

US007064197B1

(12) United States Patent

Rabbani et al.

(54) SYSTEM, ARRAY AND NON-POROUS SOLID SUPPORT COMPRISING FIXED OR IMMOBILIZED NUCLEIC ACIDS

- (75) Inventors: Elazar Rabbani, New York, NY (US); Jannis G. Stavrianopoulos, Bayshore, NY (US); Dollie Kirtikar, Fresh Meadows, NY (US); Kenneth H. Johnston, New Orleans, LA (US); Barbara E. Thalenfeld, New York, NY (US)
- (73) Assignee: Enzo Life Sciences, Inc. c/o Enzo Biochem, Inc., Farmingdale, NY (US)
- (*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

- (21) Appl. No.: 08/486,070
- (22) Filed: Jun. 7, 1995

Related U.S. Application Data

- (63) Continuation of application No. 07/967,646, filed on Oct. 28, 1992, now abandoned, which is a continuation of application No. 07/607,347, filed on Oct. 30, 1990, now abandoned, which is a continuation of application No. 07/385,986, filed on Jul. 20, 1989, now Pat. No. 4,994,373, which is a continuation of application No. 06/732,374, filed on May 9, 1985, now abandoned, which is a continuation-in-part of application No. 06/461,469, filed on Jan. 27, 1983, now abandoned.
- (51) Int. Cl.

| C07H 21/04 | (2006.01) |
|------------|-----------|
| C12N 16/11 | (2006.01) |

- (52) U.S. Cl. 536/24.3; 536/25.32

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

| 3.669.841 A | 6/1972 | Miller 195/63 |
|-------------|---------|-----------------------|
| 3,715,278 A | | Miller 195/63 |
| 3,849,137 A | 11/1974 | Barzynski |
| 3,949,064 A | 4/1976 | Bornstein et al 424/1 |
| 4,001,583 A | 1/1977 | Barrett 250/303 |
| 4,041,146 A | 8/1977 | Giaever 424/1 |
| 4,059,685 A | 11/1977 | Johnson 424/12 |
| 4,106,907 A | 8/1978 | Charlton et al. |
| 4,116,638 A | 9/1978 | Kenoff 422/99 |

(10) Patent No.: US 7,064,197 B1

(45) **Date of Patent:** *Jun. 20, 2006

| 8/1979 | Wagner et al 424/1 |
|---------|---|
| 8/1979 | Wagner et al 424/1 |
| 10/1980 | Hevey et al 435/7 |
| 10/1980 | Boguslaski et al 435/7 |
| 11/1980 | Rippe |
| 11/1980 | DeLuca-McElroy 435/8 |
| 2/1981 | Rippe |
| 3/1981 | Rippe |
| 4/1981 | Boguslaski et al 260/326 |
| 5/1981 | Pazos |
| 6/1981 | Bunting 424/1 |
| 7/1981 | Sugiura et al 424/1 |
| 11/1981 | Wahl et al 23/230.3 |
| 1/1982 | Mattiasson et al 435/7 |
| 3/1982 | Boguslaski et al 435/7 |
| 3/1982 | Burd et al 435/7 |
| 3/1982 | Hornby et al 435/7 |
| 11/1982 | Falkow et al 435/5 |
| 2/1983 | Litman et al 435/7 |
| 3/1983 | David et al 436/513 |
| 4/1983 | Boguslaski et al 435/7 |
| 5/1983 | Boguslaski et al 435/7 |
| 7/1983 | Litman et al 435/7 |
| 5/1984 | Self 435/7 |
| 11/1984 | Gillespie et al 435/6 |
| 12/1984 | Ranki et al 436/504 |
| 5/1985 | Fusek |
| 5/1985 | Urdea |
| 8/1985 | Elings |
| | 8/1979 10/1980 10/1980 11/1980 2/1981 3/1981 4/1981 5/1981 6/1981 7/1981 11/1981 11/1982 3/1982 3/1982 3/1982 3/1983 3/1983 5/1983 5/1984 11/1984 12/1984 5/1985 5/1985 |

(Continued)

FOREIGN PATENT DOCUMENTS

P2618419 4/1976

DE.

(Continued)

OTHER PUBLICATIONS

Manuelidis et al. (1982) Journal of Cell Biology, vol. 95, pp. 619-625.*

(Continued)

Primary Examiner—John S. Brusca (74) Attorney, Agent, or Firm—Ronald C. Fedus

(57) ABSTRACT

Nucleic acids are fixed or immobilized to non-porous solid supports (substrates), and include systems containing such supports and arrays with fixed or immobilized nucleic acids. These compositions are useful for nucleic acid analyses and a host of applications, including, for example, detection, mutational analysis and quantification. The non-porous solid supports can be transparent or translucent, and the surfaces can be treated with agents to fix or immobilize the nucleic acids. Such agents include, for example, amine providing compounds, epoxy compounds and acid solutions. The fixed or immobilized nucleic acids can be unlabeled, or labeled with at least one non-radioactive signaling moiety, such as the case when the nucleic acids are double-stranded.

Find authenticated court documents without watermarks at docketalarm.com.

U.S. PATENT DOCUMENTS

| 4,542,102 A | 9/1985 | Dattagupta |
|-------------|----------|-----------------------------|
| 4,562,157 A | 12/1985 | Lowe |
| 4,563,419 A | 1/1986 | Ranki et al 435/6 |
| 4,581,333 A | 4/1986 | Kourilsky et al 435/6 |
| 4,358,535 A | 5/1986 | Falkow et al. |
| 4,656,127 A | 4/1987 | Mundy |
| 4,689,405 A | 8/1987 | Frank |
| 4,711,955 A | 12/1987 | Ward et al 536/29 |
| 4,713,326 A | 12/1987 | Dattagupta |
| 4,724,202 A | 2/1988 | Dattagupta et al 435/6 |
| 4,732,847 A | * 3/1988 | Stuart et al 435/6 |
| 4,824,776 A | 4/1989 | Heller 435/6 |
| 4,973,493 A | 11/1990 | Guire |
| 4,994,373 A | * 2/1991 | Stavrianopoulos et al 435/6 |
| 5,098,825 A | 3/1992 | Tchen et al. |
| 5,241,060 A | 8/1993 | Engelhardt et al 536/27 |
| 5,260,433 A | 11/1993 | Engelhardt et al 536/23.1 |
| 5,328,824 A | 7/1994 | Ward et al 435/6 |
| 5,449,767 A | 9/1995 | Ward et al 563/6 |
| 5,476,928 A | 12/1995 | Ward et al 536/24 |

FOREIGN PATENT DOCUMENTS

| DE | A2724486 | 12/1977 |
|----|-------------|-----------|
| DE | 2915082 | 10/1979 |
| DE | A2915082 | 10/1979 |
| EP | 0046083 | 2/1982 |
| EP | 0 070 687 | 7/1982 |
| EP | 0063879 B | 1 11/1982 |
| EP | 0070685 | 1/1983 |
| EP | 0070687 | 1/1983 |
| EP | 0097373 B | 1 1/1984 |
| EP | 0103197 | 3/1984 |
| GB | 1548741 | 7/1979 |
| GB | A2014727 | 7/1979 |
| GB | 1552607 | 9/1979 |
| GB | 2019408 | * 10/1979 |
| GB | 2019408 A | 10/1979 |
| GB | A2026690 | 2/1980 |
| GB | 2041922 A | 9/1980 |
| GB | 2045239 | 10/1980 |
| GB | 2125946 A | 3/1984 |
| ЈР | 2825090 | 11/1998 |
| WO | WO 83/02276 | 7/1983 |
| WO | WO 83/02286 | 7/1983 |
| WO | WO 8302277 | 7/1983 |
| WO | WO8403564 | 9/1984 |
| | | |

OTHER PUBLICATIONS

Langer et al., "Enzymatic Synthesis of Biotin-Labeled Polynucleotides: Novel Nucleic Acid Affinity Probes," *Proc. Natl. Acad. Sci.* (*USA*), 78 (11):6633-6637 (Nov. 1981).

Ruth et al., "C-5 Substituted Pyrimidine Nucleosides. 1.Synthesis of C-5 Allyl, Propyl, and Propenyl Uracil and Cytosine Nucleosides via Organopalladium Intermediates," *J. Org. Chem.* 43(14):2870-2876 (1978).

Bergstrom et al., "C-5 Substituted Pyrimidine Nucleosides. 2.Synthesis, via Olefin Coupling to Organopalladium Intermediates Derived from Uridine and 2'-Deoxyuridine," *J. Amer. Chem. Soc.* 100(26):8106-8112 (1978).

Bigge et al., "Palladium-Catalyzed Coupling Reactions of Uracil Nucleosides and Nucleotides," J. Amer. Chem. Soc. 102:2033 (1980).

Weetal et al., "Porous Glass for Affinity Chromatography Applications," *Methods in Enzymology*, vol. 34, *Affinity Techniques Enzyme Purification: Part B*, pp. 59-72 (Jakoby, W.B. and Wilchek, M., eds.) (1974). Chard T., An Introduction To Radioimmunoassay And Related Techniques, Elsevier Science Publishers, B.V. (1978).

Grunstein, M., "Colony Hybridization: A Method For The Isolation of Cloned DNAs That Contain A Specific Gene," *Proc. Natl. Acad. Sci.* (USA) 72:3961-3965 (1975).

Stavrianopoulos et al., "Glycosylated DNA Probes For Hybridization/ Detection of Homologous Sequences," presented at the Third Annual Congress For Recombinant DNA Research (1983).

Singer et al., "Actin Gene Expression Visualized In Chicken Muscle Tissue Culture by Using *In Situ* Hybridization With A Biotinated Nucleotide Analog," *Proc. Nat'l Acad. Sci* (USA) 79:7331-7335 (1982).

Kennell, "Principles and Practices of Nucleic Acid Hybridization," *Progr. Nuc. Acid. Res. Mol. Biol.*, vol. 11, pp. 259-262 (1971).

Alberts et al., *Molecular Biology of the Cell*, Garland Publishers, New York and London (1983), p. 719.

Hood et al., *Immunology*, Benjamin/Cummings Publishing Co., Inc. Menlo Park, CA (1978), p. 142.

Schuurs et al., "Enzyme Immunoassay," *Clinica Chimica Acta 81*:1-40 (1977).

Langer-Sofer et al., "Immunological method for mapping genes on Drosophila polytene chromosomes," *Proc. Natl. Acad. Sci. (USA)* 79:4381-4385 (Jul. 1982).

Guesdon et al., "The Use of Avidin-Biotin Interaction in Immunoenzymatic Techniques," *Journal of Histochemistry* and Cytochemistry 27(8):1131-1139 (1979).

Bauman et al., "A new method for fluorescence microscopical localization of specific DNA sequences by in situ hybridization of fluorochrome-labelled RNA," *Exp. Cell Res. 128*:485-490 (1980).

Avrameas et al., "Enzyme immunoassay for the measurement of antigens using peroxidase conjugates," *Biochemie* 54:837-842 (1972).

John et al., "RNA-DNA Hybrids at the Cytological Level," *Nature 223*: 582-587 (1969).

Benton, W.D. and David, R.W., "Screening Agt recombinant clones by hybridization to single plaques in situ," *Science 196*: 180 (1977).

Leary, Brigati and Ward, "Rapid and sensitive colorimetric method for visualizing biotin-labeled DNA probes hybridized to DNA or RNA immobilized on nitrocellulose: Bioblots," *Proc. Natl. Acad. Sci* (USA) 80: 4045-4049 (Jul. 1983).

Avrameas and Guilbert," Enzyme-immunoassay for the measurement of antigens using peroxidase conjugates," *Biochimie 54*: 837-842 (1972).

Bauman et al., "Rapid and High Resolution Detection of *in situ* Hybridization to Polytene Chromosomes Using Fluorochrome-Labeled RNA." *Chromosoma (Berl.)* 84: 1-18 (1981).

Bildwell et al., "Enzyme Immunoassays for Viral Diseases," *J. Infectious Disease: 136*: S274-S278 (1977).

Broker et al., "Electron Microscopic Visualization of tRNA genes with Ferritin-Avidin: Biotin Labels," *Nucl. Acids Res.*, 5(2): 363-384 (1978).

Engvall and Perlmann, "Enzyme-linked immunosorbent assay (ELISA) Quantitative assay of immunoglobulin G," *Immunochem 8*: 871-874 (1971).

Fertel R. and Weiss, B., Methods in Enzymol. vol. LV II,

Hamaguchi et al., "Enzyme-Linked Sandwich Immunoassay of Macromolecular Antigens Using the Rabbit Antibody-Coupled Glass Rod as a Solid Phase," *Eur. J. Biochem.* 7: 459-467 (1976) and *FEBS Letters:* 69(1): 11-14 (1976).

Hofmann et al., "Iminobiotin Affinity Columns and Their Application to Retrieval of Streptavidin", *Proc. Natl. Acad. Sci. USA*, 77, No. 8, pp. 4666-4668 (1980).

Miranda, Q.R., et al., "Solid-Phase Enzyme Immunoassay for Herpes Simplex Virus," *J. Infectious Disease 136*: S304-S310 (Oct., 1977).

Langer and Ward, Abstract 1153: A Rapid and Sensitive Immunological Method for *In Situ* Gene Mapping in *Journal* of Supramolecular Structure and Cellular Biology, (1981). Langer and Ward, "A Rapid and Sensitive Immunological Method for In Situ Gene Mapping," in *Developmental Biology Using Purified Genes*, ed. D.D. Brown, Academic Press, pp. 647-658 (1981).

Mosback, K., et al., "immobilized Coenzymes," *Methods in Enzymology*, vol. XLIV: 859-887 (1976).

Nishimura et al. "Synthetic Nucleosides and Nucleotides: 5-Dimethylamino-2-oxidoisoquinolin-1 yl Diazomethane: A Novel Water Soluble Fluorescent Labelling Agent for Nucleotides," *Chem. Pharm. Bull.*, 28(6): 1695-1703 (1980).

Rosswell, D.F. and White E.H., "The Chemiluminescence of Luminol and Related Hydrazides" in *Methods in Enzymol.* vol. LV II, *Bioluminescence and Chemiluminescence*, DeLuca, M.A. (Ed.) 409-423 (1978).

Schott, H., et al., "A Dihydroxyboryl-Substituted Methacrylic Polymer for the Column Chromatographic Separation of Mononucleotides, Oligonucleotides, and Transfer Ribonucleic Acid," *Biochemistry 12*: 932-937 (1973).

Rudkin and Stollar, "High Resolution Detection of DNA-RNA Hybrids *in situ* by Indirect Immunofluorescence," *Nature*, 265: 472-73 (1977).

Sodja and Davidson, "Gene Mapping and Gene Enrichment by the Avidin-Biotin Interaction: Use of Cytochrome-C as a Polyamine Bridge," *Nucl. Acids. Res*, 5, pp. 385-400 (1978). Voller et al., "Enzyme immunoassays with special reference to ELISA techniques," *J. Clinical Pathology*, 31: 507-520 (1978).

Towbin H. et al., "Electrophoretic transfer of proteins from polyacrylamide gels to nitrocellulose sheets: Procedure and some applications," *Proc. Natl. Acad. Sci* (USA) 76: 4350-4354 (1979).

Weissback, A., and Poonian, M., "Nucleic Acids Attached to Solid Matrices," *Methods in Enzymology*, vol. XXXIV, Part B: 463-475 (1974).

Van Weemen and Schuurs, "Immunoassay Using Antigen-Enzyme Conjugates," *FEBS Letters 15*, No. 3: 232-236 (1971).

Mathews, J.C. and Cormier, M.J., "Rapid Microassay for the Calcium-Dependent Protein Modulator of Cyclic Nucleotide Phosphodiesterase," *Methods in Enzymol.* vol. LV II, *Bioluminescence and Chemiluminescence*, DeLuca, M.A. (Ed.) 107-108 (1978).

"Diagnostic Immunology: Current and Future Trends," *Cap Conference*, Aspen, 1978, p. 67 and 80.

Voller et al., "A microplate method of enzyme-linked immunosorbent assay and its application to malaria," *Bull, W.H.O.*, 51: 209-211 (1974).

Szostak et al., "Hybridization with Synthetic

So, et al., "Characterization of an *Escherichia coli* Plasmid Encoding for the Synthesis of Heat-Labile Toxin: Molecular Cloning of the Toxin Determinant", *Infection and Immunity*, 21: 405-11(1978).

Reiser et al., "Transfer of Small DNA Fragments from Polyacrylamide Gels to Diazobenzyloxymethyl-paper and Detection by Hybridization with DNA Probes," *Biochem. And Biophys. Res. Comm.*, 85, No. 3, pp. 1104-1112 (1978). Mesulam, M. M. and Rosene, D.L., "Sensitivity in Horseradish Peroxidase Neurohistochemistry: A Comparative Study of Nine Methods," *J. Histochem. Cytochem.* 27: No. 3, pp. 763-778 (1979).

Land, D.B. and Jackim, E., "A New Fluorescence-Yielding Substrate for Alkaline and Acid Phosphatase," *Analytical Biochemistry*, 16: 481-486 (1966).

Kochetkov, N.K. et al., *Organic Chemistry of Nucleic Acids*, *Part B*, Kochetkov, N.K., and Budovskii, E.I. (Eds.): 331-332 (1972).

Huang and Pagano, "Nucleic Acid Hybridization Technology and Detection of Proviral Genomes," *Methods in Virology.*, 6: 457-97 (1977).

Fertel R. and Weiss, B., "Measurement of the Activity of Cyclic Nucleotide Phosphodiesterases with Firefly Luciferin-Luciferase Coupled Assay Systems," *Methods in Enzymol.* vol. LVII, *Bioluminescence and Chemiluminescnece*, DeLuca, M.A. (Ed.) 94-96 (1978).

Dallas et al. "The Characterization of an *Escherichia coli* Plasmid Determinant That Encodes for the Production of a Heat-Labile Enterotoxin," *Plasmids of Medical Environmental and Commercial Importance*, K.N. Timmis and A. Puhler, editors, Elservier/North-Holland Biomedical Press (1979).

Hofmann et al., "Characterization of the Functional Groups of Bioten", *J. Biol. Chem.*, 141, 207-11 (1941).

Elisa: In The Clinical Microbiology Laboratory, ed. T. G. Wreghitt and P. Morgan-Capner, Chapter 1, p. 9, 1990.

Dallas and Falkow, "Molecular and Genetic Analysis of a DNA sequence Encoding for Enterotoxin Synthesis in *Escherichia coli*," *Thriteenth Joint Conference on Cholera*, The U.S.—Japan Cooperative Medical Science Program (1977).

Stuart, W.D., et al., "Location of the 18/28S ribosomal RNA genes in two Hawaiian *Drosophila* species by monoclonal immunological identification of RNA-DNA hybrids *in situ*," Proc. Natl. Acad. Sci. USA 78:3751-3754 (1981).

Haugen et al., Monoclonal antibody to aflatoxin B1-modified DNA detected by enzyme immunoassay, PNAS, 78, pp. 4124-4127 (1981).

Vogelstein, B. and Gillespie, D., Preparative and Analytical Purification of DNA From Agarosa, Proc. Natl. Acad. Sci. USA vol. 76, No. 2, pp. 615-619, Feb. 1979.

Munns and Liszewski, "Antibodies specific for Modified Nucleosides et al.," Progr. Nucl. Acid Res. & Molec. Bio., Academic Press, Inc., vol. 24, pp. 109-165 (1980).

Nagata et al., "Quantification of picogram levels of specific DNA immobilized in microtiter wells," FEBS, 183, pp. 379-382 (Apr. 1985).

Sedlacek, H. et al., A New Method for Fluorescence Immunoassay Using Plane Surface Solid Phases (FIAPS), J. Immun. Methods, 26, (1979) 11-24.

Van Der Laken et al., "Measurement of O6-ethyldeoxyguanosine and N-(deoxyguanosin-8-yl)-N-

Find authenticated court documents without watermarks at docketalarm.com.

Joseph Gall and Mary Lou Perdue, Formation and Detection of RNA-DNA Hybrid Molecules in Cytological Preparations, Genetics, 63: 378-383, Mar. 1969.

Buongiorno-Nardelli, M. and Amaldi, F., Autoradiographic Detection of Molecular Hybrids Between rRNA and DNA in Tissue Sections, Nature, vol. 225, Mar. 7, 1970.

Ueda R. et al., Serological Analysis of Cell Surface Antigens of Null Cell Acute Lymphocytic Leukemia by et al., Proc. Natl. Acad. Sci. USA, vol. 79, pp. 4386-4390, Jul. 1982.

Method in Nucleic Acid Research, "DNA-DNA Hybridization", Kyoritsu Shuppan Co., Ltd., 1973, pp. 60-67 and 242. English Translation for Method in Nucleic Acid Research, "DNA-DNA Hybridization", Kyoritsu Shuppan Co., Ltd., 1973, pp. 60-67 and 242.

Dictionary of Biochemistry, Tokyo Kagaku Doujin, 1984, pp. 727, 507, 450 and one other page.

English Translation for Dictionary of Biochemistry, Tokyo Kagaku Doujin, 1984,pp. 727, 507, 450 and one other page. Mage M.G. et al, *Journal of Immunological Methods* 15:47-56 (1977).

Wysocki L.J. and Sato, V.L., *Proc.Natl.Acad.Sci* (USA) 75(6):2844-2848 (Jun. 1978).

Landreth K.S. et al., *roc.Natl.Acad.Sci* (USA) 79:2370-2374 (1982).

Bunemann H. et al., *Nucleic Acids Research* 10(22):7163-7180 (1982).

Bunemann H., Nucleic Acids Research 10(22):7181-7196 (1982).

Beltz G.A. et al., Methods in Enzymology 100:266-285 (1983).

Kafatos F.C et al., *Nucleic Acids Research* 7(6): 1541-1552 (1979).

Masiakowski P. et al., Nucleic Acids Research 10(24):7895-7903 (1982).

Sim G.K. et al., Cell 18:1303-1316 (1979).

DOCKE.

RM

Frank R. et al., *Nucleic Acids Research 11*(13):4365-4377 (1983).

Calva E. et al., *The Journal of Biological Chemistry* 255(22):11011-11016 (1980).

Wengler G. et al., Virology 78:124-134 (1977).

Coffin J.M. et al., Cell 13:761-773 (1978).

Manning J.E. et al., Chromosoma (Berl.) 53:107-117 (1975).

Manning J. et al., Biochemistry 16(7): 1364-1370 (1977).

Maxam, A.M. and Gilbert, W., *Methods in Enzymology* 65:499-560 (1980).

Sanger, F. et al., Proc. Natl. Acad. Sci (USA) 74(12):5463-5467 (1977).

Amit B. et al., Journal of Organic Chemistry 39(2): 192-196 (1974).

Amit B. et al., *Israel Journal of Chemistry 12*(1-2): 103-113 (1974).

Barltrop J.A. et al., *Chemical Communications* 22:822-823 (1966).

Flanders D.C. and Smith, H.I., *Applied Physics Letters* 31(7):426-428 (1977).

Krile T.F. et al., Applied Optics 18(1):52-56 (1979).

Ohtsuka E. et al., *Nucleic Acids Research 1*(10):1351-1357 (1974).

Patchornik A. and Amit B., *Journal of the American Chemical Society* 92:6333-6335 (1970).

Pillai V.N.R., *Synthesis* (International Journal of Methods in Synthetic Organic Chemistry Chemistry), Schill, G. et al., eds., Georg Thieme Verlag publishers, Stuttgart and New York, pp. 1-26, published 1980.

Zehavi U. et al., Journal of Organic Chemistry 37(14):2281-2285 (1972).

Seed B., Nucleic Acids Research 10(5):1799-1810 (1982).

* cited by examiner

5

SYSTEM, ARRAY AND NON-POROUS SOLID SUPPORT COMPRISING FIXED OR IMMOBILIZED NUCLEIC ACIDS

CROSS-REFERENCE TO OTHER RELATED APPLICATIONS

This is a continuation application of U.S. Patent Application Ser. No. 07/967,646, filed on Oct. 28, 1992, now abandoned, which application is a continuation application 10 stances in biological and non-biological samples has become of U.S. Patent Application Ser. No. 07/607,347, filed on Oct. 30, 1990, also abandoned. Ser. No. 07/607,347 is a continuation of U.S. Patent Application Ser. No. 07/385,986, filed on Jul. 20, 1989, now U.S. Pat. No. 4,994,373 issued on Feb. 19, 1991. Ser. No. 07/385,986 is a continuation of U.S. 15 Patent Application Ser. No. 06/732,374, filed on May 9, 1985, also abandoned, which application is a continuationin-part of U.S. Patent Application Ser. No. 06/461,469, filed on Jan. 27, 1983, also abandoned.

TECHNICAL FIELD OF INVENTION

The present invention relates generally to the detection of genetic material by polynucleotide probes. More specifically, it relates to a method for quantifiably detecting a 25 targeted polynucleotide sequence in a sample of biological and/or nonbiological material employing a probe capable of generating a soluble signal. The method and products disclosed herein in accordance with the invention are expected to be adaptable for use in many laboratory, industrial, and 30 medical applications wherein quantifiable and efficient detection of genetic material is desired.

BACKGROUND OF THE INVENTION

In the description, the following terms are employed: Analyte—A substance or substances, either alone or in admixtures, whose presence is to be detected and, if desired, quantitated. The analyte may be a DNA or RNA molecule of small or high molecular weight, a molecular complex 40 including those molecules, or a biological system containing nucleic acids, such as a virus, a cell, or group of cells. Among the common analytes are nucleic acids (DNA and RNA) or segments thereof, oligonucleotides, either singleor double-stranded, viruses, bacteria, cells in culture, and the 45 like. Bacteria, either whole or fragments thereof, including both gram positive and gram negative bacteria, fungi, algae, and other microorganisms are also analytes, as well as animal (e.g., mammalian) and plant cells and tissues.

Probe—A labelled polynucleotide or oligonucleotide 50 sequence which is complementary to a polynucleotide or oligonucleotide sequence of a particular analyte and which hybridizes to said analyte sequence.

Label-That moiety attached to a polynucleotide or oligonucleotide sequence which comprises a signalling moiety 55 capable of generating a signal for detection of the hybridized probe and analyte. The label may consist only of a signalling moiety, e.g., an enzyme attached directly to the sequence. Alternatively, the label may be a combination of a covalently attached bridging moiety and signalling moiety or a com- 60 bination of a non-covalently bound bridging moiety and signalling moiety which gives rise to a signal which is detectable, and in some cases quantifiable.

Bridging Moiety-That portion of a label which on covalent attachment or non-covalent binding to a polynucle- 65 ing detection wherein the signalling event is related to the

Signalling Moiety-That portion of a label which on covalent attachment or non-covalent binding to a polynucleotide or oligonucleotide sequence or to a bridging moiety attached or bound to that sequence provides a signal for detection of the label.

Signal—That characteristic of a label or signalling moiety that permits it to be detected from sequences that do not carry the label or signalling moiety.

The analysis and detection of minute quantities of suba routine practice in clinical, diagnostic and analytical laboratories. These detection techniques can be divided into two major classes: (1) those based on ligand-receptor interactions (e.g., immunoassay-based techniques), and (2) those based on nucleic acid hybridization (polynucleotide sequence-based techniques).

Immunoassay-based techniques are characterized by a sequence of steps comprising the non-covalent binding of an antibody and antigen complementary to it. See, for example,

20 T. Chard, An Introduction To Radioimmunoassay And Related Techniques (1978).

Polynucleotide sequence-based detection techniques are characterized by a sequence of steps comprising the noncovalent binding of a labelled polynucleotide sequence or probe to a complementary sequence of the analyte under hybridization conditions in accordance with the Watson-Crick base pairing of adenine (A) and thymine (T), and guanine (G) and cytosine (C), and the detection of that hybridization. [M. Grunstein and D. S. Hogness, "Colony Hybridization: A Method For The Isolation Of Cloned DNAs That Contain A Specific Gene", Proc. Natl. Acad. Sci. USA, 72, pp. 3961-65 (1975)]. Such polynucleotide detection techniques can involve a fixed analyte [see, e.g., U.S. Pat. No. 4,358,535 to Falkow et al], or can involve detection of an analyte in solution [see U.K. patent application 2,019, 408 Al.

The primary recognition event of polynucleotide sequence-based detection techniques is the non-covalent binding of a probe to a complementary sequence of an analyte, brought about by a precise molecular alignment and interaction of complementary nucleotides of the probe and analyte. This binding event is energetically favored by the release of non-covalent bonding free energy, e.g., hydrogen bonding, stacking free energy and the like.

In addition to the primary recognition event, it is also necessary to detect when binding takes place between the labelled polynucleotide sequence and the complementary sequence of the analyte. This detection is effected through a signalling step or event. A signalling step or event allows detection in some quantitative or qualitative manner, e.g., a human or instrument detection system, of the occurrence of the primary recognition event.

The primary recognition event and the signalling event of polynucleotide sequence based detection techniques may be coupled either directly or indirectly, proportionately or inversely proportionately. Thus, in such systems as nucleic acid hybridizations with sufficient quantities of radiolabeled probes, the amount of radio-activity is usually directly proportional to the amount of analyte present. Inversely proportional techniques include, for example, competitive immuno-assays, wherein the amount of detected signal decreases with the greater amount of analyte that is present in the sample.

Amplification techniques are also employed for enhanc-

Find authenticated court documents without watermarks at docketalarm.com.

DOCKET A L A R M



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.