



(12) **United States Patent**
Mantelle

(10) **Patent No.:** **US 9,833,419 B2**
(45) **Date of Patent:** ***Dec. 5, 2017**

(54) **TRANSDERMAL ESTROGEN DEVICE AND DELIVERY**

(71) Applicant: **NOVEN PHARMACEUTICALS, INC.**, Miami, FL (US)

(72) Inventor: **Juan Mantelle**, Miami, FL (US)

(73) Assignee: **NOVEN PHARMACEUTICALS, INC.**, Miami, FL (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.: **14/870,574**

(22) Filed: **Sep. 30, 2015**

(65) **Prior Publication Data**

US 2016/0015655 A1 Jan. 21, 2016

Related U.S. Application Data

(63) Continuation of application No. 14/738,255, filed on Jun. 12, 2015, which is a continuation of application No. 14/024,985, filed on Sep. 12, 2013, now Pat. No. 9,724,310, which is a continuation of application No. 13/553,972, filed on Jul. 20, 2012, now Pat. No. 9,730,900, which is a continuation of application No. 12/216,811, filed on Jul. 10, 2008, now Pat. No. 8,231,906.

(51) **Int. Cl.**

A61K 9/70 (2006.01)
A61K 31/565 (2006.01)
A61K 9/00 (2006.01)
A61K 47/10 (2017.01)
A61K 47/32 (2006.01)

(52) **U.S. Cl.**

CPC **A61K 9/7069** (2013.01); **A61K 9/0014** (2013.01); **A61K 9/7061** (2013.01); **A61K 31/565** (2013.01); **A61K 47/10** (2013.01); **A61K 47/32** (2013.01)

(58) **Field of Classification Search**

None
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

4,390,520 A 6/1983 Nagai et al.
4,494,278 A 1/1985 Kroyer et al.
4,559,222 A 12/1985 Enscore et al.
4,585,836 A 4/1986 Homan et al.
4,591,622 A 5/1986 Blizzard et al.
4,624,665 A * 11/1986 Nuwayser A61K 9/7084 424/448

4,655,767 A 4/1987 Woodard et al.
4,746,515 A 5/1988 Cheng et al.
4,769,028 A 9/1988 Hoffmann et al.

4,915,950 A 4/1990 Miranda et al.
4,938,759 A 7/1990 Enscore et al.
4,983,395 A 1/1991 Chang et al.
4,994,267 A 2/1991 Sablotsky
4,994,278 A 2/1991 Sablotsky et al.
5,151,271 A 9/1992 Otsuka et al.
5,271,940 A 12/1993 Cleary et al.
5,300,291 A 4/1994 Sablotsky et al.
5,350,581 A 9/1994 Kochinke
5,446,070 A 8/1995 Mantelle
5,474,783 A 12/1995 Miranda et al.
5,474,787 A 12/1995 Gray et al.
5,505,956 A 4/1996 Kim et al.
5,567,488 A 10/1996 Allen et al.
5,584,355 A 12/1996 Burns
RE35,474 E 3/1997 Woodard et al.
5,656,286 A 8/1997 Miranda et al.
5,665,377 A 9/1997 Gonella
5,730,999 A 3/1998 Lehmann et al.
5,762,952 A 6/1998 Barnhart et al.
5,837,280 A 11/1998 Kenealy et al.
5,902,603 A 5/1999 Chen et al.
5,904,931 A 5/1999 Lipp et al.
5,906,830 A 5/1999 Farinas et al.
5,928,666 A 7/1999 Farinas et al.
5,958,446 A 9/1999 Miranda et al.
6,024,976 A 2/2000 Miranda et al.
6,156,335 A 12/2000 Rovati et al.
6,221,383 B1 4/2001 Miranda et al.
6,235,306 B1 5/2001 Miranda et al.
6,337,086 B1 1/2002 Kanios et al.
6,562,363 B1 5/2003 Mantelle et al.
6,638,528 B1 * 10/2003 Kanios A61K 9/7069 424/448

6,808,739 B2 10/2004 Sitz et al.
(Continued)

FOREIGN PATENT DOCUMENTS

EP 0 887 075 A2 12/1998

OTHER PUBLICATIONS

Toole et al., "Evaluation of irritation and sensitisation of two 50 µg/day oestrogen patches," *Maturitas*, vol. 43, pp. 257-263, Dec. 2002.
Marty, "New trends in transdermal technologies: Development of the skin patch, Menorest®," *International Journal of Gynecology & Obstetrics*, vol. 52, Suppl. 1, pp. S17-S20, Mar. 1996.
Mantelle, "DOT Matrix® Technology," *Modified-Release Drug Technology*, Rathbone et al., eds., Chapter 30, pp. 405-415, May 28, 2008.
Novartis, "Estraderm®," Prescribing information, Jun. 2004.
Novartis, "Vivelle®," Prescribing information, Jun. 2004.
Novartis, "Vivelle-Dot®," Prescribing information, Jun. 2004.
Bayer Healthcare, "Climara®," Prescribing information, 2007.
3M Pharmaceuticals, "Menostar™," Prescribing information, Jun. 2004.
Watson Pharma, Inc., "Alora®," Prescribing information, May 2005.

(Continued)

Primary Examiner — Melissa Fisher
(74) *Attorney, Agent, or Firm* — Foley & Lardner LLP

(57) **ABSTRACT**

Described are transdermal drug delivery systems for the transdermal administration of estrogen, comprising a polymer matrix and estrogen. Methods of making and using such systems also are described.

(56)

References Cited

U.S. PATENT DOCUMENTS

7,456,159	B2	11/2008	Houze et al.
8,231,906	B2	7/2012	Mantelle
8,343,538	B2	1/2013	Kanios et al.
9,724,310	B2	8/2017	Mantelle
9,730,900	B2	8/2017	Mantelle
2002/0100185	A1	8/2002	Sitz et al.
2003/0099695	A1	5/2003	Mueller
2003/0228354	A1	12/2003	Muraoka et al.
2005/0129749	A1	6/2005	Strauss
2005/0169977	A1	8/2005	Kanios
2005/0202073	A1	9/2005	Jackson et al.
2006/0078602	A1	4/2006	Kanios
2006/0233870	A1	10/2006	Houze et al.
2006/0240087	A1	10/2006	Houze et al.
2009/0041831	A1	2/2009	Miller et al.
2013/0156815	A1	6/2013	Mantelle
2014/0200530	A1	7/2014	Mantelle
2015/0272905	A1	10/2015	Mantelle

OTHER PUBLICATIONS

Serono Laboratories, Inc., "Esclim®," Prescribing information, Aug. 1998.

Office Action dated May 5, 2016 in U.S. Appl. No. 14/024,985 (US 2014-0200530).

Notice of Allowance dated Sep. 15, 2016 in U.S. Appl. No. 14/024,985 (US 2014-0200530).

Notice of Allowance dated Jan. 10, 2017 in U.S. Appl. No. 14/024,985 (US 2014-0200530).

Office Action dated May 5, 2016 in U.S. Appl. No. 13/553,972 (US 2013-0156815).

Notice of Allowance dated Aug. 26, 2016 in U.S. Appl. No. 13/553,972 (US 2013-0156815).

Notice of Allowance dated Dec. 9, 2016 in U.S. Appl. No. 13/553,972 (US 2013-0156815).

Office Action dated Apr. 29, 2016 in U.S. Appl. No. 14/738,255 (US 2015-0272905).

Decision in European Opposition issued on Feb. 14, 2017 in application No. EP 09 790 211.8.

Vaughan, "Using Solubility Parameters in Cosmetics Formulation," *J. Soc. Cosmet. Chem.*, vol. 36, pp. 319-333 (1985).

Sobieski et al., "Silicone Pressure Sensitive Adhesives," *Handbook of Pressure-Sensitive Adhesive Technology*, 2nd ed., pp. 508-517 (D. Satas, ed.), Van Nostrand Reinhold, New York (1989).

"Acrylic Adhesives," *Handbook of Pressure-Sensitive Adhesive Technology*, 2nd ed., pp. 396-456 (D. Satas, ed.), Van Nostrand Reinhold, N.Y. (1989).

Nagai et al., "New Drug Delivery Systems," Kurashiki Printing Co. Ltd., Academic Document 2009-00984-005, published Jan. 31, 2000.

Sekine et al., "New Cosmetic Handbook," Nikko Chemical Co. Ltd., et al., Academic Documents 2008-02180-001, published Oct. 30, 2006.

Novartis Pharmaceuticals Corporation, "Vivelle-Dot® (estradiol transdermal system)," prescription labeling, Aug. 2004.

Benson, "Transdermal Drug Delivery: Penetration Enhancement Techniques," *Current Drug Delivery*, vol. 2, pp. 23-33, 2005.

Feldmann et al., "Percutaneous Penetration of Steroids in Man," *The Journal of Investigative Dermatology*, vol. 52, No. 1, pp. 89-94, 1969.

Schaefer et al., "Contraception via Topical Application? A Review," *Contraception*, vol. 20, No. pp. 225-236, Sep. 1979.

International Preliminary Report on Patentability and Written Opinion dated Apr. 19, 2007.

International Search Report dated Apr. 6, 2005 in application No. PCT/US2004/029789.

"Acrylic and Methacrylic Ester Polymers," *Polymer Science and Engineering*, vol. 1, 2nd ed., pp. 234-269, John Wiley & Sons (1984).

Office Action dated Sep. 9, 2010 by the Examiner in U.S. Appl. No. 12/216,811 (now U.S. Pat. No. 8,231,906).

Office Action dated Jan. 20, 2011 by the Examiner in U.S. Appl. No. 12/216,811 (now U.S. Pat. No. 8,231,906).

Office Action dated Jun. 30, 2011 by the Examiner in U.S. Appl. No. 12/216,811 (now U.S. Pat. No. 8,231,906).

Office Action dated Sep. 13, 2011 by the Examiner in U.S. Appl. No. 12/216,811 (now U.S. Pat. No. 8,231,906).

Office Action dated Nov. 8, 2011 by the Examiner in U.S. Appl. No. 12/216,811 (now U.S. Pat. No. 8,231,906).

Office Action dated May 29, 2012 by the Examiner in U.S. Appl. No. 12/216,811 (now U.S. Pat. No. 8,231,906).

Notice of Allowance dated Jun. 19, 2012 by the Examiner in U.S. Appl. No. 12/216,811 (now U.S. Pat. No. 8,231,906).

Office Action dated Dec. 29, 2010 by the Examiner in U.S. Appl. No. 11/245,084 (now U.S. Pat. No. 8,343,538).

Office Action dated Apr. 14, 2010 by the Examiner in U.S. Appl. No. 11/245,084 (now U.S. Pat. No. 8,343,538).

Office Action dated Jun. 10, 2009 by the Examiner in U.S. Appl. No. 11/245,084 (now U.S. Pat. No. 8,343,538).

Office Action dated Oct. 26, 2011 by the Examiner in U.S. Appl. No. 11/245,084 (now U.S. Pat. No. 8,343,538).

Office Action dated May 13, 2011 by the Examiner in U.S. Appl. No. 11/245,084 (now U.S. Pat. No. 8,343,538).

Office Action dated Jun. 13, 2012 by the Examiner in U.S. Appl. No. 11/245,084 (now U.S. Pat. No. 8,343,538).

Notice of Allowance dated Aug. 22, 2012 by the Examiner in U.S. Appl. No. 11/245,084 (now U.S. Pat. No. 8,343,538).

Office Action dated Apr. 12, 2013 by the Examiner in U.S. Appl. No. 13/553,972 (US 2013/0156815).

Office Action dated Sep. 4, 2013 by the Examiner in U.S. Appl. No. 13/553,972 (US 2013/0156815).

Office Action dated Mar. 5, 2014 by the Examiner in U.S. Appl. No. 13/553,972 (US 2013/0156815).

Office Action dated May 5, 2015 by the Examiner in U.S. Appl. No. 13/553,972 (US 2013/0156815).

Notice of Allowance dated Oct. 2, 2015 by the Examiner in U.S. Appl. No. 13/553,972 (US 2013/0156815).

Office Action dated May 20, 2015 by the Examiner in U.S. Appl. No. 14/024,985 (US 2014/0200530).

Notice of Allowance dated Oct. 2, 2015 by the Examiner in U.S. Appl. No. 14/024,985 (US 2014/0200530).

Office Action dated Aug. 12, 2015 by the Examiner in U.S. Appl. No. 14/738,255 (US 2015/0272905).

Office Action dated Oct. 26, 2015 by the Examiner in U.S. Appl. No. 14/738,255 (US 2015/0272905).

Rietschel et al., "Effects of harvesting techniques on hydration dynamics: gravimetric studies of stratum corneum," *J. Soc. Cosmet. Chem.*, vol. 29, pp. 777-782, Dec. 1978.

Feldstein et al., "Modeling of percutaneous drug transport in vitro using skin-imitating Carbosil membrane," *Journal of Controlled Release*, vol. 52, pp. 25-40, 1998.

Pfister, "Transdermal and Dermal Therapeutic Systems: Current Status," *Transdermal and Topical Drug Delivery Systems*, Ghosh et al., eds., Chapter 2, pp. 33-112, 1997.

Dow Corning, "Dow Corning® BIO-PSA Standard Silicone Adhesives," Product Information, Jul. 28, 2008.

Janisch et al., Email correspondence, Mar. 10, 2016.

Manngold, Apr. 28, 2004 letter to Angela Nwaneri re: Duro-Tak® 87-4287 and 87-2287.

Noven Pharmaceuticals, Inc., Response filed in European application No. 09790211.8 dated Dec. 19, 2014.

Mantelle et al., "Effect of Silicone/Acrylic PSA Blends on Skin Permeation," *Proceed. Int'l. Symp. Control. Rel. Bioact. Mater.*, Jun. 20-23, 1999.

Notice of Allowance dated Mar. 23, 2017 in U.S. Appl. No. 13/553,972 (US 2013/0156815).

(56)

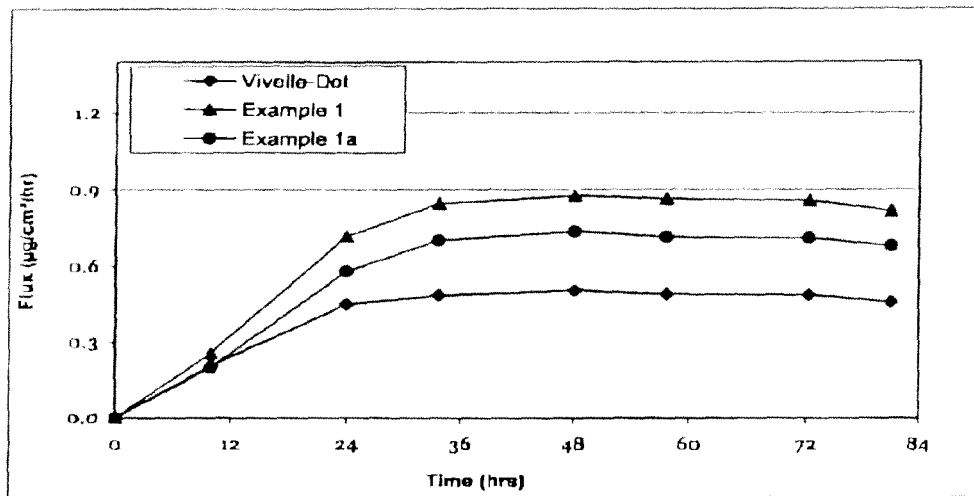
References Cited

OTHER PUBLICATIONS

Notice of Allowance dated Jun. 27, 2017 in U.S. Appl. No. 13/553,972 (US 2013/0156815).

Notice of Allowance dated Jun. 27, 2017 in U.S. Appl. No. 14/024,985 (US 2014/0200530).

* cited by examiner



1

TRANSDERMAL ESTROGEN DEVICE AND DELIVERY

FIELD OF THE INVENTION

Described herein are compositions and methods for the transdermal delivery of estrogen.

BACKGROUND

This invention relates generally to transdermal drug delivery systems, and more particularly, to transdermal drug delivery systems for the delivery of estrogen. The use of a transdermal system, for example, a patch comprising a pressure-sensitive adhesive containing a drug, as a means of delivering drug through the skin is well known. However, there remains a need for transdermal drug delivery systems designed for the delivery of specific drugs, such as estrogen, and there remains a particular need for smaller transdermal drug delivery systems that exhibit desired pharmacokinetic properties.

Transdermal delivery systems (adhesive patches) as dosage forms have been the subject of a vast number of patent applications over the last 25 years, yielding many patents but few commercial products in comparison. To those working in the field, the relatively small number of commercial products is not surprising. Although regulatory, economic, and market hurdles play a role in limiting the number of products on the market, the task of developing a transdermal delivery system that achieves desired physical and pharmacokinetic parameters to satisfy physician and patient demand is more daunting. Parameters to be considered during commercial product development may include drug solubility, drug stability (e.g., as may arise from interaction with other component materials and/or the environment), delivery of a therapeutic amount of drug at a desired delivery rate over the intended duration of use, adequate adhesion at the anatomical site of application, integrity (e.g., minimal curling, wrinkling, delaminating and slippage) with minimal discomfort, irritation and sensitization both during use and during and after removal, and minimal residual adhesive (or other components) after removal. Size also may be important from a manufacturing and patient viewpoint, and appearance may be important from a patient viewpoint. The physical manufacturing and production aspects of commercial product development (e.g., the identity and costs of materials, equipment, and labor) and supporting analytical methods required for regulatory compliance also can be significant.

Of the physical parameters that are considered when developing a commercial transdermal drug delivery system, size, e.g., surface area at the site of application, is often dictated and limited by other physical and pharmacokinetic requirements, such as desired drug delivery rates and daily dosages. In general, it is easier to develop a relatively "large" transdermal drug delivery system that will achieve drug delivery at target therapeutic levels over an intended duration of therapy, than it is to develop a smaller transdermal drug delivery system that still exhibits acceptable pharmacokinetic properties. Still, because size directly impacts costs (e.g., costs of component materials, costs of packaging materials, costs for production and manufacturing equipment, labor costs relative to product yield per run time, etc.)

2

surface may permit the use of less aggressive adhesives), there is a need for smaller transdermal drug delivery systems.

SUMMARY

In accordance with one embodiment, there is provided a transdermal drug delivery system comprising a drug containing layer defining an active surface area and comprising a polymer matrix comprising estradiol, wherein the system includes greater than 0.156 mg/cm² estradiol and achieves an estradiol flux that is greater than 0.01 mg/cm²/day, based on the active surface area. In some embodiments, the polymer matrix comprises a polymer blend comprising an acrylic adhesive, a silicone adhesive, and soluble PVP. In some embodiments, the polymer matrix comprises about 2-25% by weight acrylic adhesive, about 45-70% by weight silicone adhesive, about 2-25% by weight soluble PVP, about 5-15% penetration enhancer, and about 0.1-10% by weight estradiol, all based on the total dry weight of the polymer matrix. In some embodiments, the polymer matrix comprises about 20% by weight acrylic adhesive, about 56.9% by weight silicone adhesive, about 7.5% by weight soluble PVP, about 6.0% by weight oleyl alcohol, about 8.0% by weight dipropylene glycol, and about 1.6% by weight estradiol. In some embodiments, the acrylic adhesive and silicone adhesive are present in a ratio of from about 1:2 to about 1:6, based on the total weight of the acrylic and silicone adhesives.

In some embodiments, the penetration enhancer comprises oleyl alcohol or dipropylene glycol, or both.

In some embodiments, the polymer matrix comprises an amount of estradiol effective to deliver a therapeutically effective amount of estradiol over a period of time selected from the group consisting of at least 1 day, at least 2 days, at least 3 days, at least 4 days, at least 5 days, at least 6 days and at least 7 days. In some embodiments, the polymer matrix comprises an amount of estradiol effective to deliver an amount of estradiol selected from the group consisting of about 0.025, 0.0375, 0.05, 0.075 and 0.1 mg/day.

In some embodiments, the polymer matrix has a coat weight of greater than about 10 mg/cm². In some embodiments, the polymer matrix has a coat weight selected from the group consisting of about 12.5 and about 15 mg/cm².

In accordance with some embodiments, there is provided a transdermal drug delivery system comprising a polymer matrix comprising estradiol, wherein the system has an active surface area that is about 60% of a size selected from the group consisting of 2.5, 3.75, 5.0, 7.5 and 10.0 cm² and is effective to deliver an amount of estradiol per day of about 0.025, 0.0375, 0.05, 0.075 and 0.1 mg/day, respectively.

In accordance with some embodiments, there is provided a method for administering estradiol, comprising applying to the skin or mucosa of a subject in need thereof a transdermal drug delivery system comprising a drug-containing layer defining an active surface area and comprising a polymer matrix comprising estradiol, wherein the system includes greater than 0.156 mg/cm² estradiol and achieves an estradiol flux that is greater than 0.01 mg/cm²/day, based on the active surface area. In some embodiments, the system has an active surface area that is about 60% of a size selected from the group consisting of 2.5, 3.75, 5.0, 7.5 and 10.0 cm² and is effective to deliver an amount of estradiol per day of about 0.025, 0.0375, 0.05, 0.075 and 0.1 mg/day, respectively.

In accordance with some embodiments, there is provided

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.