-00042
Receipt Date:	15-MAY-2008
Filing Date:	
Time Stamp:	19:11:40
Application Type:	Provisional

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$210
RAM confirmation Number	4147
Deposit Account	
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
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1		5.PDF	839679 e08fb5dcd9fd702a7617135717cdf9b6bb03dc1	yes	9
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Provisional Cover Sheet (SB16)		1	2	
	Specification		3	9	
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8155 a4cb99578674629f989d3f452c51cdf204568c4c	no	2
Warnings:					
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
61/053,609	05/15/2008		210	298068-00042		

CONFIRMATION NO. 7244

3705
ECKERT SEAMANS CHERIN & MELLOTT
600 GRANT STREET
44TH FLOOR
PITTSBURGH, PA 15219

FILING RECEIPT



OC000000030655112

Date Mailed: 06/25/2008

Receipt is acknowledged of this provisional patent application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

JEFFREY B. ETTER, Boulder, CO;

Power of Attorney:

Patrick Higgins--39709

If Required, Foreign Filing License Granted: 06/24/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 61/053,609**

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No
Title

ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS

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page 1 of 3

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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ELECTRONIC FILING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Jeffrey B. ETTER	Confirmation No.:	7244
Application No.:	61/053,609	Art Unit:	To Be Determined
Filed:	May 15, 2008	Examiner:	To Be Determined
For:	ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS	Atty Docket No.:	9516-808-888 (new) (298068-00042)

CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
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Sir:

Please recognize, under 37 C.F.R. § 1.33, the following mailing address as the correspondence address for all purposes, including all notices, official letters, maintenance fees and any other communications relating to the above-captioned application:

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New York, New York 10017
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Pursuant to 37 C.F.R. § 1.34(a), Jones Day represents that it is authorized to act in a representative capacity on behalf of the Applicant of the above-identified application.

Respectfully submitted,

Date: November 19, 2008

 for: Anthony M. Insogna 59,239
Andrew V. Trask (Reg. No.)
For: Anthony M. Insogna (Reg. No. 35,203)
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Electronic Acknowledgement Receipt	
EFS ID:	4318738
Application Number:	61053609
International Application Number:	
Confirmation Number:	7244
Title of Invention:	ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS
First Named Inventor/Applicant Name:	JEFFREY B. ETTER
Customer Number:	03705
Filer:	Andrew V. Trask/Rochelle Flowers
Filer Authorized By:	Andrew V. Trask
Attorney Docket Number:	298068-00042
Receipt Date:	19-NOV-2008
Filing Date:	15-MAY-2008
Time Stamp:	16:26:27
Application Type:	Provisional

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	Change of Address	9516-808-888_Change_of_Correspondence.pdf	33869 181d1722cdfbec22af74bba51f9dba69bc664c9a	no	1

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

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New International Application Filed with the USPTO as a Receiving Office

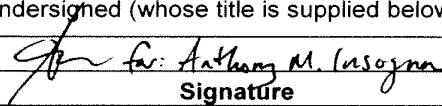
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will 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.

ELECTRONIC FILING

PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)			
Applicant/Patent Owner:	Celgene Corporation		
Application No./Patent No.:	61/053,609	Filed/Issue Date:	May15, 2008
Entitled:	ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS		
Celgene Corporation	,	a	corporation
(Name of Assignee)		(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)	
states that it is:			
1. ☒	the assignee of the entire right, title, and interest; or		
2. ☐	an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is %		
in the patent application/patent identified above by virtue of either:			
A. ☒	An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 022683, Frame 0503, or for which a copy thereof is attached.		
OR			
B. ☐	A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:		
1.	From:	To:	The document was recorded in the United States Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.
2.	From:	To:	The document was recorded in the United States Patent and Trademark Office at Reel , Frame or for which a copy thereof is attached.
3.	From:	To:	The document was recorded in the United States Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.
☐	Additional documents in the chain of title are listed on a supplemental sheet.		
☐	Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 02.08]		
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.			
			5/18/09
	Signature		Date
	Andrew V. Trask		212-326-3939
	for Anthony M. Insogna Reg. No. 35,203		Telephone Number
	Printed or Typed name		
	Title: Agent Reg. No. 59,239		

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NYI-4183871v1

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:



Practitioners associated with the Customer Number:

84802

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

OR

☐	Firm or Individual Name	
Address		
City	State	Zip
Country		
Telephone	Email	

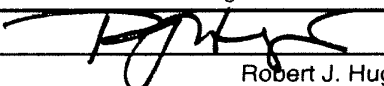
Assignee Name and Address:

Celgene Corporation
86 Morris Avenue
Summit, New Jersey 07901

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	11 March 24, 2009
Name	Robert J. Hugin	Telephone	908-673-9000
Title	Chief Operating Officer and President		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Electronic Acknowledgement Receipt	
EFS ID:	5355082
Application Number:	61053609
International Application Number:	
Confirmation Number:	7244
Title of Invention:	ORAL AZACITIDINE AND EFFICACIOUS ESCALATED DOSAGE FORMS
First Named Inventor/Applicant Name:	JEFFREY B. ETTER
Customer Number:	03705
Filer:	Anthony M. Insogna/Rochelle Flowers
Filer Authorized By:	Anthony M. Insogna
Attorney Docket Number:	298068-00042
Receipt Date:	18-MAY-2009
Filing Date:	15-MAY-2008
Time Stamp:	18:14:15
Application Type:	Provisional

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	Power of Attorney	808_888_POA_w_373b_State ment.pdf	132285 28ab92144252d4a20d4220d44df177170ee39328	no	2

Warnings:

Information:

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.



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
61/053,609	05/15/2008	JEFFREY B. ETTER	298068-00042

CONFIRMATION NO. 7244

POA ACCEPTANCE LETTER

84802
JONES DAY
222 E. 41ST. STREET
NEW YORK, NY 10017



Date Mailed: 06/03/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/18/2009.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/atesfai/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
61/053,609	05/15/2008	JEFFREY B. ETTER	298068-00042

CONFIRMATION NO. 7244

POWER OF ATTORNEY NOTICE

3705
ECKERT SEAMANS CHERIN & MELLOTT
600 GRANT STREET
44TH FLOOR
PITTSBURGH, PA 15219



Date Mailed: 06/03/2009

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/18/2009.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/atesfai/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101