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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	04/04/2023	11617795	196300.010310	3108

33717 7590 03/15/2023
GREENBERG TRAURIG LLP (GT)
C/O: GREENBERG TRAURIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Patents Stakeholder Experience (OPSE), Stakeholder Support Division (SSD) at (571)-272-4200.

INVENTOR(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional inventors):

Max Spielberg, Miami, FL;
David Johnson, Beverly Hills, CA;

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

IR103 (Rev. 10/09)

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
17/817,637	08/04/2022	Max Spielberg	196300.010310

CONFIRMATION NO. 3108

PUBLICATION NOTICE



OC000000137540397

33717
GREENBERG TRAURIG LLP (GT)
C/O: GREENBERG TRAURIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

Title:PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Publication No.US-2023-0071165-A1

Publication Date:03/09/2023

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Public Records Division. The Public Records Division can be reached by telephone at (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, by mail addressed to the United States Patent and Trademark Office, Public Records Division, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <https://portal.uspto.gov/pair/PublicPair>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

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



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NOTICE OF ALLOWANCE AND FEE(S) DUE

33717 7590 02/28/2023
GREENBERG TRAURIG LLP (GT)
C/O: GREENBERG TRAURIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

EXAMINER
KOSSON, ROSANNE

ART UNIT PAPER NUMBER
1655

DATE MAILED: 02/28/2023

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108

TITLE OF INVENTION: PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0.00	\$0.00	\$480	05/30/2023

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 40% the amount of undiscounted fees, and micro entity fees are 20% the amount of undiscounted fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

33717 7590 02/28/2023
GREENBERG TRAUIG LLP (GT)
C/O: GREENBERG TRAUIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108

TITLE OF INVENTION: PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0.00	\$0.00	\$480	05/30/2023

EXAMINER	ART UNIT	CLASS-SUBCLASS
KOSSON, ROSANNE	1655	424-400000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/AIA/122 or PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Greenberg Traurig LLP

2 Nigamarayan Acharya

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Genexa Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Atlanta, Georgia

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. Fees submitted: ☐ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

4b. Method of Payment: (Please first reapply any previously paid fee shown above)

☒ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. Change in Entity Status (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☒ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Nigamnarayan Acharya/Date 2/28/2023Typed or printed name Nigamnarayan AcharyaRegistration No. 54,953

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Electronic Patent Application Fee Transmittal				
Application Number:		17817637		
Filing Date:		04-Aug-2022		
Title of Invention:		PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		
First Named Inventor/Applicant Name:		Max Spielberg		
Filer:		Nigamnarayan Acharya		
Attorney Docket Number:		196300.010310		
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
UTILITY APPL ISSUE FEE	1501	1	1200	1200

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1200

Electronic Acknowledgement Receipt	
EFS ID:	47608736
Application Number:	17817637
International Application Number:	
Confirmation Number:	3108
Title of Invention:	PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION
First Named Inventor/Applicant Name:	Max Spielberg
Customer Number:	33717
Filer:	Nigamnarayan Acharya
Filer Authorized By:	
Attorney Docket Number:	196300.010310
Receipt Date:	28-FEB-2023
Filing Date:	04-AUG-2022
Time Stamp:	19:17:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	\$ 1200
RAM confirmation Number	E20232RJ18126928
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	IssueFee02282023.pdf	3187815	no	2
			a9c68787fc305802c3815d59fd86e7d8c658520b		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	37894	no	2
			2c48d1380570482de2c4a593ef7ef2dabc27942		
Warnings:					
Information:					
Total Files Size (in bytes):			3225709		
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. <u>New Applications Under 35 U.S.C. 111</u> 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. <u>National Stage of an International Application under 35 U.S.C. 371</u> 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. <u>New International Application Filed with the USPTO as a Receiving Office</u> 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.					

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051



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NOTICE OF ALLOWANCE AND FEE(S) DUE

33717 7590 02/28/2023
GREENBERG TRAUIG LLP (GT)
C/O: GREENBERG TRAUIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

EXAMINER

KOSSON, ROSANNE

ART UNIT PAPER NUMBER

1655

DATE MAILED: 02/28/2023

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108

TITLE OF INVENTION: PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0.00	\$0.00	\$480	05/30/2023

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

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If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

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PART B - FEE(S) TRANSMITTAL

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

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

33717 7590 02/28/2023
GREENBERG TRAUIG LLP (GT)
C/O: GREENBERG TRAUIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108

TITLE OF INVENTION: PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0.00	\$0.00	\$480	05/30/2023

EXAMINER	ART UNIT	CLASS-SUBCLASS
KOSSON, ROSANNE	1655	424-400000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/AIA/122 or PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. Fees submitted: ☐ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

4b. Method of Payment: (Please first reapply any previously paid fee shown above)

- ☐ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. Change in Entity Status (from status indicated above)

- ☐ Applicant certifying micro entity status. See 37 CFR 1.29
- ☐ Applicant asserting small entity status. See 37 CFR 1.27
- ☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108
33717	7590	02/28/2023	EXAMINER	
GREENBERG TRAUIG LLP (GT) C/O: GREENBERG TRAUIG INTELLECTUAL PROPERTY DEPARTMENT 77 WEST WACKER DRIVE, SUITE 3100 CHICAGO, IL 60601			KOSSON, ROSANNE	
			ART UNIT	PAPER NUMBER
			1655	

DATE MAILED: 02/28/2023

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. 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 30 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, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 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.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b) (2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Notice of Allowability	Application No. 17/817,637	Applicant(s) Spielberg et al.	
	Examiner ROSANNE KOSSON	Art Unit 1655	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an examiner's amendment approved by Applicants on 2/17/23.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are 1-16 and 18-25. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov**.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)
1. ☒ Notice of References Cited (PTO-892)
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material ____.
4. ☒ Interview Summary (PTO-413), Paper No./Mail Date ____.

5. ☒ Examiner's Amendment/Comment
6. ☒ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/ROSANNE KOSSON/ Primary Examiner, Art Unit 1655	
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Notice of Pre-AIA or AIA Status

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Applicants' representative, Mr. Nigamnarayan Acharya, on Feb. 17, 2023.

The application has been amended as follows. The claims have been amended as follows. Claims 1-4, 7-13, 15 and 18-25 have been amended as shown below, to put the claims into standard English and to recite claims that conform with U.S. patent practice. Claim 17 has been canceled as shown below. Claims 5, 6, 14 and 16 remain as shown in the claim set filed on Aug. 4, 2022.

1. (currently amended) A pharmaceutical syrup formulation for oral administration comprising:
(a) acetaminophen,
(b) agave syrup, and
(c) a ~~diluent~~ dilutant, wherein the syrup formulation has a viscosity of less than 1500 centipoise at about 22 degrees; wherein the acetaminophen is suspended in the syrup; and wherein the syrup is palatable.
2. (currently amended) The pharmaceutical syrup formulation of claim 1, wherein the syrup formulation has a viscosity of less than 1000 centipoise at about 22 degrees.
3. (currently amended) The pharmaceutical syrup formulation of claim 1, wherein the syrup formulation has a viscosity of less than 750 centipoise at about 22 degrees.

4. (currently amended) The pharmaceutical syrup formulation of claim 1, wherein the syrup formulation has a viscosity of less than 600 centipoise at about 22 degrees.

7. (currently amended) A stable pharmaceutical syrup formulation for oral administration comprising:

(a) acetaminophen;

(b) agave syrup;

(c) an acidic preservative;

(d) a flavoring agent, and

(e) a diluent dilutant, wherein the syrup formulation has a viscosity of less than 1500 centipoise at about 22 degrees, and wherein the acetaminophen is suspended in the syrup.

8. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the acetaminophen is between 0.01 to 2% of the formulation by weight.

9. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the diluent dilutant is about 5% of the formulation by weight.

10. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the agave syrup is less than 98% of the formulation by weight.

11. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the agave syrup is less than 95% of the formulation by weight.

12. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the diluent dilutant is water.

13. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the agave syrup is about 95% of the formulation by weight.

15. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the composition is a medicinal preparation formulated as a syrup; and wherein the composition has

a viscosity from about 1500 centipoise to about 400 centipoise at about 22 degrees.

17. (canceled)

18. (currently amended) The pharmaceutical syrup formulation of claim 7, wherein the flavoring agent is a bitter-~~taste~~-blocking ingredient.

19. (currently amended) A stable, palatable pharmaceutical syrup formulation for oral administration consisting essentially of:

(a) a therapeutically effective amount of acetaminophen;

(b) agave syrup;

(c) an acidic preservative;

(d) a flavoring agent, and

(e) a diluent ~~diluent~~, wherein the syrup formulation has a viscosity of less than 1500 centipoise at about 22 degrees, and wherein the acetaminophen is suspended in the syrup.

20. (currently amended) The formulation of claim 19, wherein the pharmaceutical syrup formulation has a viscosity of less than 1000 centipoise at about 22 degrees.

21. (currently amended) The formulation of claim 19, wherein the pharmaceutical syrup formulation has a viscosity of less than 1500 centipoise at about 22 degrees.

22. (currently amended) The formulation of claim 19, wherein the pharmaceutical syrup formulation has a viscosity of less than 1500 centipoise at about 22 degrees.

23. (currently amended) The formulation of claim 19, wherein the agave syrup is less than 98% of the formulation by weight.

24. (currently amended) The formulation of claim 19, wherein the agave syrup is less than 95% of the formulation by weight.

25. (currently amended) The formulation of claim 19, wherein the agave syrup is about 95% of

the formulation by weight.

The following is an examiner's statement of reasons for allowance. The claims as amended above are free of the prior art and recite claim language that conforms with U.S. patent practice and that is clear and complete. Paul et al. ("Placebo effect in the treatment of acute cough in infants and toddlers, a randomized clinical trial," JAMA Pediatrics 168(12):1107-1113, 2014) disclose a composition for treating night-time coughing in babies and toddlers comprising agave syrup, a flavoring agent (grape flavoring, which also serves as a diluent) and an acidic preservative (citric acid/sodium citrate). The reference discloses that this composition may be administered with acetaminophen (Tylenol®) if needed for comfort. See pp. 1108-1110. But, the acetaminophen is a separate composition; it is not part of the agave-syrup-containing composition.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROSANNE KOSSON whose telephone number is (571)272-2923. The examiner can normally be reached M,T,F-9-6:30;W-9-2:30;Th. off.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terry McKelvey, can be reached on 571 272 0775. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: <https://patentcenter.uspto.gov>. Visit <https://www.uspto.gov/patents/apply/patent-center> for more information about Patent Center and <https://www.uspto.gov/patents/docx> for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ROSANNE KOSSON/
Primary Examiner, Art Unit 1655
2023-02-17

<i>Examiner-Initiated Interview Summary</i>	Application No. 17/817,637	Applicant(s) Spielberg et al.		
	Examiner ROSANNE KOSSON	Art Unit 1655	AIA (First Inventor to File) Status Yes	Page 1 of 1

All Participants (applicant, applicants representative, PTO personnel)	Title	Type
ROSANNE KOSSON	Primary Examiner	Telephonic
Mr. Nigamnarayan Acharya	Attorney	

Date of Interview: 17 February 2023

Issues Discussed:

Proposed Amendment(s)

An examiner's amendment to put the claims in condition for allowance was discussed. The claims are free of art but the language is significantly off. The claims have been rewritten in standard English. Applicants approved the examiner's amendment. An allowance (Notice of Allowability) is sent herewith.

/ROSANNE KOSSON/ Primary Examiner, Art Unit 1655	
Applicant is reminded that a complete written statement as to the substance of the interview must be made of record in the application file. It is the applicants responsibility to provide the written statement, unless the interview was initiated by the Examiner and the Examiner has indicated that a written summary will be provided. See MPEP 713.04 Please further see: MPEP 713.04 Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews, paragraph (b) 37 CFR § 1.2 Business to be transacted in writing	

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

<i>Notice of References Cited</i>	Application/Control No. 17/817,637		Applicant(s)/Patent Under Reexamination Spielberg et al.	
	Examiner ROSANNE KOSSON		Art Unit 1655	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
	A					
	B					
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Paul et al., "Placebo effect in the treatment of acute cough in infants and toddlers, a randomized clinical trial," JAMA Pediatrics 168(12):1107-1113, 2014.
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20230217

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Issue Classification 	Application/Control No. 17/817,637	Applicant(s)/Patent Under Reexamination Spielberg et al.	
	Examiner ROSANNE KOSSON	Art Unit 1655	

CPC						
Symbol					Type	Version
A61K	/	47	/	46	F	2013-01-01
A61K	/	9	/	0095	I	2013-01-01
A61K	/	36	/	88	I	2013-01-01
A61K	/	35	/	644	I	2013-01-01
A61K	/	36	/	736	I	2013-01-01
A61K	/	36	/	35	I	2013-01-01
A61P	/	11	/	14	I	2018-01-01
A61K	/	36	/	235	I	2013-01-01
A61K	/	47	/	26	I	2013-01-01
A61K	/	36	/	9068	I	2013-01-01
A61K	/	47	/	12	I	2013-01-01
A61K	/	36	/	9066	I	2013-01-01
A61K	/	36	/	074	I	2013-01-01
A61K	/	9	/	0053	I	2013-01-01
A61K	/	31	/	167	I	2013-01-01

CPC Combination Sets					
Symbol	Type	Set	Ranking	Version	

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	24	
/ROSANNE KOSSON/ Primary Examiner, Art Unit 1655	17 February 2023	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	—

U.S. Patent and Trademark Office

Part of Paper No.: 20230217

Issue Classification 	Application/Control No. 17/817,637	Applicant(s)/Patent Under Reexamination Spielberg et al.
	Examiner ROSANNE KOSSON	Art Unit 1655

INTERNATIONAL CLASSIFICATION			
CLAIMED			
A61K		31	00

NON-CLAIMED			

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS

CROSS REFERENCES(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	24	
/ROSANNE KOSSON/ Primary Examiner, Art Unit 1655	17 February 2023	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	—

U.S. Patent and Trademark Office

Part of Paper No.: 20230217

Issue Classification 	Application/Control No. 17/817,637	Applicant(s)/Patent Under Reexamination Spielberg et al.
	Examiner ROSANNE KOSSON	Art Unit 1655

☒ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47															
CLAIMS															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	10	10	19	20										
2	2	11	11	20	21										
3	3	12	12	21	22										
4	4	13	13	22	23										
5	5	14	14	23	24										
6	6	15	15	24	25										
7	7	16	16												
8	8	17	18												
9	9	18	19												

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	24	
/ROSANNE KOSSON/ Primary Examiner, Art Unit 1655	17 February 2023	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	—

U.S. Patent and Trademark Office

Part of Paper No.: 20230217

Search Notes 	Application/Control No. 17/817,637	Applicant(s)/Patent Under Reexamination Spielberg et al.
	Examiner ROSANNE KOSSON	Art Unit 1655

CPC - Searched*		
Symbol	Date	Examiner
A61K 31/00	02/17/2023	rk

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
Applicants' names searched in PALM	02/17/2023	rk
USPAT, USPGPUB, EPO, JPO, Derwent; caplus, biosis (see attached search histories)	02/17/2023	rk

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
A61K	31/00	02/17/2023	rk

/ROSANNE KOSSON/ Primary Examiner, Art Unit 1655	
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PE2E SEARCH - Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	British Equivalents	Time Stamp
L1	0	acetaminophen SAME (agave near10 syrup) SAME (water OR diluent OR diluent)	(US-PGPUB; USPAT; FIT (CN, FR, JP, KR, RU, SU, WO); FPRS; EPO; JPO; DERWENT)	ADJ	ON	ON	2023/02/17 11:09 AM
L2	0	acetaminophen SAME (agave near10 syrup)	(US-PGPUB; USPAT; FIT (CN, FR, JP, KR, RU, SU, WO); FPRS; EPO; JPO; DERWENT)	ADJ	ON	ON	2023/02/17 11:10 AM
L3	5	acetaminophen SAME (agave near10 syrup)	(US-PGPUB; USPAT; FIT (CN, FR, JP, KR, RU, SU, WO); FPRS; EPO; JPO; DERWENT)	ADJ	ON	ON	2023/02/17 11:10 AM
L4	1	("20200338200").pn.	(US-PGPUB; USPAT)	ADJ	ON	ON	2023/02/17 11:18 AM
L5	1	("20190125881").pn.	(US-PGPUB; USPAT)	ADJ	ON	ON	2023/02/17 11:19 AM

PE2E SEARCH - Search History (Interference)

There are no Interference searches to show.

Bibliographic Data

Application No: 17/817,637

Foreign Priority claimed: ☐ Yes ☒ No

35 USC 119 (a-d) conditions met: ☐ Yes ☐ No ☐ Met After Allowance

Verified and Acknowledged: /ROSANNE KOSSON/

2/17/23

Examiner's Signature

Initials

Title:

PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
08/04/2022	424	1655	196300.010310
RULE			

APPLICANTS

INVENTORS

Max Spielberg, Miami, FL, UNITED STATES

David Johnson, Beverly Hills, CA, UNITED STATES

CONTINUING DATA

This application is a CON of 17342414 06/08/2021

17342414 is a CIP of 16827529 03/23/2020ABN

16827529 is a CON of 15912785 03/06/2018 PAT 10596266

15912785 has PRO of 62580648 11/02/2017

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

08/19/2022

**** SMALL ENTITY ****

STATE OR COUNTRY

UNITED STATES

ADDRESS

GREENBERG TRAURIG LLP (GT)

C/O: GREENBERG TRAURIG

INTELLECTUAL PROPERTY DEPARTMENT

77 WEST WACKER DRIVE, SUITE 3100

CHICAGO, IL 60601

UNITED STATES

FILING FEE RECEIVED

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KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
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NEWS 6 JUN 22 Claims for Four Additional Patent Authorities Added to
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NEWS 7 JUN 24 SMARTracker SDI Option Now Supported in Derwent Files
Expanded Claims Coverage and Enhanced HIT Displays of
NEWS 8 JUN 24 Claims Data in Derwent World Patents Index(R)
Enhanced Coverage of Malaysia, Saudi Arabia, and
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NEWS 11 SEP 22 CAS STNext Structure Editor Update Preserves Functionality,
Increases Flexibility
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Claims and Assignee Searching Enhancements
NEWS 14 NOV 7 EPFULL Reload on STNext Features New Independent Claims
Searching Capabilities
NEWS 15 NOV 10 PS (Pharmaceutical Substances) Database Reloaded
NEWS 16 DEC 05 Expanded access to Taiwanese patent information provided
by new full text database TWFULL and claims coverage
in CAPLUS(SM)
NEWS 17 DEC 05 New Implementation of Derwent Drug File (DRUGU/DDFU)
Makes Searching More Convenient
NEWS 18 DEC 23 New Interactive Claim Viewer in EPFULL and PCTFULL
Makes Claim Analysis More Efficient
NEWS 19 DEC 30 2023 MeSH now available in MEDLINE on STNext
NEWS 20 FEB 03 January 2023 Update to Emtree(R) Now Available in Embase(R)
NEWS 21 FEB 17 Identification of Substances from Claims Simplified in
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KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

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=> s agave (50n) acetaminophen

L1 0 AGAVE (50N) ACETAMINOPHEN

=> s agave (50n) tylenol

L2 0 AGAVE (50N) TYLENOL

=> d his

(FILE 'HOME' ENTERED AT 11:31:04 ON 17 FEB 2023)
CHARGED TO COST=P/1655

FILE 'CAPLUS, BIOSIS' ENTERED AT 11:31:14 ON 17 FEB 2023
CHARGED TO COST=P/1655

L1 0 S AGAVE (50N) ACETAMINOPHEN
L2 0 S AGAVE (50N) TYLENOL

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Electronic Acknowledgement Receipt	
EFS ID:	47486977
Application Number:	17817637
International Application Number:	
Confirmation Number:	3108
Title of Invention:	PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION
First Named Inventor/Applicant Name:	Max Spielberg
Customer Number:	33717
Filer:	Nigamnarayan Acharya
Filer Authorized By:	
Attorney Docket Number:	196300.010310
Receipt Date:	06-FEB-2023
Filing Date:	04-AUG-2022
Time Stamp:	15:52:38
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	Response to Election / Restriction Filed	ResponseS.pdf	81868	no	3
			6fa6b00ba7e8575a4bccd492d04d0c0dd25ed935		

Warnings:

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Information:	
Total Files Size (in bytes):	81868
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. <u>New Applications Under 35 U.S.C. 111</u> 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. <u>National Stage of an International Application under 35 U.S.C. 371</u> 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. <u>New International Application Filed with the USPTO as a Receiving Office</u> 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.	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Spielberg

Art Unit: 1655

Serial No.: 17/817,637

Confirmation No.: 3108

Filing Date: 08-04-2022

Examiner: Kossen

**PHARMACEUTICAL SYRUP
FORMULATION OR SUSPENSION**

VIA EFS

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

RESPONSE TO RESTRICTION REQUIREMENT

(TRACK ONE GRANTED)

In response to the outstanding Office Action, Applicant hereby submits the following response.

Remarks/Restriction are on page 2.

Conclusion is on page 3.

684013441_1.docx

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

REMARKS

Claims 1-25 are pending. The Office Action elects the following species:

Group	Claims	Drawn To
I	2-4, 15 and 20-22	A syrup with a range of viscosities
II	5 and 6	A syrup with a defined amount of acetaminophen
III	10, 11, and 13	A syrup with a composition of agave

For Group I, Applicant elects the species in Claim 4.

For Group II, Applicant elects the species in Claim 6.

For Group III, Applicant elects the species in Claim 10.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims. If the Examiner has any questions that can be answered by telephone, Applicant invites the Examiner to contact the undersigned attorney of record at the telephone number listed below.

To the extent necessary to effect a timely response, this paper is to be considered a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees being charged, or any overpayment in fees being credited, to the Account of Greenberg Traurig LLP, Deposit Account No. 50-1561.

Respectfully submitted,
GREENBERG TRAURIG LLP

Date: February 6, 2022

/Nigamnarayan Acharya/
Nigamnarayan Acharya
Attorney Registration No.: 54,953

GREENBERG TRAURIG LLP (ATL)
C/O: GREENBERG TRAURIG LLP
Intellectual Property Department
77 West Wacker Drive, Suite 3100
Chicago, IL 60601
678-553-2357

REMARKS

Claims 1-25 are pending. The Office Action elects the following species:

Group	Claims	Drawn To
I	2-4, 15 and 20-22	A syrup with a range of viscosities
II	5 and 6	A syrup with a defined amount of acetaminophen
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For Group II, Applicant elects the species in Claim 6.

For Group III, Applicant elects the species in Claim 10.

CONCLUSION

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To the extent necessary to effect a timely response, this paper is to be considered a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees being charged, or any overpayment in fees being credited, to the Account of Greenberg Traurig LLP, Deposit Account No. 50-1561.

Respectfully submitted,
GREENBERG TRAURIG LLP

Date: February 6, 2022

/Nigamnarayan Acharya/
Nigamnarayan Acharya
Attorney Registration No.: 54,953

GREENBERG TRAURIG LLP (ATL)
C/O: GREENBERG TRAURIG LLP
Intellectual Property Department
77 West Wacker Drive, Suite 3100
Chicago, IL 60601
678-553-2357



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108
33717	7590	01/03/2023		
GREENBERG TRAUIG LLP (GT) C/O: GREENBERG TRAUIG INTELLECTUAL PROPERTY DEPARTMENT 77 WEST WACKER DRIVE, SUITE 3100 CHICAGO, IL 60601			EXAMINER KOSSON, ROSANNE	
			ART UNIT	PAPER NUMBER
			1655	
			NOTIFICATION DATE	DELIVERY MODE
			01/03/2023	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

cadanoc@gtlaw.com
clairt@gtlaw.com
gtipmail@gtlaw.com

Office Action Summary	Application No. 17/817,637	Applicant(s) Spielberg et al.	
	Examiner ROSANNE KOSSON	Art Unit 1655	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 12/14/22.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☒ Claim(s) 1-25 is/are pending in the application.
 5a) Of the above claim(s) ____ is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☐ Claim(s) ____ is/are rejected.

8) ☐ Claim(s) ____ is/are objected to.

9) ☒ Claim(s) 1-25 are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10) ☐ The specification is objected to by the Examiner.

11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
 a) ☐ All b) ☐ Some** c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
 Paper No(s)/Mail Date ____.

3) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date ____.

4) ☐ Other: ____.

Notice of Pre-AIA or AIA Status

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION- Election/Restriction, species restrictions

Applicant's Response to the restriction requirement Office action, filed on Dec. 14, 2022, has been received and entered. Applicant has misunderstood the restriction requirement Office action entirely. It is suggested that Applicant consult a patent attorney or agent who is more familiar with restriction requirements, so that Applicant may file a proper and complete Response, to proceed with prosecution. Applicant rearranged the claims into Groups and elected one Group. As previously discussed, this Office action contains three species restrictions, as the claims recite three sets of species, each species being an alternative claim limitation. The species restrictions are repeated below, so that Applicant may elect one species, one species being one claim, in each of (a) and (b) and (c) below.

Restriction to one of the following inventions is required under 35 U.S.C. 121.

This application contains claims directed to the following patentably distinct species.

- a) In the combination of claims 2-4, 15 and 20-22, Applicant must elect one of these claims that recites the viscosity (or the range of the viscosity) for the pharmaceutical syrup product.
- b) In the combination of claims 5 and 6, Applicant must elect one of these claims that recites the amount of acetaminophen in the pharmaceutical syrup product. This election will be applied to claim 8.
- c) In the combination of claims 10, 11 and 13, Applicant must elect one of these claims that recites the amount of agave syrup in the pharmaceutical syrup product. This election will be applied to claims 23-25.

The species are independent or distinct because each species has a different structure and different biological, chemical, and therapeutic properties (different viscosities for the syrup product, different amounts of acetaminophen in the syrup product, different amounts of agave

syrup in the syrup product). In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, or a single grouping of patentably indistinct species, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

There is a search and/or examination burden for the patentably distinct species as set forth above because at least the following reason(s) apply:

- (a) the inventions have acquired a separate status in the art in view of their different classification;
- (b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;
- (c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);
- (d) the prior art applicable to one invention would not likely be applicable to another invention;
- (e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected species or grouping of patentably indistinct species**, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to

petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species or grouping of patentably indistinct species.

Should applicant traverse on the ground that the species, or groupings of patentably indistinct species from which election is required, are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing them to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103 or pre-AIA 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be corrected in compliance with 37 CFR 1.48(a) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. A request to correct inventorship under 37 CFR 1.48(a) must be accompanied by an application data sheet in accordance with 37 CFR 1.76 that identifies each inventor by his or her legal name and by the processing fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROSANNE KOSSON whose telephone number is (571)272-2923. The examiner can normally be reached M,T,F-9-6:30;W-9-2:30;Th. off.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terry McKelvey, can be reached on 571 272 0775. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: <https://patentcenter.uspto.gov>. Visit <https://www.uspto.gov/patents/apply/patent-center> for more information about Patent Center and <https://www.uspto.gov/patents/docx> for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Also, as part of the current policy for increased Internet security, please fill out the electronic form PTO/SB/439 authorizing communication via the Internet, the link to which is <http://www.uspto.gov/sites/default/files/documents/sb0439.pdf>. This form is a very brief and simple request. Once the signed form is submitted online, it will become part of the PTO's image database (PAIR for Applicants) and nothing else need be filed. The advantage of completing this form at this time is that, should Examiner find the claims allowable with an examiner's amendment, Examiner will be able to send you the examiner's amendment by e-mail, which would greatly expedite prosecution.

/ROSANNE KOSSON/
Primary Examiner, Art Unit 1655
2022-12-23



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108
33717	7590	12/23/2022	EXAMINER	
GREENBERG TRAUIG LLP (GT)			KOSSON, ROSANNE	
C/O: GREENBERG TRAUIG				
INTELLECTUAL PROPERTY DEPARTMENT				
77 WEST WACKER DRIVE, SUITE 3100				
CHICAGO, IL 60601				
			ART UNIT	PAPER NUMBER
			1655	
			NOTIFICATION DATE	DELIVERY MODE
			12/23/2022	ELECTRONIC

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Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

cadanoc@gtlaw.com
clairt@gtlaw.com
gtipmail@gtlaw.com

<i>Applicant-Initiated Interview Summary</i>	Application No. 17/817,637	Applicant(s) Spielberg et al.		
	Examiner ROSANNE KOSSON	Art Unit 1655	AIA (First Inventor to File) Status Yes	Page 1 of 1

All Participants (applicant, applicants representative, PTO personnel)	Title	Type
ROSANNE KOSSON	Primary Examiner	Telephonic
Mr. Nigamnarayan Acharya	Attorney	

Date of Interview: 19 December 2022

Issues Discussed:

Election/Restriction

Applicants wanted to discuss the restriction requirement Office action, which contains 3 species restrictions. Applicants explained that they responded to this Office action but wanted to discuss the case before a 1st Office action on the merits, as a pre-first-Office-action-program case. Examiner replied that this would not be possible, because she has not searched and examined the claims w/ respect to the Statutes and Rules. Nevertheless, an interview at a later date would be possible. Applicants understand that the claims must be searched and examined before this sort of interview. An Office action will be sent at a future date, as will indications of allowable subject matter if such are present in the claims.

/ROSANNE KOSSON/ Primary Examiner, Art Unit 1655	
Applicant is reminded that a complete written statement as to the substance of the interview must be made of record in the application file. It is the applicants responsibility to provide the written statement, unless the interview was initiated by the Examiner and the Examiner has indicated that a written summary will be provided. See MPEP 713.04 Please further see: MPEP 713.04 Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews, paragraph (b) 37 CFR § 1.2 Business to be transacted in writing	

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.



UNITED STATES PATENT AND TRADEMARK OFFICE

USPTO Automated Interview Request (AIR)

Dec 18 2022

This paper requesting to schedule and/or conduct an interview is appropriate because:

This submission is requested to be accepted as an authorization for this interview to communicate via the internet. Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with the undersigned concerning scheduling of the interview via video conference, instant messaging, or electronic mail, and to conduct the interview in accordance with office practice including video conferencing.

Name(s):

Nigamnarayan Acharya

S-signature:

/Nigamnarayan Acharya/

Registration Number:

54953

U.S. Application Number:

17817637

Confirmation Number:

3108

E-mail Address:

acharyan@gtlaw.com

Phone Number:

+1 6785532357

Proposed Time of Interview:

12-29-2022 3:00 PM ET

Alternative Proposed Time(s) of Interview:

1-4-2023 3:00 PM ET

Preferred Interview Type:

Telephonic

I am the applicant or applicant's representative for this application.

Topic for Discussion:

Pre-Office Action Interview



UNITED STATES
PATENT AND TRADEMARK OFFICE

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Electronic Acknowledgement Receipt	
EFS ID:	47203717
Application Number:	17817637
International Application Number:	
Confirmation Number:	3108
Title of Invention:	PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION
First Named Inventor/Applicant Name:	Max Spielberg
Customer Number:	33717
Filer:	Nigamnarayan Acharya
Filer Authorized By:	
Attorney Docket Number:	196300.010310
Receipt Date:	14-DEC-2022
Filing Date:	04-AUG-2022
Time Stamp:	11:01:34
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	Response to Election / Restriction Filed	Res122022.pdf	100851	no	3
			1e2bdee0355624e3979e6c3cc05ee676d6d1e95e		

Warnings:

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KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Information:	
Total Files Size (in bytes):	100851
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. <u>New Applications Under 35 U.S.C. 111</u> 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. <u>National Stage of an International Application under 35 U.S.C. 371</u> 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. <u>New International Application Filed with the USPTO as a Receiving Office</u> 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.	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Spielberg

Art Unit: 1655

Serial No.: 17/817,637

Confirmation No.: 3108

Filing Date: 08-04-2022

Examiner: Kossen

**PHARMACEUTICAL SYRUP
FORMULATION OR SUSPENSION**

VIA EFS

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

RESPONSE TO RESTRICTION REQUIREMENT

(TRACK ONE GRANTED)

In response to the outstanding Office Action, Applicant hereby submits the following response.

Remarks/Restriction are on page 2.

Conclusion is on page 3.

684013441_1.DOCX

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

REMARKS

Claims 1-25 are pending. The Office Action requires that Applicant restrict and elect prosecution to one of three patentably distinct species of claims:

Group	Claims	Drawn To
I	2-4, 15 and 20-22	A syrup with a range of viscosities
II	5 and 6	A syrup with a defined amount of acetaminophen
III	10, 11, and 13	A syrup with a composition of agave

Applicant recognizes that the restriction and election will be applied to Claims 23-25 and that Claim 1 is generic. Applicant hereby elects and restricts this application to Group I, claims 2-4, 15 and 20-22, for prosecution on the merits, *without traverse*.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims. If the Examiner has any questions that can be answered by telephone, Applicant invites the Examiner to contact the undersigned attorney of record at the telephone number listed below.

To the extent necessary to effect a timely response, this paper is to be considered a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees being charged, or any overpayment in fees being credited, to the Account of Greenberg Traurig LLP, Deposit Account No. 50-1561.

Respectfully submitted,
GREENBERG TRAURIG LLP

Date: December 9, 2022

/Nigamnarayan Acharya/

Nigamnarayan Acharya
Attorney Registration No.: 54,953

GREENBERG TRAURIG LLP (ATL)
C/O: GREENBERG TRAURIG LLP
Intellectual Property Department
77 West Wacker Drive, Suite 3100
Chicago, IL 60601
678-553-2357

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875		Application or Docket Number 17/817,637	Filing Date 08/04/2022	☐ To be Mailed
ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO				
APPLICATION AS FILED - PART I				
	(Column 1)	(Column 2)		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	x \$50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	x \$240 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	
APPLICATION AS AMENDED - PART II				
AMENDMENT	(Column 1)	(Column 2)	(Column 3)	
	12/14/2022	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	* 25	Minus	** 25
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3
	☐ Application Size Fee (37 CFR 1.16(s)) ☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			
			RATE (\$)	ADDITIONAL FEE (\$)
			x \$50 =	0
			x \$240 =	0
			TOTAL ADD'L FEE	
			0	
AMENDMENT	(Column 1)	(Column 2)	(Column 3)	
	Total (37 CFR 1.16(i))	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Independent (37 CFR 1.16(h))	*	Minus	**
	☐ Application Size Fee (37 CFR 1.16(s)) ☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			
			RATE (\$)	ADDITIONAL FEE (\$)
			x \$0 =	
			x \$0 =	
			TOTAL ADD'L FEE	
			LIE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.				
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".				
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".				
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.				

This collection of information is required by 37 CFR 1.16. 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.

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108
33717 7590 12/01/2022 GREENBERG TRAUIG LLP (GT) C/O: GREENBERG TRAUIG INTELLECTUAL PROPERTY DEPARTMENT 77 WEST WACKER DRIVE, SUITE 3100 CHICAGO, IL 60601			EXAMINER KOSSON, ROSANNE	
			ART UNIT 1655	PAPER NUMBER
			NOTIFICATION DATE 12/01/2022	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

cadanoc@gtlaw.com
clairt@gtlaw.com
gtipmail@gtlaw.com

Office Action Summary	Application No. 17/817,637	Applicant(s) Spielberg et al.	
	Examiner ROSANNE KOSSON	Art Unit 1655	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 10/14/22.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.

4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

5) ☒ Claim(s) 1-25 is/are pending in the application.
 5a) Of the above claim(s) ____ is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☐ Claim(s) ____ is/are rejected.

8) ☐ Claim(s) ____ is/are objected to.

9) ☒ Claim(s) 1-25 are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

10) ☐ The specification is objected to by the Examiner.

11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
 a) ☐ All b) ☐ Some** c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
 Paper No(s)/Mail Date ____.

3) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date ____.

4) ☐ Other: ____.

Notice of Pre-AIA or AIA Status

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

DETAILED ACTION- *Election/Restriction, species restrictions*

Restriction to one of the following inventions is required under 35 U.S.C. 121.

This application contains claims directed to the following patentably distinct species.

- a) In the combination of claims 2-4, 15 and 20-22, Applicant must elect one of these claims that recites the viscosity (or the range of the viscosity) for the pharmaceutical syrup product.
- b) In the combination of claims 5 and 6, Applicant must elect one of these claims that recites the amount of acetaminophen in the pharmaceutical syrup product. This election will be applied to claim 8.
- c) In the combination of claims 10, 11 and 13, Applicant must elect one of these claims that recites the amount of agave syrup in the pharmaceutical syrup product. This election will be applied to claims 23-25.

The species are independent or distinct because each species has a different structure and different biological, chemical, and therapeutic properties (different viscosities for the syrup product, different amounts of acetaminophen in the syrup product, different amounts of agave syrup in the syrup product). In addition, these species are not obvious variants of each other based on the current record.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, or a single grouping of patentably indistinct species, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

There is a search and/or examination burden for the patentably distinct species as set forth above because at least the following reason(s) apply:

- (a) the inventions have acquired a separate status in the art in view of their different classification;
- (b) the inventions have acquired a separate status in the art due to their recognized divergent

subject matter;

- (c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);
- (d) the prior art applicable to one invention would not likely be applicable to another invention;
- (e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species to be examined even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected species or grouping of patentably indistinct species**, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species or grouping of patentably indistinct species.

Should applicant traverse on the ground that the species, or groupings of patentably indistinct species from which election is required, are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing them to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103 or pre-AIA 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of

claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be corrected in compliance with 37 CFR 1.48(a) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. A request to correct inventorship under 37 CFR 1.48(a) must be accompanied by an application data sheet in accordance with 37 CFR 1.76 that identifies each inventor by his or her legal name and by the processing fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROSANNE KOSSON whose telephone number is (571)272-2923. The examiner can normally be reached M,T,F-9-6:30;W-9-2:30;Th. off.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terry McKelvey, can be reached on 571 272 0775. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: <https://patentcenter.uspto.gov>. Visit <https://www.uspto.gov/patents/apply/patent-center> for more information about Patent Center and <https://www.uspto.gov/patents/docx> for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Also, as part of the current policy for increased Internet security, please fill out the electronic form PTO/SB/439 authorizing communication via the Internet, the link to which is <http://www.uspto.gov/sites/default/files/documents/sb0439.pdf>. This form is a very brief and simple request. Once the signed form is submitted online, it will become part of the PTO's image database (PAIR for Applicants) and nothing else need be filed. The advantage of completing this form at this time is that, should Examiner find the claims allowable with an examiner's amendment, Examiner will be able to send you the examiner's amendment by e-mail, which would greatly expedite prosecution.

/ROSANNE KOSSON/
Primary Examiner, Art Unit 1655
2022-11-21

PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number 17/817,637			
APPLICATION AS FILED - PART I									
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	80		N/A			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	350		N/A			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	400		N/A			
TOTAL CLAIMS (37 CFR 1.16(i))	25	minus 20 = 5	x 50 =	250	OR				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	x =	0					
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0					
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	830		TOTAL			
APPLICATION AS AMENDED - PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
Total (37 CFR 1.16(i))	*	Minus	**	x	=	OR	x	=	
Independent (37 CFR 1.16(h))	*	Minus	***	x	=	OR	x	=	
Application Size Fee (37 CFR 1.16(s))						OR			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR			
			TOTAL ADD'L FEE			OR	TOTAL ADD'L FEE		
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
Total (37 CFR 1.16(i))	*	Minus	**	x	=	OR	x	=	
Independent (37 CFR 1.16(h))	*	Minus	***	x	=	OR	x	=	
Application Size Fee (37 CFR 1.16(s))						OR			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						OR			
			TOTAL ADD'L FEE			OR	TOTAL ADD'L FEE		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.									





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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
17/817,637	08/04/2022	1629	1080	196300.010310	25	3

CONFIRMATION NO. 3108

FILING RECEIPT



0000000050921296

33717
GREENBERG TRAURIG LLP (GT)
C/O: GREENBERG TRAURIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

Date Mailed: 11/21/2022

Receipt is acknowledged of this non-provisional utility patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF FIRST INVENTOR, 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 corrected Filing Receipt, including a properly marked-up ADS showing the changes with strike-through for deletions and underlining for additions. If you received a "Notice to File Missing Parts" or other Notice requiring a response for this application, please submit any request for correction 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 provided that the request is grantable.

Inventor(s)

Max Spielberg, Miami, FL;
David Johnson, Beverly Hills, CA;

Applicant(s)

Max Spielberg, Miami, FL;
David Johnson, Beverly Hills, CA;

Power of Attorney: None**Domestic Priority data as claimed by applicant**

This application is a CON of 17/342,414 06/08/2021
which is a CIP of 16/827,529 03/23/2020 ABN
which is a CON of 15/912,785 03/06/2018 PAT 10,596,266
which claims benefit of 62/580,648 11/02/2017

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes**Permission to Access Search Results:** Yes

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KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 08/19/2022

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 17/817,637**

Projected Publication Date: 03/02/2023

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Preliminary Class

514

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

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KINDERFARMS Ex. 1002
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countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
17/817,637	08/04/2022	Max Spielberg	196300.010310	3108
33717 7590 11/21/2022 GREENBERG TRAUIG LLP (GT) C/O: GREENBERG TRAUIG INTELLECTUAL PROPERTY DEPARTMENT 77 WEST WACKER DRIVE, SUITE 3100 CHICAGO, IL 60601			EXAMINER KOSSON, ROSANNE	
			ART UNIT 1655	PAPER NUMBER
			NOTIFICATION DATE 11/21/2022	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

cadanoc@gtlaw.com
clairt@gtlaw.com
gtipmail@gtlaw.com

<i>Decision Granting Request for Prioritized Examination (Track I)</i>	Application No. 17/817,637	Applicant(s) Spielberg et al.	
	Examiner JoAnne L Burke	Art Unit OPET	AIA (FITF) Status Yes
1. THE REQUEST FILED <u>04 August 2022</u> IS GRANTED . The above-identified application has met the requirements for prioritized examination A. ☒ for an original nonprovisional application (Track I). B. ☐ for an application undergoing continued examination (RCE). 2. The above-identified application will undergo prioritized examination. The application will be accorded special status throughout its entire course of prosecution until one of the following occurs: A. filing a <u>petition for extension of time</u> to extend the time period for filing a reply; B. filing an <u>amendment to amend the application to contain more than four independent claims, more than thirty total claims</u>, or a multiple dependent claim; C. filing a <u>request for continued examination</u> ; D. filing a notice of appeal; E. filing a request for suspension of action; F. mailing of a notice of allowance; G. mailing of a final Office action; H. completion of examination as defined in 37 CFR 41.102; or I. abandonment of the application. Telephone inquiries with regard to this decision should be directed to JoAnne Burke at (571)272-4584. In his/her absence, calls may be directed to Petition Help Desk at (571) 272-3282.			
/JOANNE L BURKE/ Lead Paralegal Specialist, OPET			

U.S. Patent and Trademark Office
PTO-2298 (Rev. 02-2012)

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
17/817,637		Max Spielberg	196300.010310

CONFIRMATION NO. 3108

33717

GREENBERG TRAURIG LLP (GT)
C/O: GREENBERG TRAURIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

WITHDRAWAL NOTICE



OC000000049892926

Date Mailed: 10/20/2022

Letter Regarding a New Notice and/or the Status of the Application

If a new notice or Filing Receipt is enclosed, applicant may disregard the previous notice mailed on 08/19/2022. The time period for reply runs from the mail date of the new notice. Within the time period for reply, applicant is required to file a reply in compliance with the requirements set forth in the new notice to avoid abandonment of the application.

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If the reply is not filed electronically via EFS-Web, the reply must be accompanied by a copy of the new notice.

If the Office previously granted a petition to withdraw the holding of abandonment or a petition to revive under 37 CFR 1.137, the status of the application has been returned to pending status.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/hsarwari/



United States Patent and Trademark Office

Office of the Chief Financial Officer

Document Code:WFEE

User :Victoria Van

Refund Accounting Date:10/19/2022

Effective Date	Sale Item Reference Number	Refund Total
09/28/2022	17817637	\$1,400.00

Document Number	Fee Code	Fee Code Description	Amount Paid	Payment Method	Account Number
I20220I017112259	1053	NON-ENGLISH TRANSLATION	\$140.00	DA	501561
I20220I017112259	1051	LATE FILING FEE FOR OATH OR DECLARATION	\$160.00	DA	501561
I20220I017112259	1011	UTILITY APPLICATION FILING	\$320.00	DA	501561
I20220I017112259	1830	PROCESSING FEE, EXCEPT PROV. APPLS.	\$140.00	DA	501561
I20220I017112259	1808	OTHER PUBLICATION PROCESSING FEE	\$140.00	DA	501561
I20220I017112259	1202	CLAIMS IN EXCESS OF 20	\$500.00	DA	501561

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051



United States Patent and Trademark Office

Office of the Chief Financial Officer

Document Code:WFEE

User :Victoria Van

Sale Adjustment Accounting Date:10/19/2022

Effective Date	Sale Accounting Date	Sale Item Reference Number
09/28/2022	10/19/2022	17817637

Document Number	Fee Code	Fee Code Description	Amount Paid	Payment Method
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I20220I017112259	1051	LATE FILING FEE FOR OATH OR DECLARATION	\$160.00	DA
I20220I017112259	1011	UTILITY APPLICATION FILING	\$320.00	DA
I20220I017112259	1830	PROCESSING FEE, EXCEPT PROV. APPLS.	\$140.00	DA
I20220I017112259	1808	OTHER PUBLICATION PROCESSING FEE	\$140.00	DA
I20220I017112259	1202	CLAIMS IN EXCESS OF 20	\$500.00	DA

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 17/817,637 Confirmation No.: 3108
Inventor(s) : Max Spielberg
Filed : August 4, 2022
Title : PHARMACEUTICAL SYRUP FORMULATION OR
SUSPENSION
TC/Art Unit : 1629
Examiner: : To Be Assigned
Docket No. : 196300.010310
Customer No. : **33717**

Mail Stop Missing Parts
Commissioner for Patents
VIA EFS-WEB

RESPONSE TO AUGUST 19, 2022 COMMUNICATION

Sir:

In reply to the Response to Request for Corrected Filing Receipt (the “Notice”) mailed August 19, 2022, the Notice requires submission of the new Application Data Sheet (ADS) confirming continuity. Applicant submits herewith a corrected ADS specifying the application continuity and priority for the subject application.

It is believed that no additional fees are due; however, if it is determined otherwise, the Commissioner is hereby authorized to charge the undersigned’s Deposit Account No. 50-1561 for any fees necessary to maintain the pendency of the subject application.

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Respectfully submitted,
GREENBERG TRAURIG LLP

Date: October 14, 2022

/Nigamnarayan Acharya/

Nigamnarayan Acharya
Attorney Registration No.: 54,953

GREENBERG TRAURIG LLP (ATL)
Intellectual Property Department
77 West Wacker Drive, Suite 100
Chicago, IL 60601
678-553-2100

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010320
		Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--

Inventor Information:

Inventor 1					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Max		Spielberg			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						
City	Miami	State/Province	FL	Country of Residence	US	
Mailing Address of Inventor:						
Address 1	269 South Beverly Drive - Suite 510					
Address 2						
City	Beverly Hills	State/Province	CA			
Postal Code	90212	Country	US			
Inventor 2					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	David		Johnson			
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service						
City	Beverly Hills	State/Province	CA	Country of Residence	US	
Mailing Address of Inventor:						
Address 1	269 South Beverly Drive - Suite 510					
Address 2						
City	Beverly Hills	State/Province	CA			
Postal Code	90212	Country	US			
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.						

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).
--

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010320
		Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		

☐ An Address is being provided for the correspondence information of this application.			
Customer Number	33717		
Email Address	gtipmail@gtlaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		
Attorney Docket Number	196300.010320	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐ Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	33717		

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010320
		Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending		Remove		
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
17/817637	Continuation of	17/342414	2021-06-08		
Prior Application Status	Pending		Remove		
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
17/342414	Continuation in part of	16/827529	2020-03-23		
Prior Application Status	Patented		Remove		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
16/827529	Continuation of	15/912785	2018-03-06	10596266	2020-03-24
Prior Application Status	Expired		Remove		
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
15/912785	Claims benefit of provisional	62/580648	2017-11-02		
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.					

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)¹ the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Application Number	Country ¹	Filing Date (YYYY-MM-DD)	Remove	Access Code ¹ (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.				

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010320
		Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013. ☐ NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.
--

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	196300.010320
	Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010320
		Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.			
Applicant 1			
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.			
Clear			
☐ Assignee	☐ Legal Representative under 35 U.S.C. 117	☐ Joint Inventor	
☒ Person to whom the inventor is obligated to assign.		☐ Person who shows sufficient proprietary interest	
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:			
Name of the Deceased or Legally Incapacitated Inventor:			
If the Applicant is an Organization check here. ☒			
Organization Name	Genexa Inc.		
Mailing Address Information For Applicant:			
Address 1	949 W Marietta ST NW		
Address 2	Suite X-106		
City	Atlanta	State/Province	GA
Country	US	Postal Code	303318
Phone Number		Fax Number	
Email Address			
Additional Applicant Data may be generated within this form by selecting the Add button.			

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010320
		Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		

Assignee 1				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
If the Assignee or Non-Applicant Assignee is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Assignee including Non-Applicant Assignee:				
Address 1				
Address 2				
City		State/Province		
Country ¹		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				

Signature:

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). However, if this Application Data Sheet is submitted with the **INITIAL** filing of the application and either box A or B is **not** checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Nigamnarayan Acharya/			Date (YYYY-MM-DD)	2022-08-19
First Name	Nigamnarayan	Last Name	Acharya	Registration Number	54,953
Additional Signature may be generated within this form by selecting the Add button.					

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010320
		Application Number	
Title of Invention	DEXTROMETHORPHAN AND GUAIFENESIN SYRUP FORMULATION OR SUSPENSION		

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES
PATENT AND TRADEMARK OFFICE

ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #
17/817,637

RECEIPT DATE / TIME
10/14/2022 01:30:34 PM ET

ATTORNEY DOCKET #
196300.010310

Title of Invention

PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Application Information

APPLICATION TYPE Utility - Nonprovisional Application
under 35 USC 111(a)

PATENT # -

CONFIRMATION # 3108

FILED BY Belinda Love

PATENT CENTER # 61067622

FILING DATE 08/04/2022

CUSTOMER # 33717

FIRST NAMED
INVENTOR Max Spielberg

CORRESPONDENCE
ADDRESS -

AUTHORIZED BY Nigamnarayan Acharya

Documents

TOTAL DOCUMENTS: 2

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
196300.010310 - Response to Request for Corrected Filing Receipt dated 10-14- 22.pdf	2	Miscellaneous Incoming Letter	92 KB
196300.010310 - Corrected ADS dated 10-14-22.pdf	9	Application Data Sheet	130 KB

Warning: This is not a USPTO supplied ADS fillable form. Data in the form cannot be
automatically loaded to other USPTO systems.

Digest

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

DOCUMENT	MESSAGE DIGEST(SHA-512)
196300.010310 - Response to Request for Corrected Filing Receipt dated 10-14-22.pdf	73BD48202FF362498B8A8AEDD9D7EC12979CC9FA50CF44E78 2CEB71A071732CBE2BEE7463DE42FF910F3DE1C2112127BB9 DB07EF2AF1D6E280EAC3D52147EF1C
196300.010310 - Corrected ADS dated 10-14-22.pdf	9D0679186D2DF2FE7E7AD855DB4E82380DF6FB9DAFB10D1E 9421970B2AE1D2F96662556C31AF25FA5E1BDC2BF38EED454 CE4CD9F7E5ACD539D32D3581BD5C0D8

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 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.



ELECTRONIC PAYMENT RECEIPT

APPLICATION #
17/817,637

RECEIPT DATE / TIME
09/28/2022 03:23:49 PM ET

ATTORNEY DOCKET #
196300.010310

Title of Invention

PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Application Information

APPLICATION TYPE Utility - Nonprovisional Application
under 35 USC 111(a)

PATENT # -

CONFIRMATION # 3108

FILED BY Belinda Love

PATENT CENTER # 61013898

AUTHORIZED BY Nigamnarayan Acharya

CUSTOMER # 33717

FILING DATE 08/04/2022

CORRESPONDENCE
ADDRESS -

FIRST NAMED
INVENTOR Max Spielberg

Payment Information

PAYMENT METHOD
DA / 501561

PAYMENT TRANSACTION ID
E20229RF38252019

PAYMENT AUTHORIZED BY
Belinda Love

PRE-AUTHORIZED ACCOUNT
501561

PRE-AUTHORIZED CATEGORY

37 CFR 1.16 (National application filing, search, and examination fees); 37 CFR 1.17 (Patent application and reexamination processing fees); 37 CFR 1.19 (Document supply fees); 37 CFR 1.20 (Post issuance fees); 37 CFR 1.21 (Miscellaneous fees and charges)

FEE CODE	DESCRIPTION	ITEM PRICE(\$)	QUANTITY	ITEM TOTAL(\$)
1053	NON-ENGLISH TRANSLATION	140.00	1	140.00
1051	SURCHARGE- LATE FILING FEE, SEARCH FEE, EXAMINATION FEE, INVENTOR'S OATH OR DECLARATION, OR APPLICATION FILED WITHOUT AT LEAST ONE CLAIM OR BY REFERENCE	160.00	1	160.00
1011	BASIC FILING FEE - UTILITY (PAPER FILING ALSO REQUIRES NON-	320.00	1	320.00

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

ELECTRONIC FILING FEE UNDER 1.16(T))				
1830	PROCESSING FEE, EXCEPT IN PROVISIONAL APPLICATIONS	140.00	1	140.00
1808	OTHER PUBLICATION PROCESSING FEE	140.00	1	140.00
1202	EACH CLAIM IN EXCESS OF 20	100.00	5	500.00
TOTAL AMOUNT:				\$1,400.00

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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UNITED STATES
PATENT AND TRADEMARK OFFICE

Page 1 of 2
P.O. Box 1450
Alexandria, VA 22313 - 1450
www.uspto.gov

ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #
17/817,637

RECEIPT DATE / TIME
09/28/2022 03:23:49 PM ET

ATTORNEY DOCKET #
196300.010310

Title of Invention

PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Application Information

APPLICATION TYPE Utility - Nonprovisional Application
under 35 USC 111(a)

PATENT # -

CONFIRMATION # 3108

FILED BY Belinda Love

PATENT CENTER # 61013898

FILING DATE 08/04/2022

CUSTOMER # 33717

FIRST NAMED
INVENTOR Max Spielberg

CORRESPONDENCE
ADDRESS -

AUTHORIZED BY Nigamnarayan Acharya

Documents

TOTAL DOCUMENTS: 1

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
196300.010310 - Response to Notice to File Missing Parts - NTFMP.pdf	5	Applicant Response to Pre- Exam Formalities Notice	268 KB

Digest

DOCUMENT	MESSAGE DIGEST(SHA-512)
196300.010310 - Response to Notice to File Missing Parts - NTFMP.pdf	1E4E064ADCA5A20EB568C591B2C4E57CE0EAC1C90B410B89 C9518A8C75DA7C740863065EE7019022C03B859D777B4ECAF 76C2CACAC12E139EBA0725C9D966797

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
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New International Application Filed with the USPTO as a Receiving Office

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 17/817,637 Confirmation No.: 3108
Inventor(s) : Max Spielberg
Filed : August 4, 2022
Title : PHARMACEUTICAL SYRUP FORMULATION OR
SUSPENSION
TC/Art Unit : 1629
Examiner: : To Be Assigned
Docket No. : 196300.010310
Customer No. : **33717**

Mail Stop Missing Parts
Commissioner for Patents
VIA EFS-WEB

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts (the “Notice”) mailed August 19, 2022, the Notice requires payment of the Statutory Basic Filing Fee, Search Fee, Examination Fee, and the Surcharge set forth in 37 CFR 1.16(f). Applicant submits herewith the Basic Filing Fee (\$320), Surcharge Fee (\$160), the excess claim fee for 5 claims over 20 (\$500), and the remaining balance for a total of \$1,400.

It is believed that no additional fees are due; however, if it is determined otherwise, the Commissioner is hereby authorized to charge the undersigned’s Deposit Account No. 50-1561 for any fees necessary to maintain the pendency of the subject application. A copy of the Notice to File Missing Parts of

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Nonprovisional Application is also filed herewith.

Respectfully submitted,
GREENBERG TRAURIG LLP

Date: September 28, 2022

/Nigamnarayan Acharya/

Nigamnarayan Acharya
Attorney Registration No.: 54,953

GREENBERG TRAURIG LLP (ATL)
Intellectual Property Department
77 West Wacker Drive, Suite 100
Chicago, IL 60601
678-553-2100



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
17/817,637	08/04/2022	Max Spielberg	196300.010310

CONFIRMATION NO. 3108

FORMALITIES LETTER



OC000000047729584

33717
GREENBERG TRAUIG LLP (GT)
C/O: GREENBERG TRAUIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

Date Mailed: 08/19/2022

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to the above-identified nonprovisional application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient based on the current entity status of the application. The remainder of the basic filing fee or a proper establishment of a discounted entity status must be submitted.
- The application search fee must be submitted.
- The application examination fee must be submitted.
- Additional claim fees of **\$250** as an undiscounted entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Surcharge as set forth in 37 CFR 1.16(f) has not been received.

The surcharge is due for any one of:

- late submission of the basic filing fee, search fee, or examination fee,
- late submission of inventor's oath or declaration,
- filing an application that does not contain at least one claim on filing, or
- submission of an application filed by reference to a previously filed application.

SUMMARY OF FEES DUE:

The fee(s) required (including the fees noted above) are as follows. No entity status discount is in effect. If applicant is qualified for small entity status, a written assertion of small entity status must be submitted to establish small entity status. (See 37 CFR 1.27). If applicant is qualified for micro entity status, an acceptable Certification of Micro Entity Status must be submitted to establish micro entity status. (See 37 CFR 1.29 and forms PTO/SB/15A and 15B.)

- **\$320** basic filing fee.
- **\$160** surcharge.
- **\$500** for 5 total claims over 20.

page 1 of 2

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

- ~~\$(1080)~~ previous unapplied payment amount.
- **\$1400** TOTAL FEE BALANCE DUE.

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be addressed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

REPLY VIA ELECTRONIC FILING

A reply may be submitted via electronic filing only by registered users of the appropriate USPTO patent electronic filing system and must include:

- A separate document having the document description, "**Applicant response to Pre-Exam Formalities Notice**"; and
- the item(s) for which a reply period is set forth above.

For more information about electronic filing, contact the Patent Electronic Business Center (EBC) 1-866-217-9197 or visit <https://www.uspto.gov/ebc>

NOTE: If the reply is not being submitted electronically, a copy of this notice must be included.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/sstephanos/

PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number 17/817,637			
Substitute for Form PTO-875									
APPLICATION AS FILED - PART I									
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	320		
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	700		
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	800		
TOTAL CLAIMS (37 CFR 1.16(i))	25	minus 20 = 5				x 100 =	500		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *				x =	0		
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0		
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0		
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	1820		
APPLICATION AS AMENDED - PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
	Total (37 CFR 1.16(i))	*	Minus **	=	x =		x =		
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =		x =		
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
			TOTAL ADD'L FEE			TOTAL ADD'L FEE			
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
	Total (37 CFR 1.16(i))	*	Minus **	=	x =		x =		
	Independent (37 CFR 1.16(h))	*	Minus ***	=	x =		x =		
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
			TOTAL ADD'L FEE			TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.									





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
17/817,637	08/04/2022	Max Spielberg	196300.010310

CONFIRMATION NO. 3108

FORMALITIES LETTER



OC000000047729584

33717
GREENBERG TRAUIG LLP (GT)
C/O: GREENBERG TRAUIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

Date Mailed: 08/19/2022

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to the above-identified nonprovisional application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient based on the current entity status of the application. The remainder of the basic filing fee or a proper establishment of a discounted entity status must be submitted.
- The application search fee must be submitted.
- The application examination fee must be submitted.
- Additional claim fees of **\$250** as an undiscounted entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Surcharge as set forth in 37 CFR 1.16(f) has not been received.

The surcharge is due for any one of:

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SUMMARY OF FEES DUE:

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- **\$320** basic filing fee.
- **\$160** surcharge.
- **\$500** for 5 total claims over 20.

page 1 of 2

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

- ~~\$(1080)~~ previous unapplied payment amount.
- **\$1400** TOTAL FEE BALANCE DUE.

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Alexandria VA 22313-1450

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/sstephanos/

PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number 17/817,637			
APPLICATION AS FILED - PART I									
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)		
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	320		
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A			N/A	700		
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	800		
TOTAL CLAIMS (37 CFR 1.16(i))	25	minus 20 = 5				x 100 =	500		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *				x =	0		
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MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0		
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	1820		
APPLICATION AS AMENDED - PART II									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
Total (37 CFR 1.16(i))	*	Minus **	=	x =			x =		
Independent (37 CFR 1.16(h))	*	Minus ***	=	x =			x =		
Application Size Fee (37 CFR 1.16(s))									
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
				TOTAL ADD'L FEE			TOTAL ADD'L FEE		
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)	
Total (37 CFR 1.16(i))	*	Minus **	=	x =			x =		
Independent (37 CFR 1.16(h))	*	Minus ***	=	x =			x =		
Application Size Fee (37 CFR 1.16(s))									
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
				TOTAL ADD'L FEE			TOTAL ADD'L FEE		
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KINDERFARMS Ex. 1002
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
17/817,637	08/04/2022	1629	1080	196300.010310	25	3

CONFIRMATION NO. 3108

FILING RECEIPT



0000000047729582

33717
GREENBERG TRAURIG LLP (GT)
C/O: GREENBERG TRAURIG
INTELLECTUAL PROPERTY DEPARTMENT
77 WEST WACKER DRIVE, SUITE 3100
CHICAGO, IL 60601

Date Mailed: 08/19/2022

Receipt is acknowledged of this non-provisional utility patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF FIRST INVENTOR, 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 corrected Filing Receipt, including a properly marked-up ADS showing the changes with strike-through for deletions and underlining for additions. If you received a "Notice to File Missing Parts" or other Notice requiring a response for this application, please submit any request for correction 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 provided that the request is grantable.

Inventor(s)

Max Spielberg, Miami, FLORIDA;
David Johnson, Beverly Hills, CALIFORNIA;

Applicant(s)

Max Spielberg, Miami, FLORIDA;
David Johnson, Beverly Hills, CALIFORNIA;

Power of Attorney: None

Domestic Applications for which benefit is claimed - None.

A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

page 1 of 4

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 08/17/2022

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 17/817,637**

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Preliminary Class

514

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
17/817,637	08/04/2022	Max Spielberg	196300.010310

CONFIRMATION NO. 3108

IMPROPER CFR REQUEST



OC000000047731613

33717
GREENBERG TRAURIG LLP (GT)
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INTELLECTUAL PROPERTY DEPARTMENT
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Date Mailed: 08/19/2022

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Continuity, Priority Claims, Petitions, and Non-Publication Requests

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- One or more of the benefit claims under 35 U.S.C. § 120 cannot be included on the Filing Receipt since applicant did not specify whether the application is a continuation, divisional or continuation-in-part of the prior application. Applicant must submit a new application data sheet (ADS) that sets forth the relationship, and the ADS must be accompanied by a petition under 37 CFR 1.78 if filed after the time period set forth in 37 CFR 1.78.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at (571) 272-4000 or (571) 272-4200 or 1-888-786-0101.

/sstephanos/

**CERTIFICATION AND REQUEST FOR PRIORITIZED EXAMINATION
UNDER 37 CFR 1.102(e) (Page 1 of 1)**

First Named Inventor:	Max Spielberg	Nonprovisional Application Number (if known):	
Title of Invention:	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.

1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently \$0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.
2. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.
3. The applicable box is checked below:
 - I. ☒ **Original Application (Track One) - Prioritized Examination under § 1.102(e)(1)**
 - i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web.
---OR---
 - (b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.
 - ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, or the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.
- II. ☐ **Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)**
 - i. A request for continued examination has been filed with, or prior to, this form.
 - ii. If the application is a utility application, this certification and request is being filed via EFS-Web.
 - iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
 - iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
 - v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Signature	/Nigamnarayan Acharya/	Date	August 4, 2022
Name (Print/Typed)	Nigamnarayan Acharya	Practitioner Registration Number	54,953
Note: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.*			
☐ *Total of _____ forms are submitted.			

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PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

TECHNICAL FIELD

[0001] This application relates to aqueous suspensions and formulations. This application also relates to a pharmaceutical suspension composed of pharmaceutical active agents, suspension agents, sweetening agents and flavoring agents.

BACKGROUND

[0002] Children and older persons can have problems swallowing tablets or capsules. In these situations, it is desirable to provide drugs either in a chewable solid form or in a liquid form/syrup. It is not an uncommon practice for a parent to prefer giving the sick children, usually those below the age of 12, syrup instead of tablets. Syrups are suited for children. The dose is in volumes and often can be tailored to the child's body weight. Many syrups can be flavored, which improves intake and compliance by children.

[0003] One problem is that liquids containing analgesic, antihistamine, and diuretic active pharmaceutical agents taste terrible and pharmaceutical chemists have turned to unnatural and artificial ingredients to mask the taste. No liquid medium, primarily of natural ingredients, containing this combination of active agents are available.

[0004] Accordingly, there is a need for an improved pharmaceutical suspension or syrup formulation.

SUMMARY

[0005] One aspect includes a stable, pharmaceutical syrup formulation or suspension for oral administration having one or more pharmaceutical active agents, agave syrup, and a

dilutant. The syrup formulation can have a viscosity of less than 1500 centipoise at 22 degrees.

[0006] Another aspect includes a stable, pharmaceutical syrup formulation or suspension for oral administration having a pharmaceutical active agent, agave syrup, acidic preservative, a sweetening agent, a flavoring agent, and a dilutant. The syrup formulation can have a viscosity of less than 1500 centipoise at about 22 degrees.

[0007] Another aspect includes a pharmaceutical suspension that can enhance the taste masking of unpalatable pharmaceutical active agents with generally natural ingredients. One embodiment includes the use of clean inactive ingredients that are gluten-free, non-GMO, and certified vegan. Other embodiments may exclude unnatural ingredients such as aspartame, carbomer, EDTA, gelatin, milk, parabens, polyethylene glycol, titanium dioxide, and other unnatural ingredients.

[0008] Another aspect includes pharmaceutical suspensions made with the same active ingredients needed for a treatment, but without the artificial not needed.

[0009] Another aspect includes a suspension that can be used as a formulation of pharmaceutical suspension. The following pharmaceutical active agents are suitable for use with the suspension including but not limited to acetaminophen, ibuprofen, famotidine, pseudoephedrine, hydrochloride, chlorpheniramine maleate, dextromethorphan hydrobromide, guaifenesin, diphenhydramine hydrochloride, loperamide hydrochloride, and simethicone and suitable combinations thereof.

DETAILED DESCRIPTION

[0010] This application provides a pharmaceutical suspension or syrup formulation that can be used with various active pharmaceutical agents. In one embodiment, a pharmaceutical syrup formulation for oral administration includes one or more pharmaceutical active agents, agave syrup, and a dilutant. A pharmaceutical syrup formulation for oral administration can also include an acidic preservative, a sweetening agent, and a flavoring or masking agent. The term “agave syrup” is referred to as a processed juice obtained from the agave sp. plant (e.g. also referred to as processed sap or processed aguamiel). The term "syrup" means a formulation that has a flow without applied pressures and is sticky or tacky to the touch.

[0011] The syrup can have a viscosity of the type used with pharmaceutical suspensions or syrup formulations. The syrup can have a viscosity of between about 200 and 3500 centipoise at about 2.5 rpm to about 30 rpm as determined by a Brookfield Viscometer at about 22 degrees. Further, the syrup can have a viscosity of between about 350 and about 1500 centipoise. For example, the syrup formulation can a viscosity of about 1500 centipoise at about 22 degrees. For example, the syrup formulation has a viscosity of about 1000 centipoise at about 22 degrees. For example, the syrup formulation has a viscosity of about 600 centipoise at about 22 degrees. In many examples, the viscosity of the syrup can be less than 2000 centipoise, less than 1750 centipoise, less than 1500 centipoise, less than 1000 centipoise, less than 750 centipoise, less than 600 centipoise, or less than 500 centipoise.

[0012] In one embodiment, the pharmaceutical suspension or syrup formulation can be used to administer pharmaceutical active agents with generally natural ingredients. For

example, a pharmaceutical suspension can include the use of clean inactive ingredients that are gluten-free, non-GMO, and certified vegan. Other embodiments may exclude ingredients such as aspartame, carbomer, EDTA, gelatin, milk, parabens, polyethylene glycol, titanium dioxide, and other unnatural ingredients. Certain embodiments can be designed to provide pharmaceutical suspensions made with the same active ingredients needed for a treatment, but without the artificial ingredients.

[0013] In another embodiment, a pharmaceutical suspension or syrup formulation includes between 0.01 to 4 w/w% of one or more active pharmaceutical agents, 0.01 and 1% w/w% of an acidic preservative, 0.05 to 5 w/w% of a sweetening agent or flavoring agent, 50% to 98% agave syrup, and water. In one example, the one or more active pharmaceutical agents can be one of the following active agents: dextromethorphan hydrobromide, guaifenesin, or acetaminophen.

[0014] In one embodiment, a pharmaceutical suspension includes between 0.5 to 2 w/w% of one or more active pharmaceutical agents, 65% to 98% agave syrup, and water.

[0015] In one embodiment, a pharmaceutical suspension includes between 0.5 to 2 w/w% of one or more active pharmaceutical agents, 0.5 and 2% w/w% of an acidic preservative, 1 to 3 w/w% of a sweetening agent or flavoring agent, 75% to 95% agave syrup, and water.

[0016] The amount of water or dilutant in the suspension may be reduced to optimize the formulation. The amount of the pharmaceutical active agent dissolved in the suspension can be reduced. This reduction in amount dissolved reduces the need for taste masking. Since, the pharmaceutical active agent remains in the solid (undissolved) form, the pharmaceutical is less likely to be tasted while in the mouth.

[0017] The pH of the pharmaceutical suspension or syrup formulation can range from about 4 to about 10. In certain examples, the pH of the suspension can be in the range from 4 to 8. The suspension can be buffered to maintain the pH of the suspension in the desired pH range. Suitable buffers that are not chemically reactive with the other ingredients may be present in the suspension in amounts enough to provide the desired degree of pH buffering. The buffers can range from 0.01 to 1 gram per 100 mL of the suspension. In one example, the acidic preservative can be adjusted to keep the pH of the suspension at a desired level.

[0018] In one embodiment, the pharmaceutical suspension or syrup formulation may include about 0.1 to 5 grams of a pharmaceutical active agent per 100 mL of suspension. The amount of the pharmaceutical active agent in the suspension should be enough to provide a therapeutic amount of the pharmaceutical active agent and a convenient dosage unit. Up to about 0.01 to 2 grams pharmaceutical active per 100 mL may be readily included in the suspension system. However, this may vary depending on the pharmaceutical active agent and amounts are known to those with ordinary skill in the art or are readily available or can be determined using pharmaceutical science.

[0019] The water added to the pharmaceutical suspension or syrup formulation should be kept at a minimum, to facilitate masking the bitter taste of acetaminophen. The acetaminophen suspension should contain in the range from about 0.1 to 2 grams of water per 100 ml of suspension.

[0020] The suspension can be used as a formulation of a pharmaceutical suspension. The following pharmaceutical active agents are suitable for use with the inventive suspension including but not limited to acetaminophen, ibuprofen, famotidine, pseudoephedrine,

hydrochloride, chlorpheniramine maleate, dextromethorphan hydrobromide, guaifenesin, diphenhydramine hydrochloride, loperamide hydrochloride, and simethicone and suitable combinations thereof. In one embodiment, the pharmaceutical active agents are water soluble or hydrophilic.

[0021] Therapeutic combinations of pharmaceutical active agents can include combinations of acetaminophen, ibuprofen or famotidine with pseudoephedrine hydrochloride, chlorpheniramine maleate, astemizole, terfenadine, dextromethorphan hydrobromide, guaifenesin or diphenhydramine for formulations of cold or sinus medication. Acetaminophen, ibuprofen and famotidine could also be combined with antacids to control the gastric irritation caused by these analgesics.

[0022] In one embodiment, the pharmaceutical suspension or syrup formulation can effectively mask the bitter taste of pharmaceuticals contained in the suspension. Masking the flavor of bitter pharmaceuticals may be accomplished by using flavoring agents to overpower the bitter flavor of the pharmaceutical. The bitter flavor also can be minimized by limiting the amount of water present in the suspension. Suitable sweetening agents include but are not limited to sugars such as monosaccharides, disaccharides and polysaccharides. Examples of suitable sugars include but are not limited to xylose, ribose, glucose, mannose, fructose, dextrose, sucrose, and maltose, and sugar alcohols such as sorbitol, xylitol, mannitol, glycerin and combination thereof. Presently preferred as a sugar sweetener is fructose provided as an aqueous solution. The amount of sugar sweetener used in the suspension will vary depending on the degree of sweetening desired for the suspension. Generally, the amount of sugar sweetener will be in the range of from about 0 grams to about 1 gram of sugar sweetener per 100 mL of the suspension.

[0023] Flavoring agents also may be added to the pharmaceutical suspensions or syrup formulations to improve the palatability of the suspension. Examples of suitable flavoring agents include natural and artificial flavors such as mints (i.e., peppermint, etc.), menthol, cinnamon, vanilla, artificial vanilla, chocolate, artificial chocolate, both natural and artificial fruit flavors (i.e., cherry, grape, orange, strawberry, etc.) and combinations of two or more thereof. Flavoring agents are generally provided as a minor component of the suspension in amounts effective to provide a palatable flavor to the suspension. However, flavoring agents are generally present in the suspension in amounts in the range of from about 0 grams to about 5 grams per 100 mL of the suspension.

[0024] Optimum masking of the taste of the pharmaceutical active agents in the pharmaceutical suspension or syrup formulation can be achieved by limiting the amount of water in the suspension. As a minimum, the amount of water present in the suspension may be limited to that amount necessary to hydrate the agave syrup. The minimum amount of water also must provide the suspension with enough aqueous base to impart the desired degree of viscosity. For example, if agave syrup is used in the suspension as a sweetener, the total amount of water contained in the suspension be in the range of about 5 to 20 grams per 100 mL of suspension. Accordingly, if a bitter or unpalatable pharmaceutical active is present in the suspension, the amount of water in all the ingredients should be kept to a minimum.

[0025] Wetting agents also may be employed in the inventive suspension to facilitate the dispersion of hydrophobic pharmaceutical active agents. The concentration of wetting agents in the suspension should be selected to achieve optimum dispersion of the pharmaceutical active within the suspension with the lowest feasible concentration of

wetting agent. It should be appreciated that an excess concentration of wetting agent may cause the suspension to flocculate. Those skilled in the art are well versed in suitable empirical methods to determine the appropriate wetting agents and concentrations to achieve optimum dispersion and avoid flocculation.

[0026] Coloring agents, while not generally used and are generally not preferred, can be incorporated in the suspension to provide an appealing color to the suspension. The coloring agents should be selected to avoid chemical incompatibilities with the other ingredients in the suspension. Suitable coloring agents for use in pharmaceutical suspensions are well known to those skilled in the art.

[0027] In one embodiment, the pharmaceutical suspension or syrup formulation can be prepared by mixing one or more active agents with agave and then adding water to achieve a desired consistence. One method of making a pharmaceutical syrup formulation for oral administration can include adding an amount of agave into a vessel; warming the amount of the agave in the vessel; adding an amount of one or more pharmaceutical agents to the warmed agave in the vessel; stirring the contents of the vessel until the contents are mixed; adding diluent through the process to achieve a desired viscosity of less than, e.g., 1500 centipoise, 1000 centipoise, 600 centipoise, or 400 centipoise.

[0028] While the invention has been described in connection with specific embodiments thereof, it will be understood that it is capable of further modifications and this application is intended to cover any variations, uses, or adaptations of the invention following, in general, the principles of the invention and including such departures from the present disclosure as come within known or customary practice within the art to which the

invention pertains and as may be applied to the essential features hereinbefore set forth, and as follows in the scope of the appended claims.

EXAMPLES

[0029] The invention will now be illustrated by examples. The examples are not intended to be limiting of the scope of the present invention but read in conjunction with the detailed and general description above, provide further understanding of the present invention and an outline of a preferred process for preparing the compositions of the invention.

[0030] Example 1: Acetaminophen Suspension

Ingredient	Function	Amount (w/w %)
Pharmaceutical Active Agent (e.g., Acetaminophen)	Treatment	1.8
Agave syrup	Base	92
Citrus acid extract	Preservative	0.20
Masking Agent/Blueberry	Flavoring	0.60
Water	Diluent	Remaining

[0031] In Example 1, the citrus acid extract and masking agent are optional and are not needed for a suitable or usable formulation.

Example 2: Preparation of Suspension

100 mg of active agent can be added to 100 mL of agave (heated). The mixture is stirred, and water can be added to achieve a desired consistency. Other agents such as sweetening agent and flavoring agent can be added to the suspension.

CLAIMS

1. A pharmaceutical syrup formulation for oral administration comprising:
acetaminophen,
agave syrup, and
a dilutant,
wherein the syrup formulation has a viscosity of less than 1500 centipoise at about 22 degrees; the acetaminophen is suspended in the syrup; and the syrup is palatable.
2. The pharmaceutical syrup formulation of claim 1, the syrup formulation viscosity of less than 1000 centipoise at about 22 degrees.
3. The pharmaceutical syrup formulation of claim 1, the syrup formulation viscosity of less than 750 centipoise at about 22 degrees.
4. The pharmaceutical syrup formulation of claim 1, the syrup formulation viscosity of less than 600 centipoise at about 22 degrees.
5. The pharmaceutical syrup formulation of claim 1, wherein 0.01 to 2 grams of acetaminophen is suspended per 100 mL of the syrup.
6. The pharmaceutical syrup formulation of claim 1, wherein 0.01 to 1 grams of acetaminophen is suspended per 100 mL of the syrup.
7. A stable pharmaceutical syrup formulation for oral administration comprising: acetaminophen; agave syrup; acidic preservative; a flavoring agent, and a dilutant, wherein the syrup formulation has a viscosity of less than 1500 centipoise at about 22 degrees and the acetaminophen is suspended in the syrup.
8. The pharmaceutical syrup formulation of claim 7, the acetaminophen is between 0.01 to 2% of the formulation by weight.

9. The pharmaceutical syrup formulation of claim 7, the dilutant is about 5% of the formulation by weight.

10. The pharmaceutical syrup formulation of claim 7, the agave syrup is less than 98% of the formulation by weight.

11. The pharmaceutical syrup formulation of claim 7, the agave syrup is less than 95% of the formulation by weight.

12. The pharmaceutical syrup formulation of claim 7, the dilutant water.

13. The pharmaceutical syrup formulation of claim 7, the agave syrup is about 95% of the formulation by weight.

14. The pharmaceutical syrup formulation of claim 13, wherein the acidic preservative comprises citric acid.

15. The pharmaceutical syrup formulation of claim 7, wherein the composition is a medicinal preparation formulated as a syrup; wherein the composition has a viscosity from about 1500 centipoise to about 400 centipoise at about 22 degrees.

16. The pharmaceutical syrup formulation of claim 7, wherein the formulation is orally administered for veterinary and human use.

17. The pharmaceutical syrup formulation of claim 7, wherein the pharmaceutical active is acetaminophen.

18. The pharmaceutical syrup formulation of claim 7, wherein the flavoring agent is a bitter-blocking ingredient.

19. A stable, palatable pharmaceutical syrup formulation for oral administration consisting essentially of a therapeutic effective amount of acetaminophen; agave syrup; acidic preservative; a flavoring agent, and a dilutant, wherein the syrup formulation has a

viscosity of less than 1500 centipoise at about 22 degrees and the acetaminophen is suspended in the syrup.

20. The formulation of claim 19, wherein has a viscosity of less than 1000 centipoise at about 22 degrees.

21. The formulation of claim 19, wherein has a viscosity of less than 1500 centipoise at about 22 degrees.

22. The formulation of claim 19, wherein has a viscosity of less than 1500 centipoise at about 22 degrees.

23. The formulation of claim 19, the agave syrup is less than 98% of the formulation by weight.

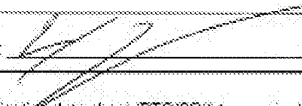
24. The formulation of claim 19, the agave syrup is less than 95% of the formulation by weight.

25. The formulation of claim 19, the agave syrup is about 95% of the formulation by weight.

ABSTRACT

A stable pharmaceutical formulation or suspension has a pharmaceutical active agent, agave, and a dilutant. The formulation or suspension has viscosity suitable for drinking.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	IMPROVED STABLE LIQUID FORMULATIONS FOR PHARMACEUTICALS AND SUP PLEMETNTS
As the below named inventor, I hereby declare that: This declaration is directed to: ☒ The attached application, or ☐ United States application or PCT international application number _____ filed on _____ The above-identified application was made or authorized to be made by me. I believe that I am the original inventor or an original joint inventor of a claimed invention in the application. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. LEGAL NAME OF INVENTOR MAX SPIELBERG Inventor: _____ Date (Optional): _____ Signature:  Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.	

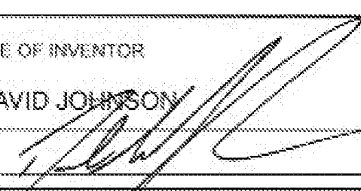
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.83. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute 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 PILES 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-6189 and select option 2.

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KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

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.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	IMPROVED STABLE LIQUID FORMULATIONS FOR PHARMACEUTICALS AND SUP PLEMETNTS
As the below named inventor, I hereby declare that: This declaration is directed to: ☒ The attached application, or ☐ United States application or PCT international application number _____ filed on _____ The above-identified application was made or authorized to be made by me. I believe that I am the original inventor or an original joint inventor of a claimed invention in the application. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.	
LEGAL NAME OF INVENTOR DAVID JOHNSON Inventor: _____ Date (Optional): _____ Signature:  _____	
Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA-01 form for each additional inventor.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.83. 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. 123 and 37 CFR 1.14 and 1.14. This collection is estimated to take 1 minute 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-8198 and select option 2.

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		
The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.			

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--

Inventor Information:

Inventor	1				Remove
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Max		Spielberg		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Miami	State/Province	FL	Country of Residence	US
Mailing Address of Inventor:					
Address 1	269 South Beverly Drive - Suite 510				
Address 2					
City	Beverly Hills	State/Province	CA		
Postal Code	90212	Country	US		
Inventor	2				Remove
Legal Name					
Prefix	Given Name	Middle Name	Family Name	Suffix	
	David		Johnson		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Beverly Hills	State/Province	CA	Country of Residence	US
Mailing Address of Inventor:					
Address 1	269 South Beverly Drive - Suite 510				
Address 2					
City	Beverly Hills	State/Province	CA		
Postal Code	90212	Country	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.					
Add					

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

☐ An Address is being provided for the correspondence information of this application.			
Customer Number	83717		
Email Address	gtipmail@gtlaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		
Attorney Docket Number	196300.010310	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐ Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	83717		

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending		Remove		
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
		17/342414	2021-06-08		
Prior Application Status	Pending		Remove		
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
17/342414	Continuation in part of	16/827529	2020-03-23		
Prior Application Status	Patented		Remove		
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
16/827529	Continuation of	15/912785	2018-03-06	10596266	2020-03-24
Prior Application Status	Expired		Remove		
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
15/912785	Claims benefit of provisional	62/580648	2017-11-02		
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.					

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)ⁱ the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ^j (if applicable)	Remove
Additional Foreign Priority Data may be generated within this form by selecting the Add button.				

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013. ☐ NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.	
--	--

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h) (1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
Applicant	1	Remove		
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.				
Clear				
Assignee	Legal Representative under 35 U.S.C. 117		Joint Inventor	
☒ Person to whom the inventor is obligated to assign.		☐ Person who shows sufficient proprietary interest		
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
Name of the Deceased or Legally Incapacitated Inventor: 				
If the Applicant is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Applicant:				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Applicant Data may be generated within this form by selecting the Add button. Add				

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

Assignee	1			
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
				Remove
If the Assignee or Non-Applicant Assignee is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Assignee including Non-Applicant Assignee:				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				Add

Signature:

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). However, if this Application Data Sheet is submitted with the **INITIAL** filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Nigamnarayan Acharya/		Date (YYYY-MM-DD)	2022-08-04
First Name	Nigamnarayan	Last Name	Acharya	Registration Number
				54,953
Additional Signature may be generated within this form by selecting the Add button.				Add

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	196300.010310
		Application Number	
Title of Invention	A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION		

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1 The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3 A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES
PATENT AND TRADEMARK OFFICE

Page 1 of 3
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Alexandria, VA 22313 - 1450
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ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #
17/817,637

RECEIPT DATE / TIME
08/04/2022 08:54:38 PM ET

ATTORNEY DOCKET #
196300.010310

Title of Invention

A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	3108	FILED BY	Belinda Love
PATENT CENTER #	60845440	FILING DATE	-
CUSTOMER #	33717	FIRST NAMED INVENTOR	Max Spielberg
CORRESPONDENCE ADDRESS	-	AUTHORIZED BY	Nigamnarayan Acharya

Documents

TOTAL DOCUMENTS: 6

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
196300.010310 - Certification and Request for Prioritized Examination - TRACK ONE.pdf	2	Track One Request	136 KB
196300.010310 - ADS for NON-PROV dated 8-4-22.pdf	9	Application Data Sheet	1227 KB
196300.010310 - Specification for NON-PROV dated 8-4-22.pdf	13	-	161 KB
196300.010310 - Specification for NON-PROV dated 8-4-22-	(1-9) 9	Specification	154 KB

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KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

SPEC.pdf				
196300.010310 - Specification for NON- PROV dated 8-4-22- CLM.pdf	(10-12)	3	Claims	140 KB
196300.010310 - Specification for NON- PROV dated 8-4-22- ABST.pdf	(13-13)	1	Abstract	101 KB
196300.010310 - Declarations for NON-PROV dated 8-4-22.pdf		2	Oath or Declaration filed	275 KB

Digest

DOCUMENT	MESSAGE DIGEST(SHA-512)
196300.010310 - Certification and Request for Prioritized Examination - TRACK ONE.pdf	367EAE5B7781F8B94699FED10D43E54F96F60CA0709C17C39 4723B0DFD8AE9AAB9F67933447E8572D8982F00094DF6A425A 4E407C3594C0B15801665B4CD6F2C
196300.010310 - ADS for NON- PROV dated 8-4-22.pdf	7146F37C3BE096FCB40B1DABC818A4354606997ED5E1ED998 56C7B18D11AB64F4C0CFB7CFC9E08F4821B49F540968CA55B 1C32DEE1BA9B4EB932EFF638323B97
196300.010310 - Specification for NON-PROV dated 8-4- 22.pdf	D312F4EF88675FAFB689D258AE30957FED88DAAE60B72CF94 786F777D4BEAFE0723D5AF386E2EC4EEAF8835382331880F2 CB0978B0F43271F50F71F8B2750891
196300.010310 - Specification for NON-PROV dated 8-4-22- SPEC.pdf	39238F1ED9A60383DE4129C3C9E9D328A38C93BB2830B0C65 1E39D8035CC11C6160FD6D67235B071951514F37D3A864368E 1DF91BD154AC3136B404671E82387
196300.010310 - Specification for NON-PROV dated 8-4-22-	9922811558A2B3F1930FA7C80483DFA3436CFB8848184AD920 3E8B244E132C4D1044B51746B7972A2D61F09E53CE5075FBA5

CLM.pdf	FA4FD153D29B21A7707AA1CC9AD7
196300.010310 - Specification for NON-PROV dated 8-4-22- ABST.pdf	FEBF1FEB37A59AFA5E8735B4E3BD0D83D67F77C52DB3C144 05A3D94B86067AB48AD934508F5A768D800ACE0C48E6B8AB0 54A987F8DFFE603A281D0BC4E30AA09
196300.010310 - Declarations for NON-PROV dated 8-4- 22.pdf	54C54419F349502D8D6E4B904B57E775400B2D5639C527E082 7CC2C1E4DD7E25DD8BC811AA426AD4390AC88705E4FD04F5 367042148E49E75ECB811D38815FB9

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for 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.

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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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PATENT AND TRADEMARK OFFICE

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APPLICATION #
17/817,637

RECEIPT DATE / TIME
08/04/2022 08:54:38 PM ET

ATTORNEY DOCKET #
196300.010310

Title of Invention

A PHARMACEUTICAL SYRUP FORMULATION OR SUSPENSION

Application Information

APPLICATION TYPE Utility - Nonprovisional Application
under 35 USC 111(a)

PATENT # -

CONFIRMATION # 3108

FILED BY Belinda Love

PATENT CENTER # 60845440

AUTHORIZED BY Nigamnarayan Acharya

CUSTOMER # 33717

FILING DATE -

CORRESPONDENCE
ADDRESS -

FIRST NAMED
INVENTOR Max Spielberg

Payment Information

PAYMENT METHOD
DA / 501561

PAYMENT TRANSACTION ID
E202284K56012633

PAYMENT AUTHORIZED BY
Belinda Love

PRE-AUTHORIZED ACCOUNT
501561

PRE-AUTHORIZED CATEGORY

37 CFR 1.16 (National application filing, search, and examination fees); 37 CFR 1.17 (Patent application and reexamination processing fees); 37 CFR 1.19 (Document supply fees); 37 CFR 1.20 (Post issuance fees); 37 CFR 1.21 (Miscellaneous fees and charges)

FEE CODE	DESCRIPTION	ITEM PRICE(\$)	QUANTITY	ITEM TOTAL(\$)
2830	PROCESSING FEE, EXCEPT IN PROVISIONAL APPLICATIONS	70.00	1	70.00
2817	REQUEST FOR PRIORITIZED EXAMINATION	2100.00	1	2100.00
2111	UTILITY PATENT APPL. SEARCH FEE	350.00	1	350.00
4011	BASIC FILING FEE- UTILITY	80.00	1	80.00

KINDERFARMS Ex. 1002
KINDERFARMS LLC. v. GENEXA INC.
PGR2023-00051

2311	EXAMINATION OF ORIGINAL PATENT APPLICATION	400.00	1	400.00
2202	EACH CLAIM IN EXCESS OF 20	50.00	5	250.00
TOTAL AMOUNT:				\$3,250.00

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