

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Co-Exclusive License: Prophylactic and/or Therapeutic Vaccine Against *Pseudomonas Aeruginosa*

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: This is notice in accordance with 15 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i) that the National Institutes of Health (NIH), Department of Health and Human Services, is contemplating the grant of a limited field of use co-exclusive worldwide license to practice the inventions embodied in: U.S. Provisional Patent Application Serial Number 60/257,877, filed December 21, 2000, entitled "A Chimeric Protein Comprising Non-Toxic *Pseudomonas* Exotoxin A and Type IV Pilin Sequences" to Cytovax Biotechnologies Inc. of Alberta, Canada. The United States Government as represented by the Department of Health and Human Services is an assignee of these patent rights.

DATES: Only written comments and/or applications for a license which are received by NIH on or before November 18, 2002 will be considered.

ADDRESSES: Requests for a copy of these patent applications, inquiries, comments, and other materials relating to the contemplated license should be directed to: Carol A. Salata, Technology Licensing Specialist, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852-3804; Telephone: (301) 496-7735 ext 232; Facsimile: (301) 402-0220; E-mail: salatac@OD.NIH.GOV.

SUPPLEMENTARY INFORMATION: The prospective co-exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. It is anticipated that this license may be limited to the field of use as a prophylactic and/or therapeutic vaccine against *Pseudomonas aeruginosa*. Cytovax Biotechnologies Inc. will use *Pseudomonas* exotoxin A to target and deliver pathogen Type IV pilin peptide epitopes wherein said pathogen peptide epitopes are inserted into or replace a domain of *Pseudomonas* exotoxin A. This prospective co-exclusive license may be granted unless within 60 days from the date of this published notice, NIH receives written evidence and argument that establishes that the grant

of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

The patent Application Serial Number 60/257,877 describes a chimeric protein wherein key sequences from a Type IV pilin protein are inserted into a non-toxic version of *Pseudomonas aeruginosa* exotoxin A. This invention provides candidate chimeric vaccines that generate antibodies that interfere with adherence of *Pseudomonas aeruginosa* exotoxin A to epithelial cells and neutralize the cytotoxicity of exotoxin A.

Note: This is a modification to a previously published Prospective Grant of Exclusive License notice to Trinity Biosystems LLP (67 FR 6940, February 14, 2002). It is contemplated that both Trinity Biosystems Inc. and Cytovax Biotechnologies Inc. will receive co-exclusive licenses to the technology mentioned above.

Applications for a license filed in response to this notice will be treated as objections to the grant of the contemplated license. Comments and objections submitted in response to this notice will not be made available for public inspection, and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: September 10, 2002.

Jack Spiegel,

Director, Division of Technology, Development and Transfer, Office of Technology Transfer.

[FR Doc. 02-23547 Filed 9-16-02; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Applications for Permit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of applications for permit.

SUMMARY: The public is invited to comment on the following applications to conduct certain activities with endangered species and/or marine mammals.

DATES: Written data, comments or requests must be received by October 17, 2002.

ADDRESSES: Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents

within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203; fax 703/358-2281.

FOR FURTHER INFORMATION CONTACT: Division of Management Authority, telephone 703/358-2104.

SUPPLEMENTARY INFORMATION:

Endangered Species

The public is invited to comment on the following application(s) for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, *as amended* (16 U.S.C. 1531, *et seq.*). Written data, comments, or requests for copies of these complete applications should be submitted to the Director (address above).

PRT-058006

Applicant: Roger Williams Park Zoo, Providence, RI.

The applicant requests a permit to import ten parma wallabies (*Macropus parma*) from the feral population on Kawau Island, New Zealand, for the purpose of enhancement of the survival of the species through captive propagation. The parma wallaby was introduced to Kawau Island and is subject to eradication efforts by the New Zealand government. The import of these animals would serve as an alternative to extermination and introduce new founder stock into captive breeding efforts. The animals would be maintained at Brevard Zoo, Buffalo Zoo, Riverbanks Zoo, Roger Williams Park Zoo, and San Diego Zoo.

PRT-836457

Applicant: West Indian Iguana Specialist Group of the Species Survival Commission of the IUCN, San Diego, CA.

The applicant requests re-issuance of a permit for the import of multiple shipments of biological samples from captive-bred, captive-held and wild specimens of endangered and threatened *Cyclura* species, worldwide. The permit was originally issued on February 18, 1999. This notification covers activities conducted by the applicant over a period of 5 years.

PRT-061693

Applicant: Scott Alan Collins, Dallas, TX.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd