



US005783404A

United States Patent [19][11] **Patent Number:** **5,783,404****Koski**[45] **Date of Patent:** **Jul. 21, 1998**[54] **METHODS AND COMPOSITIONS FOR DETERMINING HER-2/NEU EXPRESSION USING MONOCLONAL ANTIBODIES**[75] **Inventor:** Raymond A. Koski, Old Lyme, Conn.[73] **Assignee:** Amgen Inc., Thousand Oaks, Calif.[21] **Appl. No.:** 421,356[22] **Filed:** Apr. 13, 1995[51] **Int. Cl.⁶** G01N 33/574; G01N 33/577; C12N 5/20; C07K 16/30[52] **U.S. Cl.** 435/7.23; 435/330; 435/331; 435/344.1; 435/346; 435/40.5; 435/40.51; 435/40.52; 530/387.3; 530/387.7; 530/387.9; 530/388.8; 530/388.85; 530/391.3[58] **Field of Search** 435/240.27, 7.23, 435/330, 331, 344.1, 346, 40.5, 40.52, 40.51; 530/387.7, 387.3, 391.3, 387.9, 388.8, 388.85[56] **References Cited****U.S. PATENT DOCUMENTS**

4,968,603 11/1990 Slamon et al. .

FOREIGN PATENT DOCUMENTS

WO89/06692 7/1989 WIPO .
 WO89/10412 11/1989 WIPO .
 WO 91 02062
 A 2/1991 WIPO .
 WO93/03741 3/1993 WIPO .
 WO 94 22478
 A 10/1994 WIPO .

OTHER PUBLICATIONS

Digiesi et al., *Hybridoma* 11: 519-527 (1992).
 Penault-Llorca et al., *Journal of Pathology* 173: 65-75 (1994).
 Press et al., *Oncogene* 5: 953-962 (1990).
 Styles et al., *International Journal of Cancer* 45: 320-324 (1990).
 Berchuck et al. *Cancer Res* 50, 4087-4091 (1990).
 Burnette et al. *Bio/Technology* 6, 699-706 (1988).
 Carter et al. *Cancer* 63, 181-187 (1989).
 Caruthers, *Science* 230, 281 (1985).
 Clark et al. *Cancer Res.* 51, 944-948 (1991).
 Corbett et al. *J. Path.* 161, 15-25 (1990).
 Coussens et al. *Science* 230, 1132-1139 (1985).

Fendly et al. *Cancer Res.* 50, 1550-1558 (1990).
 Gullick et al. *Int. J. Cancer* 40, 246-254 (1987).
 Harlow and Lane *Antibodies: A laboratory Manual*, Cold Spring Harbor Laboratory (1988).
 Hopp et al. *PNAS, USA* 78, 3824-3828 (1981).
 Kallioniemi et al. *Int. J. Cancer* 49, 650-655 (1991).
 King et al. *Science* 229, 974-976 (1985).
 Kury et al. *Eur. J. Cancer* 26, 946-949 (1990).
 Maniatis et al., *Molecular Cloning: A Laboratory Manual*, Cold Spring Harbor Laboratory (1982).
 Muss et al. *N. Engl. J. Med.* 330, 1260-1266 (1994).
 Osborne, in *Breast Diseases*, Harris, J.R. et al., eds. 2nd ed. J.B. Lippincott, pp. 301-325 (1991).
 Press, *Cancer Res.* 54, 2771-2777 (1994).
 Rilke et al. *Int. J. Cancer* 49, 44-49 (1991).
 Ro et al. *Cancer Res.* 49, 6941-6944 (1989).
 Rubin et al. *Am. J. Obstet. Gynecol.* 168, 162-169 (1993).
 Schecter et al. *Science* 229, 976-978 (1985).
 Scott et al., *J. Biol. Chem.* 266, 14300-14305 (1991).
 Semba et al. *PNAS, USA* 82, 6497-6501 (1985).
 Slamon et al. *Cancer Cells* 7, 371-384 (1989).
 Slamon et al. *Science* 235, 177-182 (1987).
 Slamon et al. *Science* 244, 707-712 (1989).
 Van de Vijver et al. *Cancer Cells* 7, 385-391 (1989).
 Van de Vijver et al. *N. Engl. J. Med.* 319, 1239-1245 (1988).
 Walker et al. *Brit. J. Cancer* 60, 426-429 (1989).
 Wright et al. *Cancer Res.* 49, 2087-2090 (1989).
 Zhou et al. *Oncogene* 4, 105-108 (1989).
 Zola, *Monoclonal Antibodies: A Manual of Techniques*, CRC Press, Boca Raton, FL (1987).

Primary Examiner—Anthony C. Caputa
Attorney, Agent, or Firm—Robert B. Winter; Steven M. Odre; Ron K. Levy

[57] **ABSTRACT**

Anti-p185^{HER-2/neu} antibodies which are useful in the detection of HER-2/neu oncogene overexpression in biological samples are described. The antibodies are accurate and reliable in immunocytochemical or immunohistochemical assays of cell and tissue samples. Also described are methods for detecting HER-2/neu oncogene expression in a biological sample using the antibodies of the invention and a diagnostic kit comprising the antibodies. The reagents provide an accurate means of identifying certain cancer patients who have the greatest probability of relapse and/or the least likelihood of survival.

13 Claims, 6 Drawing Sheets

FIG. 1A

10 20 30 40 50 60
150-1 150-3
TCTAGAAGGAGGAATAACATATGCTCCAGCGTCTGCGTATTGTACGTGGTACCCAGCTCT
AGATCTTCCTCCTTATTGTATACGAGGTCGCAGACGCATAACATGCACCATGGGTGAGA

70 80 90 100 110 120
150-5 150-7
TCGAAGATAACTACGCACTGGCTGTACTGGACAACGGTGATCCTCTGAACAAACCCACTC
AGCTTCTATTGATGCGTGACCGACATGACCTGTTGCCACTAGGAGACTTGTGTGGTGAG

130 140 150 160 170 180
150-9 150-11
CGGTAAC TGGTGCTTCTCCTGGCGGTCTGCGTGAAC TGCAGCTCCGTAGCTTGACTGAAA
GCCATTGACCACGAAGAGGACCGCCAGACGCACCTTGACGTCGAGGCATCGAACTGACTTT

190 200 210 220 230 240
150-13 150-15 150-17
TCCTCAAAGGTGGCGTACTGATCCAGCGTAACCCTCAGCTGTGCTATCAGGATACTATCC
AGGAGTTTCCACCGCATGACTAGGTGCGCATTGGGAGTCGACACGATAGTCCATGATAGG

250 260 270 280 290 300
150-19 150-21 150-23
TGTGGAAAGACATCTTCCACAAGACAACCAGCTGGCTCTGACTCTGATCGACACCAACC
ACACCTTTCTGTAGAAGGTGTTCTTGTGGTTCGACCGAGACTGAGACTAGCTGTGGTTGG

310 320
GTTCTCGAGCTTAATAGGATCC
CAAGAGCTCGAATTATCCTAGG

FIG. 1B

Met Leu Gln Arg Leu Arg Ile Val Arg Gly Thr Gln Leu Phe
Glu Asp Asn Tyr Ala Leu Ala Val Leu Asp Asn Gly Asp Pro
Leu Asn Asn Thr Thr Pro Val Thr Gly Ala Ser Pro Gly Gly
Leu Arg Glu Leu Gln Leu Arg Ser Leu Thr Glu Ile Leu Lys
Gly Gly Val Leu Ile Gln Arg Asn Pro Gln Leu Cys Tyr Gln
Asp Thr Ile Leu Trp Lys Asp Ile Phe His Lys Asn Asn Gln
Leu Ala Leu Thr Leu Ile Asp Thr Asn Arg Ser Arg Ala

FIG. 2A

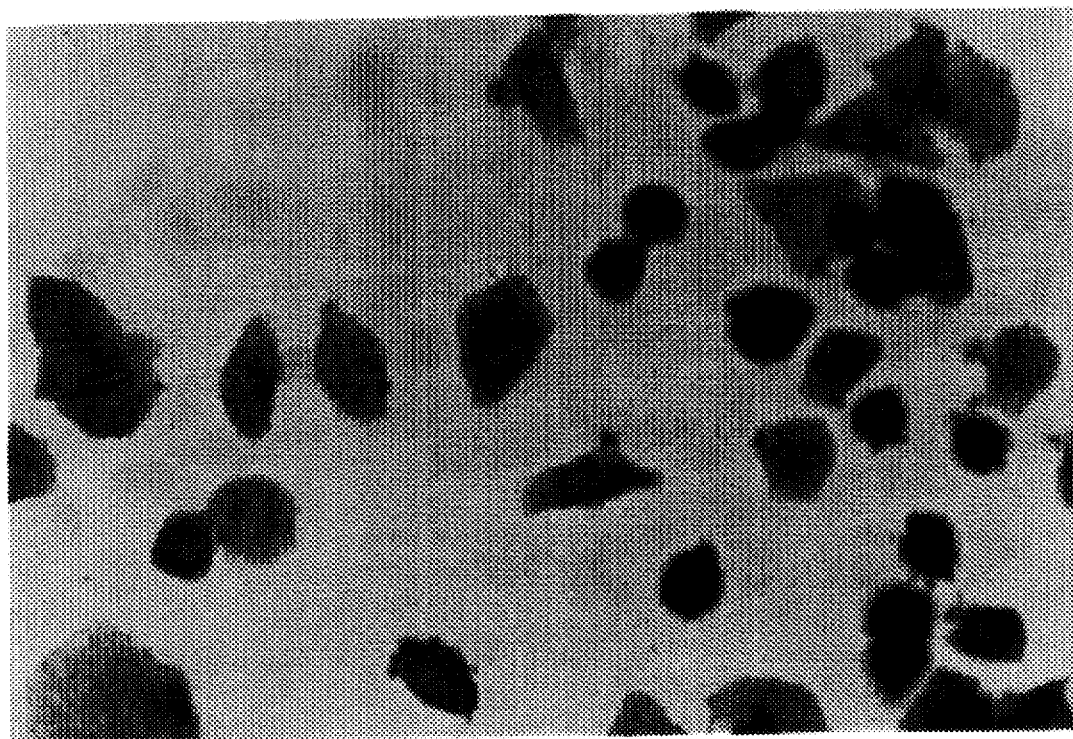


FIG. 2B

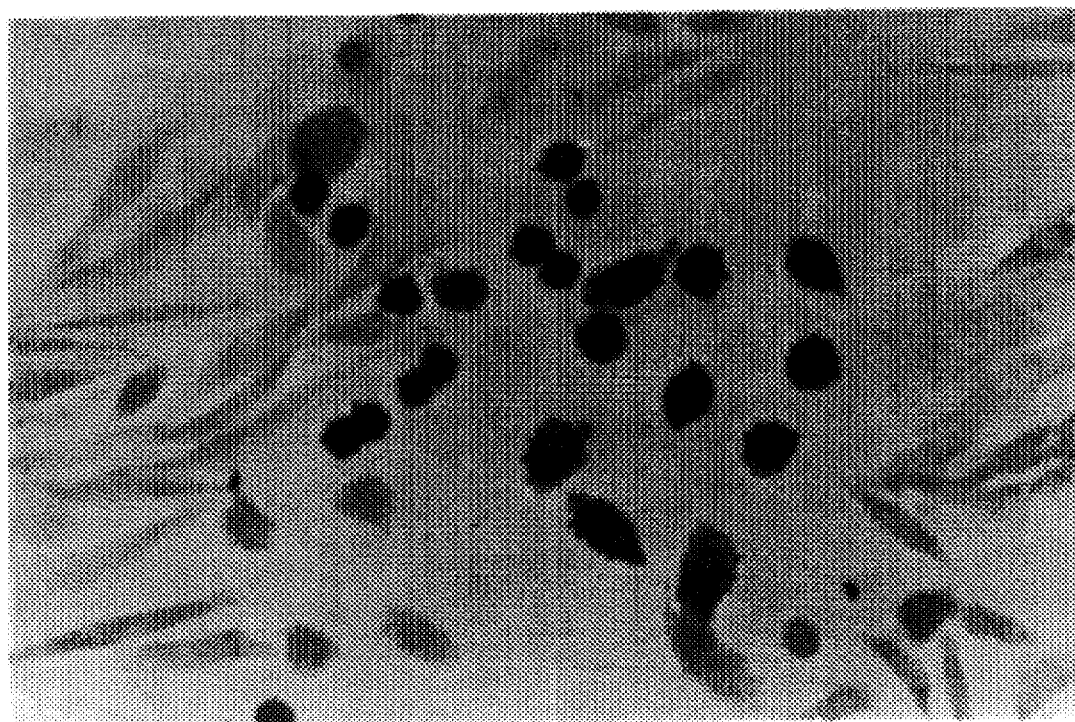
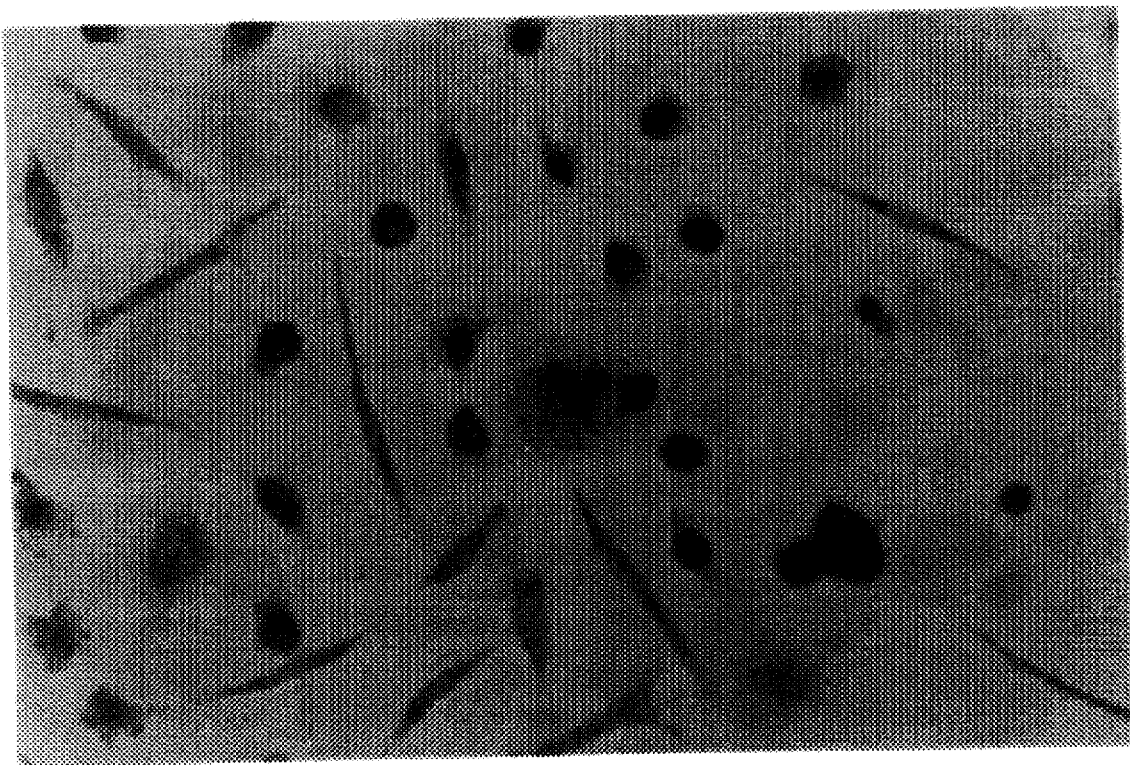


FIG. 2C



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