



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

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DATE: July 28, 2017

RE: KEI Comments in Regards to 82 FR 32712, "*Prospective Grant of Exclusive Patent License: Development, Commercial Application and Use of Fulvestrant in Combination Therapy for the Treatment of Cancers*" notice - Prospective Exclusive License Grant to NantBioScience, Inc.

Dear Mr. Love,

Thank you for providing KEI comments to the recent Federal Register Notice referenced above regarding the National Cancer Institute's proposed intent to grant an exclusive license to NantBioScience, Inc. Prior to posting a notice for a proposed grant of an exclusive license, the NIH determines that the criteria set forth in 37 CFR 404.7(a)(1)(ii-iii) have been satisfied with respect to granting the organization an exclusive license to the Government's intellectual property in the fields of use as specified. The notice period provides an opportunity for public comment and possible objection to the proposed license. We consider all comments prior to negotiating the proposed license and will consider your comments.

Best regards,

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