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(12) **United States Patent**
Ashley

(10) **Patent No.:** **US 8,603,506 B2**
(45) **Date of Patent:** ***Dec. 10, 2013**

(54) **METHODS OF TREATING ACNE**

FOREIGN PATENT DOCUMENTS

- (75) Inventor: **Robert A. Ashley**, Newtown, PA (US)
- (73) Assignee: **Galderma Laboratories, Inc.**, Fort Worth, TX (US)
- (*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 70 days.

This patent is subject to a terminal disclaimer.

EP	0 410 099 A1	1/1991
JP	A-5-509288	12/1993
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WO	WO 00/28983	5/2000
WO	WO 00/07601	2/2001
WO	WO 00/18230	4/2011

(21) Appl. No.: **13/277,789**

(22) Filed: **Oct. 20, 2011**

(65) **Prior Publication Data**

US 2012/0108552 A1 May 3, 2012

Related U.S. Application Data

- (60) Continuation of application No. 11/876,478, filed on Oct. 22, 2007, now Pat. No. 8,052,983, which is a continuation of application No. 10/757,656, filed on Jan. 14, 2004, now abandoned, which is a division of application No. 10/117,709, filed on Apr. 5, 2002, now Pat. No. 7,211,267.
- (60) Provisional application No. 60/325,489, filed on Sep. 26, 2001, provisional application No. 60/281,916, filed on Apr. 5, 2001.

- (51) **Int. Cl.**
A61K 8/02 (2006.01)
A61K 31/74 (2006.01)
- (52) **U.S. Cl.**
USPC **424/401; 424/78.05**
- (58) **Field of Classification Search**
None
See application file for complete search history.

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Primary Examiner — Susan Tran
(74) *Attorney, Agent, or Firm* — Hoffmann & Baron, LLP

(57) **ABSTRACT**

A method of treating acne in a human in need thereof comprising administering systemically to said human a tetracycline compound in an amount that is effective to treat said human has substantially no antibiotic activity and is a bisphosphonate compound.

Dr. Reddy's Laboratories, Ltd., et al.
v.
Galderma Laboratories, Inc.
IPR2015-_____

20 Claims, 1 Drawing



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(58) **Field of Classification Search**
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(57) **ABSTRACT**

A method of treating acne in a human in need thereof comprising administering systemically to said human a tetracycline compound in an amount that is effective to treat acne but has substantially no antibiotic activity, without administering a bisphosphonate compound.

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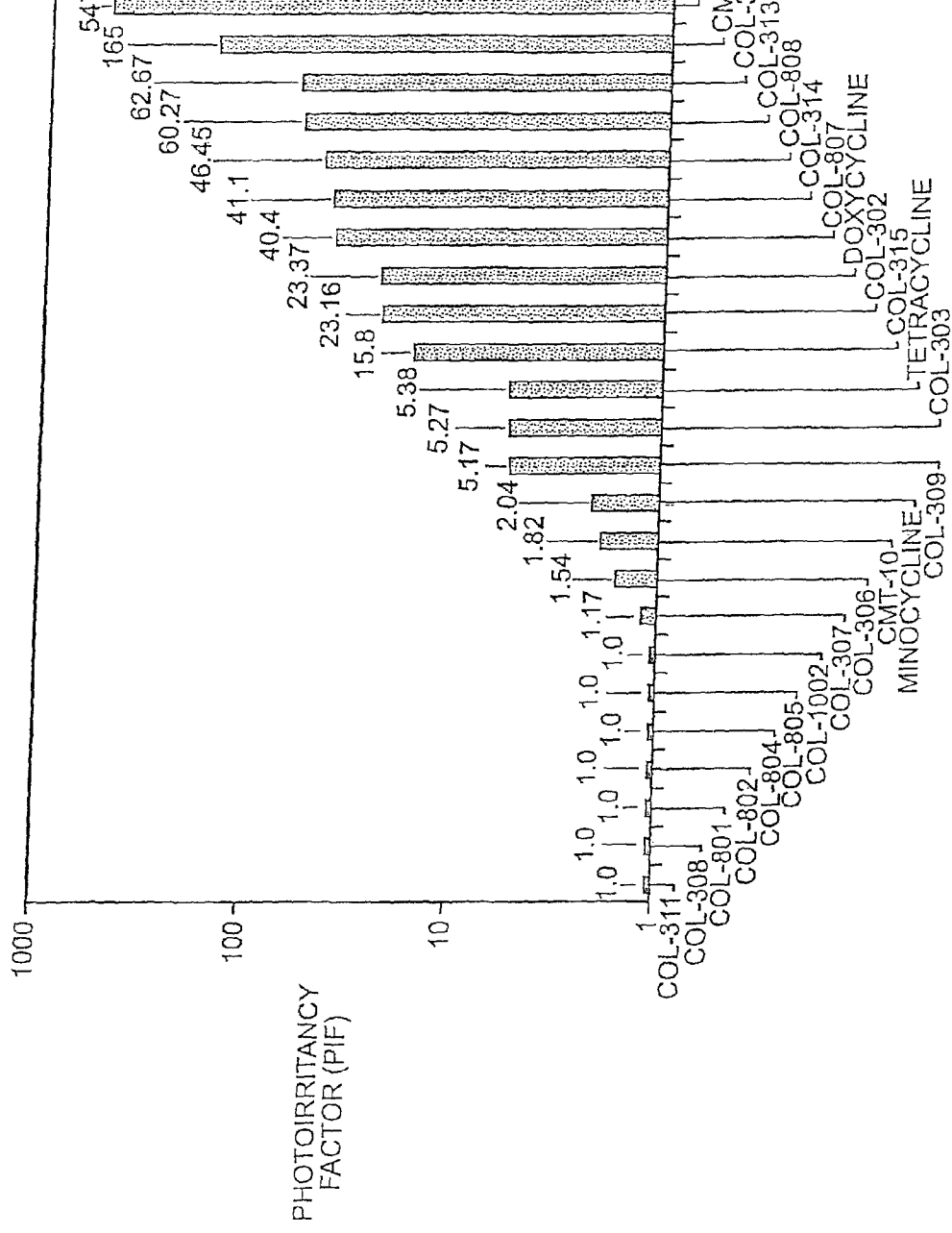
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The Research Foundation of State University of New York; New York University; Galderma Laboratories, Inc; Galderma Laboratories, L.P.; and *Supernus Pharmaceuticals v. Mylan Pharmaceuticals Inc.* (Civ. No. 09-184-LPS) and *Mylan Pharmaceuticals Inc. v. The Research Foundation of State University of New York; New York University; Galderma Laboratories, Inc; Galderma Laboratories, L.P.; and Supernus Pharmaceuticals* (Civ. No. 10-892-LPS), Opinion, U.S. District Court for the District of Delaware, Case 1:09-cv-00184-LPS, Document 278, filed Aug. 26, 2011, pp. 1-77.

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PHOTOOTOXICITY INDEX



Exh.

1

METHODS OF TREATING ACNE

CROSS-REFERENCE TO RELATED APPLICATION

This application is a continuation of U.S. application Ser. No. 11/876,478, filed on Oct. 22, 2007 now U.S. Pat. No. 8,052,983, allowed, which is a continuation of U.S. application Ser. No. 10/757,656, filed on Jan. 14, 2004, abandoned, which is a divisional application of U.S. application Ser. No. 10/117,709, filed on Apr. 5, 2002, now U.S. Pat. No. 7,211,267, which claims the benefit of U.S. Provisional Application No. 60/281,916, filed Apr. 5, 2001, and U.S. Provisional Application No. 60/325,489, filed Sep. 26, 2001. All of the aforementioned applications are incorporated herein by reference in their entireties.

BACKGROUND OF THE INVENTION

Acne is a common disease characterized by various types of lesions. The areas affected typically are areas of the skin where sebaceous glands are largest, most numerous, and most active. The lesions associated with acne are usually categorized as either non-inflammatory or inflammatory.

Non-inflammatory lesions include comedones. Comedones appear in two forms, open and closed. Comedones are thought to arise from abnormal follicular differentiation. Instead of undergoing shedding and discharge through the follicular orifice, abnormal desquamated cells (keratinocytes) become unusually cohesive, forming a micro-comedo or a microscopic hyperkeratotic plug in the follicular canal. The progressive accumulation of these microcomedones lead to visible comedones.

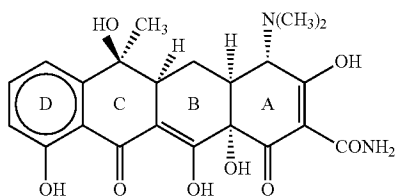
In its mildest form, acne is a more or less superficial disorder characterized by slight, spotty skin irritations. In such cases, ordinary skin hygiene is typically a satisfactory treatment. In the more inflammatory types of acne, however, pustules; infected cysts; and in extreme cases, canalizing, inflamed and infected sacs appear. Without effective treatment, these lesions may become extensive and leave permanent, disfiguring scars.

Microorganisms, especially *Propionibacterium acnes*, are strongly implicated in the pathogenesis of acne. The microorganisms are thought to release microbial mediators of inflammation into the dermis or trigger the release of cytokines from ductal keratinocytes.

Accordingly, the efficacy of antibiotics in treating acne is thought to be due, in significant part, to the direct inhibitory effect of the antibiotics on the growth and metabolism of these microorganisms. Systemically-administered tetracycline antibiotics, especially minocycline hydrochloride, are particularly effective in treating acne.

The tetracyclines are a class of compounds of which tetracycline is the parent compound. Tetracycline has the following general structure:

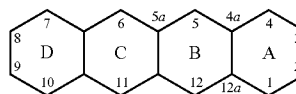
Structure A



2

The numbering system of the multiple ring nucleus is as follows:

5



Structure B

10

Tetracycline, as well as the 5-hydroxy (oxytetracycline, e.g. Terramycin) and 7-chloro (chlorotetracycline, e.g. Aureomycin) derivatives, exist in nature, and are all well known antibiotics. Semisynthetic derivatives such as 7-dimethylaminotetracycline (minocycline) and 6 α -deoxy-5-hydroxytetracycline (doxycycline) are also known tetracycline antibiotics. Natural tetracyclines may be modified without losing their antibiotic properties, although certain elements of the structure must be retained to do so.

In addition to the direct antibiotic activity of tetracyclines, further activities of antibiotic tetracyclines have been investigated for possible therapeutic effects on acne.

For example, a study by Elewski et al., *J. Amer. Acad. Dermatol.*, 8:807-812 (1983) suggests that acne therapy, consisting of orally-administered tetracycline at a total daily dose of 1000 mg, may have therapeutic anti-inflammatory effects in addition to antibiotic effects. In particular, it was found that the anti-inflammatory effect of tetracycline was, at least in part, due to inhibition of neutrophil chemotaxis induced by bacterial chemotactic factors.

A more recent study, performed by Eady et al., *J. Invest. Dermatol.*, 101:86-91 (1993), evaluated the effects of oral minocycline or tetracycline therapy on the cytokine and microflora content of open comedones in acne patients. The total daily dose of minocycline administered was 100 mg. The total daily dose of tetracycline administered was 1000 mg.

Eady et al. found that the therapies upregulated the production of bioactive IL-1 α -like material and immunochemical IL-1 β . IL-1 is considered to be a pro-inflammatory cytokine.

Accordingly to Eady et al., no overall decrease in the numbers of propionibacteria/mg of comedonal material was found. It is important to note, however, that the numbers of propionibacteria/mg of comedonal material are not expected to decrease in response to antibiotic therapy. Since the bacteria within comedones are encapsulated by the follicle, they are not susceptible to antibiotic treatment.

Another possible activity of tetracyclines in acne therapy was investigated by Bodokh, I., et al., *Acta. Derm. Venerol.*, 77:255-259 (1997). Their study was designed to evaluate the action of minocycline on sebaceous excretion in acne patients. A 100 mg daily dose of minocycline was administered. A subclinical increase in seborrhoea was reported. The authors propose that minocycline induces an increase in seborrhoea via a reduction in ductal obstruction. The mechanism by which the ductal obstruction is reduced is proposed to be a reduction in ductal irritation. The authors suggest that the reduction of ductal irritation is due to minocycline's direct effect on *P. acnes*, or minocycline's effect on the lipase produced by *P. acnes*.

Bodokh et al. also found that during treatment no correlation exists between seborrhoea intensity and clinical severity of acne. The authors state that the lack of correlation shows that seborrhoea is pathogenic because it is the "culture medium" of *P. acnes*. Thus, it can be concluded that the

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