

## PCT

÷.,

Ser 5

DOCKET

Δ

RM

Δ

WORLD INTELLECTUAL PROPERTY ORGANIZATION International Bureau

### INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

| (51) International Patent Classification <sup>6</sup> :  |   | (11) International Publication Number: WO 98/03174   |
|--|---|--|
| A61K 31/445  | A1  | (43) International Publication Date: 29 January 1998 (29.01.98   |
| (21) International Application Number: PCT/US<br>(22) International Filing Date: 14 July 1997 (  | 97/121:                                     | <ul> <li>(81) Designated States: AL, AM, AT, AU, AZ, BB, BG, BR, BY<br/>CA, CH, CN, CZ, DE, DK, EE, ES, FI, GB, GE, HU</li> <li>IL, IS, JP, KE, KG, KP, KR, KZ, LK, LR, LS, LT, LU</li> <li>LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO<br/>RU, SD, SE, SG, SI, SK, TJ, TM, TR, TT, UA, UG, UZ</li> </ul> |
| (30) Priority Data:<br>60/022,863 24 July 1996 (24.07.96)<br>(71) Applicant: BRISTOL-MYERS SQUIBB CO<br>[US/US]: P.O. Box 4000. Princeton, NJ 08543-400  | U<br>MPAN                                   | VN, ARIPO patent (GH, KE, LS, MW, SD, SZ, UG, ZW)<br>S Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM)<br>European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB<br>GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ<br>CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).                               |
| (72) Inventor: FIRESTONE, Raymond, A.; 59 Barne<br>Stamford, CT 06902 (US).  | es Road                                     | , Published<br>With international search report.   |
| (74) Agents: RODNEY, Burton et al.; Bristol-Myers Squil<br>pany, P.O. Box 4000, Princeton, NJ 08543-4000 (1  | bb Con<br>US).                              | -  |
|  |   |  |
|  |   |  |
| · · · · · · · · · · · · · · · · · · ·  |   |  |
| (54) Title: METHOD FOR TREATING TUMORS HAVIN   | NG HIC                                      | H LDL REQUIREMENTS EMPLOYING MTP INHIBITORS  |
| A method is provided for treating hematologic iumors<br>having high LDL requirements employing a delipidating a<br>ddition, a method is provided for treating tumors of the ab<br>s certain leukemias, employing a delipidating compound t<br>arried in reconstituted LDL. | s and so<br>gent su<br>pove typ<br>to subst | lid tumors, including certain types of leukemias and metastatic tumors,<br>th as an MTP inhibitor to substantially reduce LDL blood levels. In<br>es having high LDL requirements, especially hematologic tumors such<br>antially remove native LDL, and then administering a cytotoxic agent                |
|  |   |  |
|  |   |  |
|  |   |  |
|  |   |  |
|  |   |  |
|  |   |  |
|  |   |  |

Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

### FOR THE PURPOSES OF INFORMATION ONLY

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

٨L Albania AM Armenia ÅT Austria ΑU Australia AZ Azerbaijan Bosnia and Herzegovina 8A 88 **Barbados** BE Belgium BF Burkina Faso BÇ Bulgaria BJ BR Benin Brazil Ðγ Belarus CA Canada CF Central African Republic CG CH Congo Switzerland Cl Côte d'Ivoire СМ Cameroon CN China CU Cuba CZ Czech Republic DE Germany Denmark DK EB Estonia

Ð

Δ

Spain Finland FR France GA Gabon GB United Kingdom GR Georgia GH Ghana GN Guinca GR Greece ΗU Hungary Ireland larae) Iceland baly Japan KE Kenya KG Kyrgyzstan Democratic People's Republic of Korea KR Republic of Korea KZ Kazakatan Saim Lucia Liechtenstein LK Sri Lanka Liberia

ES

п

IE

IL

IS

IT

JP

KP

LC

u

LR

| Ecs of | panipinets paonsining i |
|--------|-------------------------|
| LS     | Lesotho                 |
| LT     | Lithyania               |
| LU     | Luxembourg              |
| LV     | Latvia                  |
| мс     | Monaco                  |
| MD     | Republic of Moldova     |
| MG     | Madagascar              |
| MK     | The former Yugoslav     |
|        | Republic of Macedonia   |
| ML     | Mali                    |
| MN     | Mongolia                |
| MR ·   | Mauritania              |
| WW     | Malewi                  |
| XN     | Mexico                  |
| NE     | Niger                   |
| NL.    | Netherlands             |
| NO     | Norway                  |
| 17.    | New Zealand             |
| ะ      | Poland                  |
| Υ      | Portugal                |
| 10     | Romania                 |
| RA DR  | Russian Federation      |
| D      | Sudan                   |
| E      | Sweden                  |
| G      | Singapore               |
|        |                         |

| SI   | Slovenia                 |
|------|--------------------------|
| SK   | Slovakia                 |
| SN   | Senegal                  |
| SZ   | Swaziland                |
| TD   | Chad                     |
| TG   | Togo                     |
| TJ 🛛 | Tejikistan               |
| TM   | Turkmenistan             |
| TR   | Turkey                   |
| TT   | Trinidad and Tobago      |
| UA   | Ukraine                  |
| UG   | Uganda                   |
| US   | United States of America |
| U7.  | Uzbekistan               |
| VN   | Vict Nam                 |
| YU   | Yugostavia               |
| Z₩   | Zimbabwe                 |
|      |                          |

Find authenticated court documents without watermarks at docketalarm.com.

#### WO 98/03174

### METHOD FOR TREATING TUMORS HAVING HIGH LDL REQUIREMENTS EMPLOYING MTP INHIBITORS

### Field of the Invention

The present invention relates to a method for treating cancers having high LDL requirements employing a delipidating agent, which preferably is an MTP inhibitor, alone or in combination with a cytotoxic agent.

10

DOCKET

5

### Background of the Invention

It is known that cancer cells need cholesterol to make new cell membrane. The cholesterol is supplied by either de novo synthesis

15 or from low-density lipoprotein (LDL), or both, Firestone, R.A. et al, "Selective Delivery of Cytotoxic Compounds to Cells by the LDL Pathway, J. Med. Chem., 1984, 27, 1037-1043. Firestone et al describe a series of cytotoxic compounds that are 20 compatible with reconstituted LDL and may be delivered with reconstituted LDL against gameers

delivered with reconstituted LDL against cancers that copiously internalize LDL.

Firestone, R.A., "Low-Density Lipoprotein as a Vehicle for Targeting Antitumor Compounds to 25 Cancer Cells", Bioconjugate Chemistry, 1994, 5, pp 105-113, at page 105, in the "Introduction", discusses problems associated with cancer treatment as follows:

"It is difficult to eradicate cancer cells 30 in vivo because they share with normal cells, for the most part, the same biochemical machinery. There is no cytotoxic substance that is completely selective for malignant cells, and all those presently in use cause dose-limiting toxic side

35 effects. For this reason there is a growing emphasis on targeting, i.e., selective delivery of

- 1 -

#### WO 98/03174

DOCKET

drugs to tumors in ways that bypass normal body tissues.

"Among the vehicles that can be used for this purpose is low-density lipoprotein (LDL), a 5 normal blood constituent that is the body's principal means for delivery of cholesterol to tissues. Cholesterol, a major constituent of mammalian cell membranes, is obtained by cells either by making it themselves or by picking it up

- 10 from LDL or both. Cancer cells, like all dividing ones, need large amounts of cholesterol because they are making new membrane. There is ample evidence that many types of cancer cells indeed have unusually great LDL requirements. The
- 15 evidence is 2-fold: measurements of LDL uptake by tumor cells and depletion of LDL in the blood of cancer patients resulting from high uptake by the tumor (vide infra). Thus. if LDL could be made to carry antitumor drugs, it would serve as a
- 20 targeting vehicle. This concept was proposed in 1981-2 (1,2) and has been reviewed several times since then (3-7)."

(1) Gal, D., Ohashi, J., MacDonald, P.C., Buchsbaum, H.J., and Simpson, E.R. (1981) Low25 density lipoprotein as a potential vehicle for chemotherapeutic agents and radionucleotides in the management of gynecologic neoplasms. Am. J. Obstet. Gynecol. 139, 877.

(2) Counsell, R.E., and Pohland, R.C.
30 (1982) Lipoproteins as potential site-specific delivery systems for diagnostic and therapeutic agents. J. Med. Chem. 25, 1115.

(3) van Berkel, T.J.C. (1993) Drug targeting: application of endogenous carriers for
35 site-specific delivery of drugs. J. Controlled Release 24, 145.

- 2 -

WO 98/03174

10

30

35

DOCKET

RM

(4) Vitols, S. (1991) Uptake of lowdensity lipoprotein by malignant cell--possible therapeutic applications. *Cancer Cells 3*, 488.

(5) deSmidt, P.C., and Van Berkel, T.J.C.
5 (1990) LDL-mediated drug targeting. Crit. Revs. Thera. Drug Carrier Syst. 7, 99.

(6) Peterson, C., Masquelier, M., Rudling,
M., Söderberg, K., and Vitols, S. (1991)
Lipoproteins, malignancy and anticancer agents.
Targeted Diagn. Ther. (U.S.) 5, 175.

(7) Catapano, A.L. (1987) Transport of cytotoxic compounds to cells via the LDL receptor pathway. *Med. Sci. Res.* 15, 411.

At page 105 under the topic "LDL

15 Uptake...", Firestone, supra, lists numerous tumor types that have especially high LDL requirements including acute myeloid leukemia (AML), human monocytic (FAB-M5) and myelomonocytic (FAB-M4) leukemias, chronic myeloid leukemia in blast

20 crisis, solid tumors such as epidermoid cervical cancer EC-50, endometrial adenocarcinoma AC-258, gastric carcinoma and parotid adenoma, G2 heptoma, squamous lung cancer, choriocarcinoma, brain tumors such as medulloblastoma, oligodendroglioma, glioma

25 V-251MG, and malignant menigioma, as well as tumor cells that are exceptionally metastatic

(Schroeder, F., Kier, A.B. Olson, C.D., and Dempsey, N.E. (1984) Correlation of tumore metastasis with sterol carrier protein and plasma membrane sterol levels. *Biochem. Biophys. Res.* 

Commun. 124, 283, and

Cambien, F., Ducimetiere, P., and Richard, J. (1980) Total serum cholesterol and cancer mortality in a middle-aged male population. Am. J. Epidemiol. 112, 388),

tumor cells that are exceptionally aggressive (Rudling, M.J., Stahle, L., Peterson,

- 3 -

# DOCKET



# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

# **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

# **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

### LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

## **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

