

- 26 -

Example 22PHARMACOLOGY:Studies on rabbits:

Preparations containing CNS active and muscle relaxing drugs such as diazepam and midazolam were tested in a pharmacodynamic model in rabbits.

The model consists of the following tests:

Test 1:

- Hind legs to one side and the rabbit must stay in this position even after a firm tip with a finger on the hip. The test is immediately repeated with both legs placed on the other side.

Test 2:

- Hind legs stretched out backwards and the rabbit must stay in this position even after a firm tip with a finger on the hip.

Test 3:

- The rabbit must stay in a supine position, when placed in such a position.

After administration of the formulations (i.n., oral or i.v.) the rabbits were exposed to the three tests approximately once per minute until positive pharmacodynamic response, and thereafter every 2 minutes. The total test period was 20 minutes after i.n. and i.v. administration and 30 minutes after peroral administration.

The time elapsed from administration until the first positive response in test 1 was used to compare the

- 27 -

onset of action of the different formulations.

#### STUDY 1

This pharmacodynamic study compared the nasal formulation of Example 8 (C) containing 5% of diazepam to a commercially available diazepam formulation, Stesolid® 2mg tablet, Dumex (D). The study was run in 8 rabbits in a randomized cross-over study. The rabbits were tested for pharmacodynamic response as described previously, but the test period was 30 minutes after peroral administration to be sure to obtain a pharmacodynamic effect.

Formulation C was given intranasally (i.n.) with a laboratory pipette. Each rabbit was held in a supine position during and one minute after i.n. dosing in one nostril. The rabbits received a volume equivalent to 2.5 mg diazepam. After each administration the actual dose received is calculated by subtraction of the weight of the pipette before and after administration. Only applications determined to 80% (2 mg diazepam) were accepted.

Formulation D was given as an oral administration using a stomach pump. The tablet was dissolved in 5 ml water immediately before administration. The tube was rinsed with 10 ml water.

The time to onset of pharmacodynamic response in test 1 is 4.5 minutes (median, n=7 ) using formulation C and 19.4 minutes (median, n=8) using formulation D.

#### STUDY 2

This pharmacokinetic study compared the nasal formulation of Example 8 (C) containing 5% of diazepam

- 28 -

to a commercially available diazepam formulation, Stesolid® 2mg tablet, Dumex (D). The study was run in 8 rabbits in a randomized cross-over study.

Formulation C was given intranasally (i.n.) as described in study 1.

Formulation D was given by oral administration as described in study 1 using a stomach pump.

Blood samples from the ear-vein were taken before administration (time = 0) and at 2, 5, 10, 15, 30, 45, 60, 75, 90, 120, 180 and 240 minutes.

Serum was analyzed for diazepam and the metabolite, desmethyldiazepam using Gas Chromatography (GC). The limit of detection was 5ng/ml for both substances.

The pharmacokinetic parameters found for diazepam were  $t_{max} = 23$  minutes (median, n=6),  $C_{max} = 68.2$  ng/ml (median, n=6) after administration of formulation C and  $t_{max} = 45$  minutes (median, n=6),  $C_{max} = 9.7$  ng/ml (median, n=6) after administration of formulation D.

Figures 1 and 2 illustrate the mean serum concentrations of diazepam and desmethyldiazepam after administration of formulations C and D.

### STUDY 3

This pharmacodynamic study compared Example 8(C) containing 5% of diazepam with Example 19 (E) containing 2.5% of midazolam. The study was using 6 rabbits.

Formulations C and E were given intranasally (i.n.) with a laboratory pipette. Each rabbit was held in a supine position during and one minute after i.n. dosing in one

- 29 -

nostril. The rabbits received a volume equivalent to 2.5 mg diazepam or 1.25 mg midazolam, respectively.

After each administration the actual dose received was calculated by subtraction of the weight of the pipette before and after administration. Only doses equivalent to 80% were accepted.

The time to onset of pharmacodynamic response in test 1 was 3.1 minutes (median, n=6) using formulation C containing diazepam and 2.5 minutes (median, n=6) using formulation E containing midazolam.

Example 23

TOXICOLOGY:

Local irritancy in humans:

The investigation was carried out in order to estimate irritation after nasal application of 10 mg of diazepam; 100 mg of the preparation from Example 8 in each nostril.

6 volunteers, 3 male and 3 female participated in the trial.

The investigator inspected both nostrils macroscopically for local irritation at the following times: Immediately after medication, at 30 minutes, and 1, 2, 4, and 6 hours.

In one volunteer the macroscopic inspection showed light blush of both nostrils immediately after medication. None of the six volunteers had local irritation of the nostrils 30 minutes after application, see table 2.

**CONCLUSION**

The total results of the trial have shown that preparation of Example 8 does not cause unacceptable irritation of the nostrils.

Table 2.

Individual local irritation of the nostrils after intranasal administration of 10 mg diazepam, (Example 8)

Volun- teer no.	Local irritation											
	Imme- diately after medication		30 min		1 h		2 h		4 h		6 h	
	R	L	R	L	R	L	R	L	R	L	R	L
1	-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-	-	-	-	-	-
3	-	-	-	-	-	-	-	-	-	-	-	-
4	Light blush	Light blush	-	-	-	-	-	-	-	-	-	-
5	-	-	-	-	-	-	-	-	-	-	-	-
6	-	-	-	-	-	-	-	-	-	-	-	-

R: right nostril

L: left nostril

- 32 -

Claims

1. Use of a tocopherol or a derivative thereof as a solvent and/or emulsifier for substantially insoluble or sparingly soluble biologically active agents.
2. Use as claimed in claim 1 in the manufacture of pharmaceutical compositions.
3. A composition for delivery of a substantially insoluble or sparingly soluble biologically active agent, comprising said agent dissolved in a tocopherol or a derivative thereof.
4. A composition as claimed in claim 3 wherein the tocopherol is  $\alpha$ -tocopherol or an ester thereof.
5. A composition as claimed in claim 3 or claim 4 in a form suitable for transmucosal, topical, enteral or parenteral application.
6. A composition as claimed in claim 5, in a form suitable for intranasal, vaginal or rectal application or for administration via the oral cavity.
7. A composition as claimed in any one of claims 1 to 6 in the form of an emulsion.
8. A composition as claimed in claim 7, additionally comprising an emulsifying agent.
9. A composition as claimed in claim 8, wherein the emulsifying agent is a tocopherol derivative.
10. A composition as claimed in claim 9, wherein the emulsifying agent is a tocopherol ester.

- 33 -

11. A composition as claimed in claim 10, wherein the emulsifying agent is Vitamin E TPGS.
12. A composition suitable for delivery of substantially insoluble or sparingly soluble biologically active agents, comprising a tocopherol or a derivative thereof, and an emulsifier.
13. A composition as claimed in claim 12, wherein the emulsifier is Vitamin E TPGS.
14. A composition as claimed in any of claims 3 to 13, further comprising one or more additional components selected from solvents, surfactants, stabilizers, bioadhesive polymers, preservatives, and odour- or taste-masking agents.
15. A composition as claimed in any one of claims 3 to 14, wherein the biologically active agent is a benzodiazepine or an anti-mycotic.
16. A composition as claimed in claim 15, wherein the biologically active agent is diazepam, midazolam or miconazole.
17. A composition as claimed in any one of claims 3 to 16, wherein the content of the tocopherol or derivative thereof is from 1 to 99.99% (w/w).
18. A composition as claimed in claim 17, wherein the content of the tocopherol or derivative thereof is from 20 to 99.99% (w/w).
19. A composition as claimed in claim 17, wherein the content of the tocopherol or derivative thereof is from 40 to 99.99% (w/w).



- 34 -

20. A method of preparing a composition for delivery of a substantially insoluble or sparingly soluble biologically active agent, said method comprising dissolving said agent in an amount of a tocopherol or a derivative thereof, sufficient to dissolve said agent.

21. A method as claimed in claim 20, further comprising forming an emulsion of said tocopherol/biologically active agent solution, by mixing with an aqueous phase.

22. A method as claimed in claim 21, wherein the emulsification step is performed in the presence of an emulsifying agent.

23. A method as claimed in claim 22, wherein the emulsifying agent is Vitamin E TPGS.

24. Use of a tocopherol or a derivative thereof for the preparation of a composition as claimed in any one of claims 3 to 18.

25. A method of treatment of a human or non-human animal subject by delivery of a substantially insoluble or sparingly soluble biologically active agent, said method comprising administering to said subject a composition as defined any one of claims 3 to 11 or 14 to 18.

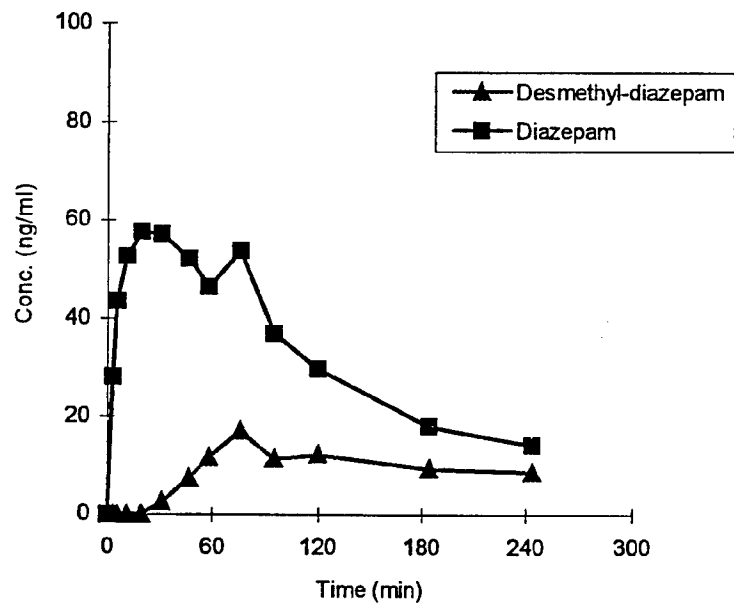


Fig. 1

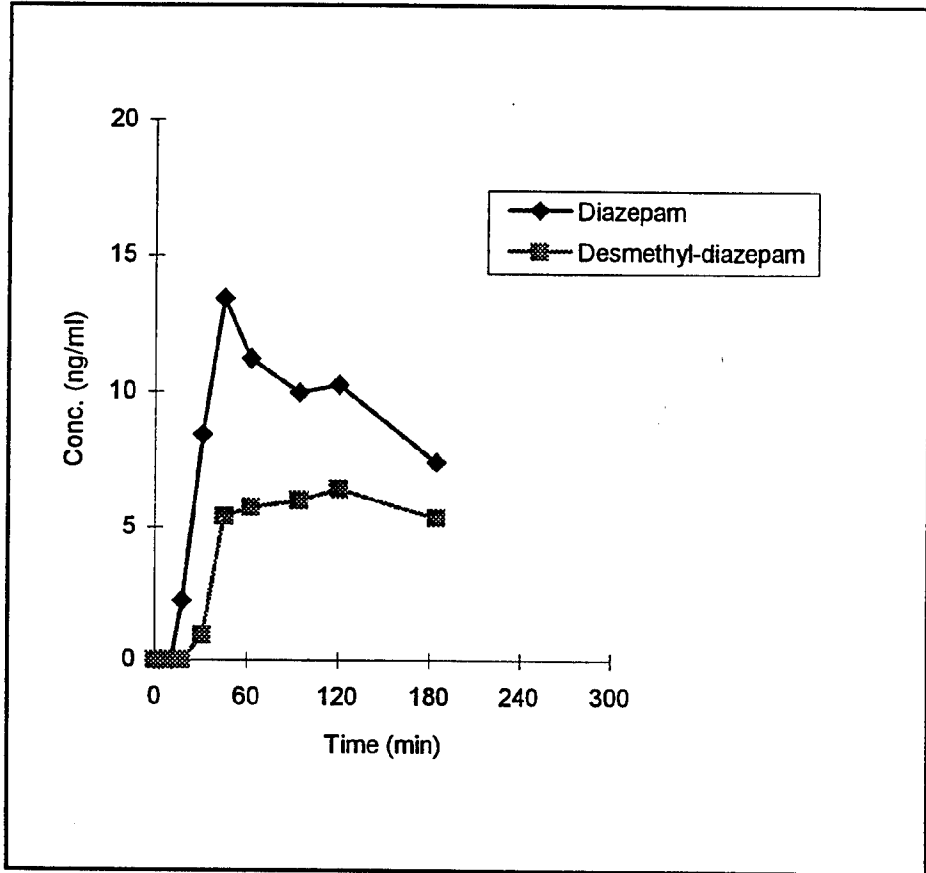


Fig. 2

# INTERNATIONAL SEARCH REPORT

Internat 1 Application No  
PCT/EP 95/01835

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> IPC 6 A61K47/22 A61K9/00 A61K9/48		
According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b> Minimum documentation searched (classification system followed by classification symbols) IPC 6 A61K		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practical, search terms used)		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO,A,89 03689 (THE LIPOSOME COMPANY) 5 May 1989	1-14, 17-25
Y	see the whole document ---	15
X	WO,A,92 13531 (EASTMAN KODAK COMPANY) 20 August 1992 see the whole document ---	1-14, 17-25
P, Y	DATABASE WPI Section Ch, Week 9437, Derwent Publications Ltd., London, GB; Class B02, AN 94-302691 & WO,A,94 20143 (FUJISAWA PHARM CO LTD) 15 September 1994 see abstract -----	15
<input type="checkbox"/> Further documents are listed in the continuation of box C.		
<input checked="" type="checkbox"/> Patent family members are listed in annex.		
* Special categories of cited documents :		
"A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "&" document member of the same patent family		
Date of the actual completion of the international search  <p style="text-align: center;">19 October 1995</p>	Date of mailing of the international search report  <p style="text-align: center;">27. 10. 95</p>	
Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+ 31-70) 340-2040, Tx. 31 651 epo nl, Fax (+ 31-70) 340-3016	Authorized officer  <p style="text-align: center;">Ventura Amat, A</p>	

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

Internat Application No  
PCT/EP 95/01835

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO-A-8903689	05-05-89	CA-A-	1333360	06-12-94
		DE-A-	3883246	16-09-93
		DE-T-	3883246	02-12-93
		EP-A, B	0382779	22-08-90
		JP-T-	3500651	14-02-91
		US-A-	5364631	15-11-94
-----				
WO-A-9213531	20-08-92	US-A-	5179122	12-01-93
		CA-A-	2079325	12-08-92
		EP-A-	0524308	27-01-93
-----				

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	16848685
<b>Application Number:</b>	13495942
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	7399
<b>Title of Invention:</b>	ADMINISTRATION OF BENZODIAZEPINE COMPOSITIONS
<b>First Named Inventor/Applicant Name:</b>	Steve Cartt
<b>Customer Number:</b>	21971
<b>Filer:</b>	Matthew Virgil Grumbling/Melanie O'Donnell
<b>Filer Authorized By:</b>	Matthew Virgil Grumbling
<b>Attorney Docket Number:</b>	35401-716.501
<b>Receipt Date:</b>	13-SEP-2013
<b>Filing Date:</b>	13-JUN-2012
<b>Time Stamp:</b>	14:25:10
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
------------------------	----

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	Neurelis_35401_716_501_Tran _09_13_2013.pdf	152501 <small>4c016169b0b7872b25f3e7f1ad0b65c5f5ef bb21</small>	no	4

### Warnings:

### Information:

2	Information Disclosure Statement (IDS) Form (SB08)	Neurelis_35401_716_501_IDS_09_13_2013.pdf	173256 bb30beebdb53bb70d3c7d68eade1d27f11e9a494	no	1
<b>Warnings:</b>					
<b>Information:</b>					
This is not an USPTO supplied IDS fillable form					
3	Foreign Reference	WO09120933.pdf	1029387 f9af283fa0a266521e0804dafcb3d28e1ffa835b	no	16
<b>Warnings:</b>					
<b>Information:</b>					
4	Foreign Reference	WO9531217.pdf	2531930 cc1ac6f7ec36019fb57024616d5bc68c07a41bac	no	40
<b>Warnings:</b>					
<b>Information:</b>					
5	Non Patent Literature	AU2009228093_OA_19JUL2013.pdf	519659 3a88c58d2573d880c604744d25a11abfe4f9c4a6	no	2
<b>Warnings:</b>					
<b>Information:</b>					
6	Non Patent Literature	EP097239065_ESR_09JUN2013.pdf	399408 c54355fa3e1ca24b31b47be395ba396fc5259858	no	5
<b>Warnings:</b>					
<b>Information:</b>					
7	Non Patent Literature	JP2010507633_OA_09JUL2013.pdf	105893 179941ef30d4b1d2eeae116239db41862a0509a4	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			491 2034		

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Steve Cartt

Serial Number: 13/495,942

Filing Date: 6/13/2012

Title: ADMINISTRATION OF  
BENZODIAZEPINES COMPOSITIONS

Group Art Unit: 1612

Examiner: Milligan, Adam C.

CONFIRMATION NO: 7399

FILED ELECTRONICALLY ON: September 13, 2013

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.97**

Madam:

An Information Disclosure Statement along with attached PTO/SB/08 is hereby submitted. A copy of each listed publication is submitted, if required, pursuant to 37 CFR §§1.97-1.98, as indicated below.

The Examiner is requested to review the information provided and to make the information of record in the above-identified application. The Examiner is further requested to initial and return the attached PTO/SB/08 in accordance with MPEP §609.

The right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered, is hereby reserved.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in §1.56.

A.  37 CFR §1.97(b). This Information Disclosure Statement should be considered by the Office because:

(1) It is being filed within 3 months of the filing date of a national application and is other than a continued prosecution application under §1.53(d);

-- OR --

(2) It is being filed within 3 months of entry of the national stage as set forth in §1.491 in an international application;

-- OR --

- (3) It is being filed before the mailing of a first Office action on the merits;

-- OR --

- (4) It is being filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

- B.  *37 CFR §1.97(c)*. Although this Information Disclosure Statement is being filed after the period specified in *37 CFR §1.97(b)*, above, it is filed before the mailing date of the earlier of (1) a final office action under §1.113, (2) a notice of allowance under §1.311, or (3) an action that otherwise closes prosecution on the merits, this Information Disclosure Statement should be considered because it is accompanied by one of:

- a statement as specified in §1.97(e) provided concurrently herewith;

-- OR --

- a fee of \$180.00 as set forth in §1.17(p) authorized below, enclosed, or included with the payment of other papers filed together with this statement.

- C.  *37 CFR §1.97(d)*. Although this Information Disclosure Statement is being filed after the mailing date of the earlier of (1) a final office action under §1.113 or (2) a notice of allowance under §1.311, it is being filed before payment of the issue fee and should be considered because it is accompanied by:

- i. a statement as specified in §1.97(e);

-- AND --

- ii. a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this Statement.

- D.  *37 CFR §1.97(e)*. Statement.

- A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(c);

-- AND/OR --

- A statement is provided herewith to satisfy the requirement under 37 CFR §§1.97(d);

-- AND/OR --

- A copy of a dated communication from a foreign patent office clearly showing that the information disclosure statement is being submitted within 3 months of the filing date on the communication is provided in lieu of a statement under 37 C.F.R. § 1.97(e)(1) as provided for under MPEP 609.04(b) V.

- E.  *Statement Under 37 C.F.R. §1.704(d)*. Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application that was received by an individual designated in § 1.56(c) not more than thirty (30) days prior to the filing of this information disclosure statement. This statement is made pursuant to the requirements of 37 C.F.R. §1.704(d) to avoid reduction of the period of adjustment of the patent term for Applicant(s) delay.

- F.  *37 CFR §1.98(a)(2)*. The content of the Information Disclosure Statement is as follows:

- Copies of each of the references listed on the attached Form PTO/SB/08 are enclosed herewith.

-- OR --

- Copies of U.S. Patent Documents (issued patents and patent publications) listed on the attached Form PTO/SB/08 are NOT enclosed.

-- AND/OR --

- Copies of Foreign Patent Documents and/or Non Patent Literature Documents listed on the attached Form PTO/SB/08 are enclosed in accordance with 37 CFR §1.98 (a)(2).

-- AND/OR --

- Copies of pending unpublished U.S. patent applications are enclosed in accordance with 37 CFR §1.98(a)(2)(iii).

G.  37 CFR §1.98(a)(3). The Information Disclosure Statement includes non-English patents and/or references.

- Pursuant to 37 CFR §1.98(a)(3)(i), a concise explanation of the relevance of each patent, publication or other information provided that is not in English is provided herewith.

- Pursuant to MPEP 609(B), an English language copy of a foreign search report is submitted herewith to satisfy the requirement for a concise explanation where non-English language information is cited in the search report.

-- OR --

- A concise explanation of the relevance of each patent, publication or other information provided that is not in English is as follows: \_\_\_\_\_

- Pursuant to 37 CFR §1.98(a)(3)(ii), a copy of a translation, or a portion thereof, of the non-English language reference(s) is provided herewith.

H.  37 CFR §1.98(d). Copies of patents, publications and pending U.S. patent applications, or other information specified in 37 C.F.R. § 1.98(a) are not provided herewith because:

- Pursuant to 37 CFR §1.98(d)(1) the information was previously submitted in an Information Disclosure Statement, or cited by examiner, for another application under which this application claims priority for an earlier effective filing date under 35 U.S.C. 120.

Application in which the information was submitted: \_\_\_\_\_

Information Disclosure Statement(s) filed on: \_\_\_\_\_

AND

- The information disclosure statement submitted in the earlier application complied with paragraphs (a) through (c) of 37 CFR §1.98.

- I.  *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.35401-716.501).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: 9/11/2013

By: /Matthew V. Grumbling/  
Matthew V. Grumbling, Attorney for Applicant  
Reg. No. 44,427

650 Page Mill Road  
Palo Alto, CA 94304-1050  
(650) 493-9300  
Customer No. 021971



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/495,942 06/13/2012 Steve Cartt 35401-716.501 7399

21971 7590 10/01/2013
WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

EXAMINER

MILLIGAN, ADAM C

ART UNIT PAPER NUMBER

1612

MAIL DATE DELIVERY MODE

10/01/2013

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 13/495,942	<b>Applicant(s)</b> CARTT ET AL.	
	<b>Examiner</b> ADAM C. MILLIGAN	<b>Art Unit</b> 1612	<b>AIA (First Inventor to File) Status</b> No

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 9/6/2013.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.                              2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5)  Claim(s) 1-65 is/are pending in the application.  
5a) Of the above claim(s) 23-56 and 60-65 is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 1-22 and 57-59 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- a)  All    b)  Some \*    c)  None of the:
  - 1.  Certified copies of the priority documents have been received.
  - 2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 6pgs(4/15/2013), 1pg(9/13/2013).
- 3)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 4)  Other: \_\_\_\_\_.

The present application is being examined under the pre-AIA first to invent provisions.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election of Group I, claims 1-22 and 57-59, in the reply filed on 9/6/2013 is acknowledged. Because Applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

**Claims 23-56 and 60-65** are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

### ***Claim Rejections – 35 U.S.C. § 112 - 2<sup>nd</sup> Paragraph***

The following is a quotation of 35 U.S.C. 112(b):

(B) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 10-12, 17, 19 and 57-59** are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

Art Unit: 1612

Claims 10-12, 17, and 57-59 include values in parenthesis. It is not clear whether the values in parentheses are part of the claimed invention. If Applicants intend the values to be limiting on the respective claims, Examiner suggests removing the values from the parentheses.

Similarly, regarding claim 19, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

### ***Claim Rejections – 35 U.S.C. § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of



Art Unit: 1612

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

**Claims 1-22 and 57-59** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonne (U.S. 6,193,985- See IDS dated 4/15/2013) in view of Meezan (U.S. 2006/0046962 – see IDS dated 4/15/2013).

Sonne teaches tocopherol compositions for the delivery of biologically active agents which are only sparingly soluble in water (col. 1, lines 7-13), such as diazepam (col. 1, lines 7-14). One particular nasal formulation contains 5g of diazepam, 44 g Tenox GT2 (70% tocopherol), 5 g Vitamin E TPGS, 1.45 g Pluronic and 0.1g benzalkonium chloride (example 1 at col. 7, lines 32-45). The composition may take the form of a solution (col.6, lines 28-35). The composition may contain co-solvents such as ethanol, benzyl alcohol, sesame oil and propylene glycol can be used in order to optimize the formulations bioadhesion, sprayability and viscosity (col. 6, lines 47-53). When ethanol is used in the formulations, it may be used in an amount of about 11% by weight of the formulation (See example 3 at col.8, lines 28-43), but some embodiments permit the total amount of co-solvents to be as high as 50-60% (see examples 11 and 16). When sesame oil is used, it may be used in an amount of about 44% (example 18, col.12, lines 37-51) or about 60% (example 16 at col.12, lines 10-17).  $\alpha$ -tocopherol may be used in amounts of 20 to 99.9% (col.5, lines 56-61). Generally, the active ingredient should be present in an amount of 0.001% to 40% (col.5, lines 55-61). More specifically, diazepam may be present at about 5% by weight (example 11 at col. 11, lines 1-13). Additionally, preservatives and odor masking compounds may be included (col.7, lines

Art Unit: 1612

4-12). The composition may be in the form of a nasal spray (col. 6, lines 28-35). In general, administration to the nose can be difficult because of the limited volume which is acceptable for the nose, which is about 100 $\mu$ L (col.7, lines 25-30) and because nasal absorption can be lower than other routes of administration (col.1, lines 48-67).

Sonne does not teach the addition of an alkyl glycoside.

Meezan teaches that alkyl glycosidase is an absorption enhancer for drug administration (§150). Specifically, Meezan demonstrates that the addition of 0.25% of alkyl glycoside can increase drug absorption from about 3% bioavailability to about 90% bioavailability when the drug is administered via a nasal spray (§150). Meezan further teaches that the active ingredient for the nasal spray may be in the form of nanoparticles (§63). Suitable alkyl glycosides include dodecyl-D-maltoside (§56).

Meezan does not teach using a benzodiazapine active ingredient.

It would have been obvious to one of ordinary skill in the art formulating the composition of Sonne to incorporate the alkyl glycosidase of Meezan in order to increase nasal absorption, and thus the bioavailability, of the active ingredient.

It would have also been obvious to include the active ingredient in the form of nanoparticles, given that such a form is taught to be suitable by Meezan. Further, one of ordinary skill in the art would recognize that smaller active ingredient particles are typically more bioavailable than larger particles of active ingredient due to the smaller particles having increased surface area.

Regarding claims 10-12, 17, 22 and 57-59, it would have been obvious to one of ordinary skill in the art to optimize the type and amount of co-solvent to provide the

Art Unit: 1612

desired bioadhesion, sprayability and viscosity given that Sonne teaches that the purpose of the co-solvents is to modify the bioadhesion, sprayability and viscosity of the formulation.

### ***Nonstatutory Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

**Claim 1-22 and 57-59** are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-8 and 11-16 of U.S. Patent No. 8,530,463. Although the claims at issue are not identical, they are not patentably distinct from each other because it would have been obvious to choose dodecyl maltoside from the list of suitable additives recited in claims 41-43 and diazepam from the list of suitable benzodiazepine particles recited in claim 32.

**Claims 1-22 and 57-59** are provisionally rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1, 3-9, 11, 24, 25, 28, 29, 32-34

Art Unit: 1612

and 36-39 of copending Application No. 12/266,529. Although the claims at issue are not identical, they are not patentably distinct from each other because it would have been obvious to choose dodecyl maltoside from the list of suitable additives recited in claims 32-35 and diazepam from the list of suitable benzodiazepines recited in claim 3.

This is a provisional nonstatutory double patenting rejection because the patentably indistinct claims have not in fact been patented.

### ***Conclusion***

No claims are allowed.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADAM MILLIGAN whose telephone number is (571)270-7674. The examiner can normally be reached on M-F 9:00-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fred Krass can be reached on (571)272-0580. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ADAM C MILLIGAN/  
Examiner, Art Unit 1612

<b>Search Notes</b>  	<b>Application/Control No.</b> 13495942	<b>Applicant(s)/Patent Under Reexamination</b> CARTT ET AL.
	<b>Examiner</b> ADAM C MILLIGAN	<b>Art Unit</b> 1612

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
PALM Inventor Search	9/27/2013	AM
EAST and STN searches (benzodiazepine, tocopherol or tocotrienol, ethanol or benzyl alcohol, alkyl glycoside, nasal)	9/27/2013	AM

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

--	--

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number	13/495,942	
				Filing Date	06/13/2012	
				First Named Inventor	Steve Cartt	
				Art Unit	1612	
				Examiner Name	Adam Milligan	
Sheet	1	of	6	Attorney Docket Number	35401-716.501	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	US,3,340,253	9/5/1967	Reeder et al.	
	2.	US-2001-0042932	11/22/2001	Mathiowitz et al.	
	3.	US-2001-0042932	11/22/2001	Mathiowitz et al.	
	4.	US-2002-0127278	09/12/2012	Kipp	
	5.	US-2002-0168402	11/14/2002	Kipp	
	6.	US-2003-0031719	02/13/2003	Kipp	
	7.	US-2003-0181411	9/25/2003	Bosch et al.	
	8.	US-2006-0046962	3/2/2006	Meezan et al.	
	9.	US-2006-0198896	9/7/2006	Liversidge et al.	
	10.	US-2006-0198896	09/07/2006	Liversidge et al.	
	11.	US-2008-0200418	08/21/2008	Maggio	
	12.	US-2008-0248123	10/09/2008	Swanson et al.	
	13.	US-2008-0279784	11/13/2008	Cartt	
	14.	US-2008-0299079	12/04/2008	Meezan et al.	
	15.	US-2009-0047347	2/19/2009	Maggio	
	16.	US-2009-0130216	5/21/2009	Cartt	
	17.	US-2009-0163447	06/25/2009	Maggio	
	18.	US-2009-0297619	12/03/2009	Swanson et al.	
	19.	US-2009-0304801	12/10/2009	Liversidge et al.	
	20.	US-2009-258865	10/15/2009	Cartt	
	21.	US-2010-0068209	03/18/2010	Maggio	
	22.	US-2011-0172211	07/14/2011	Back et al.	
	23.	US-2011-0257096	10/20/2011	Maggio	
	24.	US-2012-0196941	08/02/2012	Maggio	
	25.	US-2013-0065886	03/14/2013	Cartt	
	26.	US-3,102,116	8/27/1963	Chase et al.	
	27.	US-3,109,843	11/5/1963	Reeder et al.	
Examiner Signature	/Adam Milligan/			Date Considered	09/27/2013

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	13/495,942	
			Filing Date	06/13/2012	
			First Named Inventor	Steve Cartt	
			Art Unit	1612	
			Examiner Name	Adam Milligan	
Sheet	2	of	6	Attorney Docket Number	35401-716.501

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
	28.	US-3,136,815		6/9/1964	Reeder et al.	
	29.	US-3,243,427		3/29/1966	Reeder et al.	
	30.	US-3,296,249		1/13/1967	Bell	
	31.	US-3,299,053		1/17/1967	Archer et al.	
	32.	US-3,371,085		2/27/1968	Reeder et al.	
	33.	US-3,374,225		3/19/1968	Reeder et al.	
	34.	US-3,567,710		3/2/1971	Fryer et al.	
	35.	US-3,609,145		9/28/1972	Moffett	
	36.	US-3,722,371		3/27/1973	Boyle	
	37.	US-3,987,052		10/19/1976	Hester, Jr.	
	38.	US-4,280,957		7/28/1981	Walser et al.	
	39.	US-4,608,278		8/26/1986	Frank et al.	
	40.	US-4,826,689		5/2/1989	Violanto et al.	
	41.	US-4,973,465		11/27/1990	Baurain et al.	
	42.	US-4,997,454		3/5/1991	Violanto et al.	
	43.	US-5,091,188		2/25/1992	Haynes	
	44.	US-5,100,591		3/31/1992	Leclef et al.	
	45.	US-5,118,528		6/2/1992	Fessi et al.	
	46.	US-5,145,684		9/8/1992	Liversidge et al.	
	47.	US-5,188,837		2/23/1993	Domb	
	48.	US-5,457,100		10/10/1995	Daniel	
	49.	US-5,560,932		10/1/1996	Bagchi et al.	
	50.	US-5,661,130		8/26/1997	Meezan et al.	
	51.	US-5,661,130		08/26/1997	Meezan et al.	
	52.	US-5,662,883		9/2/1997	Bagchi et al.	
	53.	US-5,665,331		9/9/1997	Bagchi et al.	
	54.	US-5,716,642		2/10/1998	Bagchi et al.	
	55.	US-5,780,062		7/14/1998	Frank et al.	

Examiner Signature	/Adam Milligan/	Date Considered	09/27/2013
--------------------	-----------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	13/495,942	
			Filing Date	06/13/2012	
			First Named Inventor	Steve Cartt	
			Art Unit	1612	
			Examiner Name	Adam Milligan	
Sheet	3	of	6	Attorney Docket Number	35401-716.501

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	56.	US-5,831,089	11/3/1998	Huber	
	57.	US-5,849,884 (withdrawn)		Wojszwillo et al.	
	58.	US-5,861,510	01/19/1999	Piscipio et al.	
	59.	US-5,863,949	01/26/1999	Robinson et al.	
	60.	US-5,981,719	11/9/1999	Wojszwillo et al.	
	61.	US-6,090,925	7/18/2000	Wojszwillo et al.	
	62.	US-6,143,211	11/7/2000	Mathiowitz et al.	
	63.	US-6,143,211	11/07/2000	Mathiowitz et al.	
	64.	US-6,193,985	2/27/2001	Sonne	
	65.	US-6,193,985	02/27/2001	Sonne	
	66.	US-6,235,224	5/22/2001	Mathiowitz et al.	
	67.	US-6,235,224	05/22/2001	Mathiowitz et al.	
	68.	US-6,268,053	7/31/2001	Wojszwillo et al.	
	69.	US-6,375,986	4/23/2002	Ryde et al.	
	70.	US-6,428,814	08/06/2002	Bosch et al.	
	71.	US-6,458,387	10/1/2002	Scott et al.	
	72.	US-6,607,784	8/19/2003	Kipp et al.	
	73.	US-6,610,271	08/26/2003	Wermeling	
	74.	US-6,616,914	09/09/2003	Ward et al.	
	75.	US-6,627,211	09/30/2003	Choi et al.	
	76.	US-6,869,617	3/22/2005	Kipp	
	77.	US-6,884,436	4/26/2005	Kipp	
	78.	US-6,908,626	06/21/2005	Cooper et al.	
	79.	US-7,037,528	5/2/2006	Kipp	
	80.	US-7,132,112	11/07/2006	Choi et al.	
	81.	US-7,434,579	10/14/2008	Young et al.	

Examiner Signature	/Adam Milligan/	Date Considered	09/27/2013
--------------------	-----------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	13/495,942	
			Filing Date	06/13/2012	
			First Named Inventor	Steve Cartt	
			Art Unit	1612	
Examiner Name	Adam Milligan				
Sheet	4	of	6	Attorney Docket Number	35401-716.501

U.S. PROVISIONAL PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Filing Date MM-DD-YYYY	Name of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
	82.	U.S. Prov. Appl. No. 60/148,464		08/12/1999	Noe	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)					
	83.	EP-00780386		6/25/1997	Hoffman-La Roche AG		
	84.	EP-0818442		1/14/1998	Pfizer Inc.		
	85.	EP-0945485		9/29/1999	Morton Int'l., Inc.		
	86.	EP-1004578		5/31/2000	Pfizer Products Inc.		
	87.	EP-606046		7/13/1994	CIBA-GEIGY AG		
	88.	EP-931788		7/28/1999	Pfizer Limited		
	89.	JP 2003-505403 (w/ Corresponding English equivalent WO-0106987 )		2/12/2003	SK Corporation (US)		X
	90.	JP 2005-508939 (w/ Corresponding English equivalent WO-03030872 )		4/7/2005	Cooper, Eugene R.		X
	91.	JP 2007-510722 (w/ Corresponding English equivalent WO-2005- 044234)		4/26/2007	Elan Pharma International Ltd.		X
	92.	WO-199005719		5/31/1990	British Bio- Technology Ltd.		
	93.	WO-199627583		9/12/1996	Pfizer Inc.		
	94.	WO-199633172		10/24/1996	Pfizer Inc.		
	95.	WO-1997-14407 A1		4/24/1997	Research Triangle Pharmaceuticals Board of Regents, U. Tx.		

Examiner Signature	/Adam Milligan/	Date Considered	09/27/2013
--------------------	-----------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	13/495,942	
			Filing Date	06/13/2012	
			First Named Inventor	Steve Cartt	
			Art Unit	1612	
			Examiner Name	Adam Milligan	
Sheet	5	of	6	Attorney Docket Number	35401-716.501

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> - Number <sup>3</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
				System		
	96.	WO-199803516	1/29/1998	Pfizer Inc.		
	97.	WO-199807697	2/26/1998	Pfizer Inc.		
	98.	WO-199830566	7/16/1998	Pfizer Inc.		
	99.	WO-199833768	8/6/1998	Pfizer Products Inc.		
	100.	WO-199834915	8/13/1998	Pfizer Inc.		
	101.	WO-199834918	8/13/1998	Pfizer Inc.		
	102.	WO-1999007675	2/18/1999	Pfizer Products Inc.		
	103.	WO-199929667	6/19/1999	Pfizer Limited		
	104.	WO-199952889	10/21/1999	Pfizer Inc.		
	105.	WO-199952910	10/21/1999	Pfizer Products Inc.		
	106.	WO-200074681	12/14/2000	Pfizer Limited		
	107.	WO-2005-044234 A2	5/19/2005	Elan Pharma		
	108.	WO-2005-089768	9/29/2005	University of Kentucky Research Foundation		
	109.	WO-2005-117830 A1	12/15/2005	Camurus AB, Swed		
	110.	WO-2006-055603	5/26/2006	Elan Pharma International Ltd.		
	111.	WO-2006-088894	8/24/2006	Elan Pharma International Ltd.		
	112.	WO-2006-75123 A1	7/20/2006	Comurus AB, Swed		
	113.	WO-2007-043057 A2	4/19/2007	Touitou, Elka et al.		
	114.	WO-2007-144081 A1	12/21/2007	LTS Lohmann Therapie-System		

Examiner Signature	/Adam Milligan/	Date Considered	09/27/2013
--------------------	-----------------	-----------------	------------

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>				
				Application Number	13/495,942			
				Filing Date	06/13/2012			
				First Named Inventor	Steve Cartt			
				Art Unit	1612			
Examiner Name	Adam Milligan		Sheet	6	of	6	Attorney Docket Number	35401-716.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	115.	WERMELING et al., "Pharmacokinetics and pharmacodynamics of a new intranasal midazolam formulation in healthy volunteers," <i>Anesthesia &amp; Analgesia</i> 103(2):344-349 (2006)	
	116.	EP08747813 Supplementary Search Report dated June 2, 2010	
	117.	PCT/US09/38696 Search Report dated 9/28/09	
	118.	PCT/US08/62961 Search Report dated 7/25/08	
	119.	PCT/US2012/042311 Search Report dated 08/31/2012	

Examiner Signature	/Adam Milligan/	Date Considered	09/27/2013
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>			
				Application Number	13/495,942		
				Filing Date	6/13/2012		
				First Named Inventor	Steve Cartt		
				Art Unit	1612		
Examiner Name	Adam C. Milligan	Attorney Docket Number	35401-716.501	Sheet	1	of	1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		
	1.	US-2004-141923 A1	07/22/2004	Dugger et al.	
	2.	US-8,530,463	09/10/2013	Cartt	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	3.	WO-2009-120933 A2	10/01/2009	Particle Sciences Inc.		
	4.	WO-95-31217 A1	11/23/1995	Dumex Ltd.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	5.	AU application 2009228093 First exam report dated July 19, 2013	
	6.	EP application 09723906.5 Extended European search report dated June 3, 2013	
	7.	JP application 2010-507633 Decision of refusal dated July 9, 2013.	

Examiner Signature	/Adam Milligan/	Date Considered	09/27/2013
--------------------	-----------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:	Group Art Unit: 1629
Inventors: Steve Cartt, et al.	Confirmation No.: 7399
Serial No.: 13/495,942	Examiner: Milligan, Adam C.
Filing Date: June 13, 2012	Customer No.: 21971
Title: <b>Administration of Benzodiazepine Compositions</b>	
	<u>Certificate of Electronic Filing</u>
	I hereby certify that the attached <b>Amendment</b> and all marked attachments are being deposited by Electronic Filing on April 1, 2014 by using the EFS – Web patent filing system and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
	By: /Misty Elam/

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NON-FINAL REJECTION**

Dear Madam:

We are filing this paper in response to the Non-Final Rejection mailed October 1, 2013, setting an initial deadline of January 1, 2014. Accordingly, Applicants petition for a three-month extension of time, and submit the appropriate fee. As this response is filed by the April 1, 2014 due date, Applicants respectfully request entry of the following response and examination of the pending claims.

**Amendments to the Claims** begin on page 2.

**Remarks** begin on page 10.

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings of claims in this application.

1. (Currently Amended) A ~~Pharmaceutical~~ pharmaceutical solution for nasal administration consisting of:

(a) a benzodiazepine drug;

(b) one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, in an amount from about 30% to about 95% (w/w);

(c) ~~ethanol and benzyl alcohol~~ one or more alcohols or glycols, or any combinations thereof, in an in a combined amount from about 10% to about 70% (w/w); and

(d) an alkyl glycoside[[],]

~~in a pharmaceutically acceptable formulation for administration to one or more nasal mucosal membranes of a patient.~~

2. (Canceled).

3. (Currently Amended) The pharmaceutical solution of ~~claim 2~~ claim 1, wherein the benzodiazepine drug is selected from the group consisting of: alprazolam, brotizolam, chlordiazepoxide, clobazam, clonazepam, clorazepam, demoxazepam, diazepam, flumazenil, flurazepam, halazepam, midazolam, nordazepam, medazepam, nitrazepam, oxazepam, lorazepam, prazepam, quazepam, triazolam, temazepam, loprazolam, any pharmaceutically-acceptable salts thereof, and any combinations thereof.

4. (Previously Presented) The pharmaceutical solution of claim 3, wherein the benzodiazepine drug is diazepam, or a pharmaceutically-acceptable salt thereof.

5. (Currently Amended) The pharmaceutical solution of claim 1, ~~containing about 1 to about 20 % (w/v) of~~ wherein said benzodiazepine is present in the pharmaceutical solution in a concentration from about 1 to about 20 % (w/v).

6. (Currently Amended) The pharmaceutical solution of claim 5, ~~wherein containing about 1 to about 20 % (w/v) of~~ said benzodiazepine is diazepam.

7. (Previously Presented) The pharmaceutical solution of claim 1, wherein the one or more natural or synthetic tocopherols or tocotrienols are selected from the group consisting of:  $\alpha$ -tocopherol,  $\beta$ -tocopherol,  $\gamma$ -tocopherol,  $\delta$ -tocopherol,  $\alpha$ -tocotrienol,  $\beta$ -tocotrienol,  $\gamma$ -tocotrienol,  $\delta$ -tocotrienol, tocophersolan, any isomers thereof, any esters thereof, any analogs or derivatives thereof, and any combinations thereof.

8. (Canceled).

9. (Canceled).

10. (Currently Amended) The pharmaceutical solution of claim 1, ~~containing ethanol (1-25 % (w/v)) and benzyl alcohol (1-25 % (w/v))~~ wherein the ethanol is present in the pharmaceutical solution in a concentration of from 1 to 25 % (w/v) and the benzyl alcohol is present in the pharmaceutical solution in a concentration from 1 to 25 % (w/v).

11. (Currently Amended) The pharmaceutical solution of claim 1, ~~containing~~ wherein the ethanol (10-22.5 % (w/v)) and benzyl alcohol (7.5-12.5 % (w/v)) is present in the solution in a concentration of from 10 to 22.5 % (w/v) and the benzyl alcohol is present in the solution in a concentration of from 7.5 to 12.5 % (w/v).

12. (Previously Presented) The pharmaceutical solution of claim 11, wherein the benzodiazepine is present in the pharmaceutical solution in a concentration from about 20 mg/mL to about 200 mg/mL.

13. (Previously Presented) The pharmaceutical solution of claim 1, wherein the one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, is in an amount from about 45% to about 85% (w/w).

14. (Previously Presented) The pharmaceutical solution of claim 13, wherein the one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, is in an amount from about 50% to about 75% (w/w).



15. (Currently Amended) The pharmaceutical solution of claim 1, wherein the ~~one or more alcohols or glycols, or any combinations thereof, is in an~~ ethanol and benzyl alcohol are present in the pharmaceutical solution in a combined amount from about 15% to about 55% (w/w).

16. (Currently Amended) The pharmaceutical solution of claim 15, wherein the ~~one or more alcohols or glycols, or any combinations thereof, is in an~~ ethanol and benzyl alcohol are present in the pharmaceutical solution in a combined amount from about 25% to about 40% (w/w).

17. (Currently Amended) The pharmaceutical solution of claim 1, consisting of 5-15% (w/v) diazepam (5-15% (w/v)), 0.01-1 % (w/v) alkyl glycoside (0.01-1% (w/v)), 45-65% (w/v) vitamin E (45-65% (w/v)), 10-25% (w/v) ethanol (10-25% (w/v)) and 5-15% (w/v) benzyl alcohol (5-15% (w/v)).

18. (Currently Amended) The pharmaceutical solution of claim 1, wherein the ~~pharmaceutically acceptable formulation comprises at least about 0.01% (w/w) of an~~ alkyl glycoside is present in pharmaceutical solution in a concentration of at least about 0.01% (w/w).

19. (Currently Amended) The pharmaceutical solution of claim 18, wherein the ~~pharmaceutically acceptable formulation about 0.01% to 1% (w/w) of an~~ alkyl glycoside is present in the pharmaceutical solution in an amount of 0.01 % to 1% (w/w), such as dodecyl maltoside.

20. (Canceled).

21. (Currently Amended) The solution of ~~claim 20~~ claim 1, consisting of diazepam, vitamin E, ethanol, benzyl alcohol and dodecyl maltoside.

22. (Previously Presented) The solution of claim 21, consisting of about 56.47% (w/v) vitamin E, about 10.5 % (w/v) benzyl alcohol, about 10 % (w/v) diazepam, about 0.25 % (w/v) dodecyl maltoside, q.s. dehydrated ethanol.

23. (Withdrawn) A method of treating a patient with a disorder which may be treatable with a benzodiazepine drug, comprising: administering to one or more nasal mucosal membranes of a patient a pharmaceutical solution for nasal administration consisting of a benzodiazepine drug, one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, in an amount

from about 30% to about 95% (w/w); one or more alcohols or glycols, or any combinations thereof, in an amount from about 10% to about 70% (w/w); and an alkyl glycoside.

24. (Withdrawn) The method of claim 23, wherein the benzodiazepine drug is dissolved in the one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, in an amount from about 30% to about 95% (w/w); and the one or more alcohols or glycols, or any combinations thereof, in an amount from about 10% to about 70% (w/w).

25. (Withdrawn) The method of claim 24, wherein the natural or synthetic tocopherols or tocotrienols is Vitamin E.

26. (Withdrawn) The method of claim 23, wherein the benzodiazepine drug is selected from the group consisting of: alprazolam, brotizolam, chlordiazepoxide, clobazam, clonazepam, clorazepam, demoxazepam, diazepam, flumazenil, flurazepam, halazepam, midazolam, nordazepam, medazepam, nitrazepam, oxazepam, lorazepam, prazepam, quazepam, triazolam, temazepam, loprazolam, or any pharmaceutically-acceptable salts thereof, and any combinations thereof.

27. (Withdrawn) The method of claim 26, wherein the benzodiazepine drug is diazepam, or a pharmaceutically-acceptable salt thereof.

28. (Withdrawn) The method of claim 23, wherein the solution contains about 1 to about 20 % (w/v) of benzodiazepine.

29. (Withdrawn) The method of claim 28, wherein the solution contains about 1 to about 20 % (w/v) of diazepam.

30. (Withdrawn) The method of claim 23, wherein the one or more natural or synthetic tocopherols or tocotrienols are selected from the group consisting of:  $\alpha$ -tocopherol,  $\beta$ -tocopherol,  $\gamma$ -tocopherol,  $\delta$ -tocopherol,  $\alpha$ -tocotrienol,  $\beta$ -tocotrienol,  $\gamma$ -tocotrienol,  $\delta$ -tocotrienol, tocophersolan, any isomers thereof, any esters thereof, any analogs or derivatives thereof, and any combinations thereof.

31. (Withdrawn) The method of claim 23, wherein the one or more alcohols are selected from the group consisting of: ethanol, propyl alcohol, butyl alcohol, pentanol, benzyl alcohol, any isomers thereof, and any combinations thereof.

32. (Withdrawn) The method of claim 23, wherein the solution contains two or more alcohols.

33. (Withdrawn) The method of claim 23, wherein the solution contains ethanol (1-25 % (w/v)) and benzyl alcohol (1-25 % (w/v)).

34. (Withdrawn) The method of claim 33, wherein the benzodiazepine drug is present in the pharmaceutical solution in a concentration of from about 10 mg/mL to about 250 mg/mL.

35. (Withdrawn) The method of claim 34, wherein the benzodiazepine drug is present in the pharmaceutical solution in a concentration of from about 20 mg/mL to about 50 mg/mL.

36. (Withdrawn) The method of claim 23, wherein the pharmaceutical solution comprises one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, in an amount from about 45% to about 85% (w/w).

37. (Withdrawn) The method claim 36, wherein the pharmaceutical solution comprises one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, in an amount from about 60% to about 75% (w/w).

38. (Withdrawn) The method of claim 23, wherein the pharmaceutical solution comprises one or more alcohols or glycols, or any combinations thereof, in an amount from about 15% to about 55% (w/w).

39. (Withdrawn) The method of claim 38, wherein the pharmaceutical solution comprises one or more alcohols or glycols, or any combinations thereof, in an amount from about 25% to about 40% (w/w).

40. (Withdrawn) The method of claim 23, wherein the solution contains ethanol (10-22.5 % (w/v)) and benzyl alcohol (7.5-12.5 % (w/v)).

41. (Withdrawn) The method of claim 23, wherein the solution is in a pharmaceutically-acceptable spray formulation.

42. (Withdrawn) The method of claim 41, wherein the benzodiazepine is administered in a therapeutically effective amount from about 1 mg to about 20 mg.

43. (Withdrawn) The method of claim 42, wherein said pharmaceutical solution is in a pharmaceutically-acceptable spray formulation having volume from about 10  $\mu\text{L}$  to about 200  $\mu\text{L}$ .

44. (Withdrawn) The method of claim 43, wherein the administration of the pharmaceutical solution comprises spraying at least a portion of the therapeutically effective amount of the benzodiazepine into at least one nostril.

45. (Withdrawn) The method of claim 43, wherein the administration of the pharmaceutical solution comprises spraying at least a portion of the therapeutically effective amount of the benzodiazepine into each nostril.

46. (Withdrawn) The method of claim 45, wherein the administration of the pharmaceutical solution comprises spraying a first quantity of the pharmaceutical solution into the first nostril, spraying a second quantity of the pharmaceutical solution into a second nostril, and optionally after a pre-selected time delay, spraying a third quantity of the pharmaceutical solution into the first nostril.

47. (Withdrawn) The method of claim 46, further comprising, optionally after a pre-selected time delay, administering at least a fourth quantity of the pharmaceutical solution to the second nostril.

48. (Withdrawn) The method of claim 46, wherein nasal administration of the pharmaceutical solution begins at any time before or after onset of symptoms of a disorder which may be treatable with the pharmaceutical solution.

49. (Withdrawn) The method of claim 23, wherein the solution contains at least about 0.01% (w/w) of an alkyl glycoside.

50. (Withdrawn) The method of claim 24, wherein the solution contains about 0.01% to 1% (w/w) of an alkyl glycoside.

51. (Withdrawn) The method of claim 50, wherein the solution contains about 0.01% to 1% (w/w) of dodecyl maltoside.

52. (Withdrawn) The method of claim 23, wherein the solution consists essentially of diazepam, vitamin E, ethanol, benzyl alcohol and dodecyl maltoside.

53. (Withdrawn) The method of claim 23, wherein the solution consists of diazepam, vitamin E, ethanol, benzyl alcohol and dodecyl maltoside.

54. (Withdrawn) The method of claim 23, wherein the solution consists of about 56.47% (w/v) vitamin E, about 10.5 % (w/v) benzyl alcohol, about 10 % (w/v) diazepam, about 0.25 % (w/v) dodecyl maltoside, q.s. dehydrated ethanol.

55. (Withdrawn) The method of claim 23, wherein the solution consists of diazepam, alkyl glycoside, vitamin E, ethanol, and benzyl alcohol.

56. (Withdrawn) The method of claim 23, wherein the solution consists of diazepam (5-15 % (w/v)), dodecyl maltoside (0.01-1 % (w/v)), vitamin E (45-65 % (w/v)), ethanol (10-25 % (w/v)) and benzyl alcohol (5-15 % (w/v)).

57. (Currently Amended) The pharmaceutical solution of claim 17, consisting of 5-15 % (w/v) diazepam (~~5-15 % (w/v)~~), 0.01-1 % (w/v) dodecyl maltoside (~~0.01-1 % (w/v)~~), 45-65 % (w/v) vitamin E (~~45-65 % (w/v)~~), 10-25 % (w/v) ethanol (~~10-25 % (w/v)~~) and 5-15 % (w/v) benzyl alcohol (~~5-15 % (w/v)~~).

58. (Currently Amended) The pharmaceutical solution of claim 17, consisting of 9-11 % (w/v) diazepam (~~9-11 % (w/v)~~), 0.1-0.5 % (w/v) dodecyl maltoside (~~0.1-0.5 % (w/v)~~), 50-60 % (w/v) vitamin E (~~50-60 % (w/v)~~), 15-22.5 % (w/v) ethanol (~~15-22.5 % (w/v)~~) and 7.5-12.5 % (w/v) benzyl alcohol (~~7.5-12.5 % (w/v)~~).

59. (Currently Amended) The pharmaceutical solution of claim 17, consisting of 10 % (w/v) diazepam (~~10 % (w/v)~~), 0.15-0.3 % (w/v) dodecyl maltoside (~~0.15-0.3 % (w/v)~~), 50-60 % (w/v) vitamin E (~~50-60 % (w/v)~~), 17-20 % (w/v) ethanol (~~17-20 % (w/v)~~) and 10-12 % (w/v) benzyl alcohol (~~10-12 % (w/v)~~).

60. (Withdrawn) The method of claim 23, wherein the solution consists of diazepam (5-15 % (w/v)), dodecyl maltoside (0.01-1 % (w/v)), vitamin E (45-65 % (w/v)), ethanol (10-25 % (w/v)) and benzyl alcohol (5-15 % (w/v)).

61. (Withdrawn) The method of claim 23, wherein the solution consists of diazepam (9-11 % (w/v)), dodecyl maltoside (0.1-0.5 % (w/v)), vitamin E (50-60 % (w/v)), ethanol (15-22.5 % (w/v)) and benzyl alcohol (7.5-12.5 % (w/v)).

62. (Withdrawn) The method of claim 23, wherein the solution consists of diazepam (10 % (w/v)), dodecyl maltoside (0.15-0.3 % (w/v)), vitamin E (50-60 % (w/v)), ethanol (17-20 % (w/v)) and benzyl alcohol (10-12 % (w/v)).

63. (Withdrawn) The method of claim 23, wherein said treatment achieves bioavailability that is from about 80-125% of that achieved with the same benzodiazepine administered intravenously.

64. (Withdrawn) The method of claim 63, wherein said treatment achieves bioavailability that is from about 90-110% of that achieved with the same benzodiazepine administered intravenously.

65. (Withdrawn) The method of claim 64, wherein said treatment achieves bioavailability that is from about 92.5 to 107.5% that obtained with the same benzodiazepine administered intravenously.

66. (New) The solution of claim 19, wherein the alkyl glycoside is dodecyl maltoside.

## **REMARKS**

Responsive to the Non-Final Office Action of October 1, 2013, Applicants have amended the claims and present herein remarks and arguments in favor of patentability of the currently presented claims.

### **I. Claim Status**

By the foregoing amendment: claims 1, 3, 5, 6, 10, 11, 15-19, 21 and 57-59 are currently amended; claims 2, 8, 9, and 20 have been canceled; claims 4, 7, 12-14 and 22 stand as previously presented; and claim 66 is new. Claims 23-56 and 60-65 stand withdrawn as drawn to a non-elected invention pursuant to a restriction requirement. Thus, the “pending claims” are instant claims 1, 3-7, 10-19, 21, 22, 57-59 and 66.

Claims 1 has been amended to require that the claimed solution contain ethanol and benzyl alcohol in a combined amount from 10% to 70% (w/w). This amendment is supported throughout the application, including: paragraphs [0173], [0174] and [237]; original claim 20 read in light of original claim 1; and Example 11.

Claim 1 has further been amended to replace “Pharmaceutical” with “pharmaceutical” as a purely formal matter not affecting the scope of the claims.

Claims 5, 6, 15, 16 and 19 have been amended to address matters of form not raised in the Office Action. These amendments do not affect the scope of the claims.

Claims 10, 11, 17, 19 and 57-59 have been amended to address matters of form raised in the Office Action and do not affect the scope of the claims. These amendments are supported in the originally-filed claims and throughout the specification.

Claim 66 is added to claim alternative subject matter deleted from claim 19.

No new matter has been added by the foregoing claim amendments. Favorable action is respectfully requested.

### **II. The § 112, 2<sup>nd</sup> Paragraph Rejection**

Claims 10-12, 17, 19 and 57-59 were rejected as being indefinite under 35 U.S.C. § 112, second paragraph. Applicants respectfully traverse.

Claims 10-12, 17 and 57-59 were criticized for the parenthetical recitation of numerical values. While Applicants consider the previously-presented versions of the other claims to have been clear to one of ordinary skill in the art, in the interest of advancing prosecution, Applicants have amended the claims to obviate the use of parentheses. These amendments obviate the previous criticism of claims 10-12, 17 and 57-59 and warrant withdrawal of the rejection as it applied to those claims.

Claim 19 was criticized for its recitation of “, such as dodecyl maltoside.” Applicants have amended claim 19 to remove the criticized language and have introduced claim 66, which depends from claim 19, and recites the subject matter deleted from claim 19. Accordingly, Applicants have addressed the formal criticism of claim 19, and rendered it moot, without ultimately affecting the scope of the claims.

As the foregoing amendments address all the criticisms raised under § 112, second paragraph, Applicants request withdrawal of the rejection.

### **III. The § 103(a) Rejection**

Claims 1-22 and 57-59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Sonne US 6,193,985) and Meezan (US 2006/0046962). Applicants respectfully traverse.

All of the currently pending claims are directed to a pharmaceutical solution for nasal administration consisting of: (a) a benzodiazepine drug; (b) one or more natural or synthetic tocopherols or tocotrienols, or any combinations thereof, in an amount from about 30% to about 95% (w/w); (c) ethanol and benzyl alcohol in a combined amount from about 10% to about 70% (w/w); and (d) an alkyl glycoside, or more specific embodiments thereof. Applicants submit that neither Sonne nor Meezan, whether taken alone or together, suggests such a formulation.

The transitional phrase “consisting of” excludes any element, step, or ingredient not specified in the claim. MPEP § 2111.03 (2012). Thus, the pending claims exclude such additional ingredients as water, poloxamer and benzalkonium chloride, which Sonne teaches. *See, e.g.*, Examples 1-3, 5. Meezan does not provide any additional teaching or suggestion to modify Sonne’s teaching of emulsions containing water, poloxamer and/or benzalkonium chloride. Accordingly, the claimed solutions are not rendered obvious by the combination of Sonne and Meezan.



The pending claims also require both ethanol and benzyl alcohol in a combined amount of from 10% to 70% (w/w). Neither Sonne nor Meezan teaches or suggests using both ethanol and benzyl alcohol in such amounts. Thus, the combination of references fails to teach or suggest the claimed invention.

Furthermore, while Sonne mentions using ethanol as a viscosity-reducing agent,<sup>1</sup> this teaching appears in the context of introducing the purported benefits of the therein-described colloidal formulations.<sup>2</sup> Sonne does not provide any ranges of concentrations of ethanol, but does teach some ethanol-containing formulations. In Examples 3 and 5, for example, Sonne teaches use of 5% ethanol (5 g ethanol per 100 g of final emulsion formulation, further containing poloxamer and benzalkonium chloride.) In Example 12, Sonne teaches use of 4.5% ethanol<sup>3</sup>. In Example 14, Sonne teaches 7.5% ethanol in a miconazole solution. Nowhere does Sonne or Meezan teach solutions consisting of benzodiazepine, 30-90% tocopherol or tocotrienol, an alkyl glycoside and both ethanol and benzyl alcohol in a combined concentration of 10-70% (w/w).

Moreover, given Sonne's admonition that solutions containing ethanol can be irritating, one of ordinary skill in the art would not have interpreted Sonne as teaching higher concentrations of ethanol than those exemplified in Sonne.

For at least the foregoing reasons, Applicants submit that claim 1, and hence each of the claims depending from claim 1, is not rendered obvious to one of ordinary skill in the art by Sonne and Meezan, whether taken separately or together.

In addition to the foregoing requirements, claims 10-12, 15-17, 22 and 57-59 are further distinguished from the invention taught by the combination of Sonne and Meezan.

---

<sup>1</sup> See column 3, lines 60-67 ("The compositions of the invention may be used directly as solutions of the bioactive agent in the tocopherol solvent. However such solutions are viscous, and the viscosity may be too high for certain applications, for example to achieve a sprayable formulation for nasal application. Viscosity can be reduced by addition of co-solvents such as ethanol, but this is less desired, since solutions of this kind tend to be irritating to certain mucosal tissues.") (Emphasis added.)

<sup>2</sup> See column 4, lines 1-2 ("Alternatively, the tocopherol solutions may be emulsified, to obtain formulations of lower viscosity.").

<sup>3</sup> As well as 20% coconut oil, which is also excluded from the instant claims.

Claim 10, in addition to requiring that the combined concentration of ethanol and benzyl alcohol be from 10 to 70% (w/w) (per claim 1, from which claim 10 depends) also requires that the concentration of ethanol be 1-25% (w/v) and benzyl alcohol concentration be 1-25 % (w/v). Neither Sonne nor Meezan suggests 1-25% (w/v) benzyl alcohol. Accordingly, the combination of Sonne and Meezan fails to teach or fairly suggest the invention of claim 10.

Claims 11 and 12, in addition to requiring that the combined concentration of ethanol and benzyl alcohol be from 10 to 70% (w/w) (per claim 1, from which claims 10-11 depend) also require that the concentration of ethanol be 10-22.5% (w/v) and benzyl alcohol concentration be 7.5-12.5 % (w/v). Neither Sonne nor Meezan suggests 10-22.5% (w/v) ethanol plus 7.5-12.5 % (w/v) benzyl alcohol. Noting again Sonne's teaching that ethanol can be irritating, there would have been no reason for one of ordinary skill in the art to use 10-22.5% ethanol, which is higher than any concentration of ethanol employed in any of Sonne's examples, plus 7.5-12.5 % (w/v) benzyl alcohol. Accordingly, the combination of Sonne and Meezan fails to teach or fairly suggest the invention of claims 11 and 12.

Claims 15 and 16, in addition to requiring that the combined concentration of ethanol and benzyl alcohol be from 15 to 55% (w/w). Neither Sonne nor Meezan suggests a combined concentration of ethanol and benzyl alcohol of 15-55 % (w/w). Noting again Sonne's teaching that ethanol can be irritating, there would have been no reason for one of ordinary skill in the art to use 15-55 % combined ethanol and benzyl alcohol, which is two times the highest concentration of ethanol employed in any of Sonne's examples. *See* Sonne's example 14, which employs 7.5% ethanol. Accordingly, the combination of Sonne and Meezan fails to teach or fairly suggest the invention of claims 15 and 16.

Claim 17 recites a pharmaceutical solution consisting of 5-15% (w/v) diazepam, 0.01-1 % (w/v) alkyl glycoside, 45-65% (w/v) vitamin E, 10-25% (w/v) ethanol and 5-15% (w/v) benzyl alcohol. Each of claims 57-59 depends from claim 17 and recites narrower ranges of ingredients. Claim 58, for example, requires 15-22.5 % (w/v) ethanol and 7.5-12.5 % (w/v) benzyl alcohol. Claim 59 requires 17-20 % (w/v) ethanol and 10-12 % (w/v) benzyl alcohol. Neither Sonne nor Meezan suggests a pharmaceutical composition having both 10-25% (or 15-22.5 % or 17-20 %) (w/v) ethanol and 5-15% (or 7.5-12.5 % or 10-12 %) (w/v) benzyl alcohol. Noting again Sonne's teaching that ethanol can be irritating, there would have been no reason for one of ordinary skill in the art to

use 10-25% ethanol and 5-15% benzyl alcohol, which would result in a total alcohol concentration twice, at a minimum, the highest concentration of ethanol employed in any of Sonne's examples. *See* Sonne's example 14, which employs 7.5% ethanol. Accordingly, the combination of Sonne and Meezan fails to teach or fairly suggest the invention of claims 17 and 57-59.

For at least the foregoing reasons, Applicants submit that the instant claims would not have been considered obvious to the person of ordinary skill in the art at the time of the invention. Applicants request withdrawal of the § 103(a) rejection over Sonne and Meezan.

#### **IV. The Double Patenting Rejections**

Claims 1-22 and 57-59 were rejected under the doctrine of non-statutory double patenting over claims 1-8 and 11-16 of U.S. Patent No. 8,530,463 ("the '463 patent"). Applicants traverse.

In order for a claim to be unpatentable under the doctrine of non-statutory double patenting, the claims must overlap such that a claim of the patent would anticipate or render obvious at least one claim of the pending application. M.P.E.P. § 804 II.B.1. Applicants submit that no claim of the '463 patent would anticipate or render obvious the instant claims.

Claims 1 and 11 of the '463 patent, from which claims 2-8 and 12-16 depend, recite:

1. A bimodal particulate composition for nasal administration of benzodiazepine particulates having an effective average particle size greater than 2000 nm and a bimodal particle size distribution, comprising a first population of particles having a first effective average particle size and a second population of particles having a second effective average particle size, wherein the first effective average particle size is at least 1.5 times that of the second effective average particle size.

11. A pharmaceutical particulate composition for nasal delivery of benzodiazepine comprising benzodiazepine particulates having an effective average particle size greater than 2000 nm and a bimodal particle size distribution.

It is noted that both claims 1 and 11 recite particulate formulations having effective average particle sizes greater than 2000 nm and a bimodal particle size. In contrast, the pending claims of the instant application all relate to solutions of benzodiazepine. One of ordinary skill in the art would immediately recognize that the formulations recited in the claims of the '463 patent are a different physical form from those of the instant claims, and thus would not consider the claims of the '463 patent to anticipate the instant claims. Nor would one of ordinary skill in the art consider

that the '463 patent claims render the instant claims obvious, as they fail to teach or suggest the combination of ethanol and benzyl alcohol in a combined concentration of 10-70% (w/v).

As one of ordinary skill in the art would not have considered the instant claims anticipated or obvious in view of claims 1-8 and 11-16 of the '463 patent, the double patenting rejection is untenable and should be withdrawn. Such action is requested.

Claims 1-22 and 57-59 were provisionally rejected over claims 1, 3-9, 11, 24, 25, 28, 29, 32-34 and 36-38 of copending Application No. 12/266,529. Applicants note that this application issued as U.S. Patent No. 8,530,463 (the aforementioned "'463 patent") on September 10, 2013. Accordingly, Applicants incorporate by reference the foregoing traversal of the double patenting rejection over the '463 patent and request withdrawal of the rejection on at least the same grounds.

### **CONCLUSION**

Applicants submit that the foregoing is a complete response to the Non-Final Rejection and request prompt examination and allowance of the instant claims. Should the Examiner have any questions or suggestions for expediting allowance of the instant application, Applicants' representative requests the courtesy of a phone call at the phone number below.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 23-2415, referencing Attorney Docket No. 35401-716.501.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

Date: April 1, 2014

By: /Matthew V. Grumbling/  
Matthew V. Grumbling  
Reg. No. 44,427

650 Page Mill Road  
Palo Alto, CA 94304  
Direct Dial: (858) 350-2332  
Customer No. 021971

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13495942
<b>Filing Date:</b>	13-Jun-2012
<b>Title of Invention:</b>	ADMINISTRATION OF BENZODIAZEPINE COMPOSITIONS
<b>First Named Inventor/Applicant Name:</b>	Steve Cartt
<b>Filer:</b>	Matthew Virgil Grumbling/Misty Elam
<b>Attorney Docket Number:</b>	35401-716.501

Filed as Small Entity

### Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 3 months with \$0 paid	225A	1	0.00	0.00

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>700</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	18638623
<b>Application Number:</b>	13495942
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	7399
<b>Title of Invention:</b>	ADMINISTRATION OF BENZODIAZEPINE COMPOSITIONS
<b>First Named Inventor/Applicant Name:</b>	Steve Cartt
<b>Customer Number:</b>	21971
<b>Filer:</b>	Matthew Virgil Grumbling/Misty Elam
<b>Filer Authorized By:</b>	Matthew Virgil Grumbling
<b>Attorney Docket Number:</b>	35401-716.501
<b>Receipt Date:</b>	01-APR-2014
<b>Filing Date:</b>	13-JUN-2012
<b>Time Stamp:</b>	13:07:49
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$700
RAM confirmation Number	10420
Deposit Account	232415
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size (Bytes)	Multi Part (.zip)	Pages (of appl.)
		AQUESTIVE EXHIBIT 1011	Message Digest	Part 7.zip	page 2155 (of appl.)

1		35401-716-501OAResponse.pdf	89202 44e93708230ac2978fee68171b7ac29bded11b03	yes	15
<b>Multipart Description/PDF files in .zip description</b>					
		<b>Document Description</b>	<b>Start</b>	<b>End</b>	
		Amendment/Req. Reconsideration-After Non-Final Reject	1	1	
		Claims	2	9	
		Applicant Arguments/Remarks Made in an Amendment	10	15	
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (SB06)	fee-info.pdf	30509 eced355fa46362760e14ed567864493147e68a37	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			119711		
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>					



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number <b>13/495,942</b>	Filing Date <b>06/13/2012</b>	<input type="checkbox"/> To be Mailed
---	---	----------------------------------	---------------------------------------

ENTITY:  LARGE  SMALL  MICRO

**APPLICATION AS FILED – PART I**

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 = *		X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 = *		X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

**APPLICATION AS AMENDED – PART II**

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
<b>AMENDMENT</b>	<b>04/01/2014</b>	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total (37 CFR 1.16(i))	* 62	Minus	** 65	= 0	X \$40 = 0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X \$210 = 0
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	<b>0</b>

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
<b>AMENDMENT</b>		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE  
/KIM WATSON/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	13/495,942
				Filing Date	6/13/2012
				First Named Inventor	Steve Cartt
				Art Unit	1612
Examiner Name	Adam C. Milligan				
Sheet	1	of	9	Attorney Docket Number	35401-716.501

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		
	1.	US-2002-0110524 AI	8/15/2002	Cowan et al.	
	2.	US-2002-0141971 AI	10/3/2002	Frey	
	3.	US-2003-0017203 AI	6/23/2003	Crotts et al.	
	4.	US-2003-0040497 AI	2/27/2003	Teng et al.	
	5.	US-2003-0087820 AI	5/1/2003	Young et al.	
	6.	US-2003-0100755 AI	5/29/2003	Sham et al.	
	7.	US-2003-0118547 AI	6/1/2303	Vandenberg	
	8.	US-2003-0118594 AI	6/26/2003	Nag et al.	
	9.	US-2003-0158206 AI	8/21/2003	Billotte et al.	
	10.	US-2003-0170206 AI	9/11/2003	Rasmussen et al.	
	11.	US-2004-0115135 AI	6/17/2004	Quay	
	12.	US-2004-0126358 AI	7/1/2004	Warne et al.	
	13.	US-2004-0147473 AI	7/29/2004	Warriell, Jr.	
	14.	US-2004-0258663 AI	12/23/2004	Quay & El-Shafy	
	15.	US-2005-0130260 AI	6/16/2005	Linden et al.	
	16.	US-2005-0234101 AI	10/20/2005	Stenkamp et al.	
	17.	US-2006-0045869 AI	03/02/2006	Meezan et al.	
	18.	US-2006-0046969 AI	3/2/2006	Maggio	
	19.	US-2006-0106227 AI	5/18/2006	Reddy et al.	
	20.	US-2006-0147386 AI	07-062006	Wermling	
	21.	US-2007-0298010 AI	12/27/2007	Maggio	
	22.	US-2007-0059254 AI	3/15/2007	Singh	
	23.	US-2007-0098805 AI	5/3/2007	Liversidge	
	24.	US-2008-0268032 AI	10/30/2008	Maggio	
	25.	US-2009/0258865 AI	10/15/2009	Cartt et al.	
	26.	US-2010-0203119 AI	8/12/2010	Leane et al.	
	27.	US-2010-0209485 AI	8/19/2010	Maggio	
Examiner Signature			Date Considered		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>			
				Application Number	13/495,942		
				Filing Date	6/13/2012		
				First Named Inventor	Steve Cartt		
				Art Unit	1612		
Examiner Name	Adam C. Milligan	Attorney Docket Number	35401-716.501	Sheet	2	of	9

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	28.	US-3,547,828	12/15/1970	Mansfield et al.	
	29.	US-3,849,341	11/19/1974	Lambeiti	
	30.	US-4,397,951	8/9/1983	Taki et al.	
	31.	US-4,748,158	5/31/1988	Biermann et al.	
	32.	US-4,868,289	9/1/1989	Magnusson et al.	
	33.	US-4,921,838	5/1/1990	Catsimpoolas et al.	
	34.	US-5,182,258	1/1/1993	Chiou	
	35.	US-5,192,528	3/3/1993	Radhakrishnan et al.	
	36.	US-5,236,707	8/17/1993	Stewart	
	37.	US-5,268,461	12/7/1993	Shoji et al.	
	38.	US-5,308,531	5/3/1994	Urfer et al.	
	39.	US-5,317,010	5/31/1994	Pang et al.	
	40.	US-5,369,095	11/29/1994	Kee et al.	
	41.	US-5,550,220	8/27/1996	Meyer et al.	
	42.	US-5,639,733	6/17/1997	Koike et al.	
	43.	US-5,738,845	4/14/1998	Imakawa	
	44.	US-5,789,375	8/4/1998	Mukae et al.	
	45.	US-5,795,896	8/18/1998	Löfroth et al.	
	46.	US-5,814,607	9/29/1998	John S. Patton	
	47.	US-5,817,634	10/1/1998	Meezan et al.	
	48.	US-5,955,425	9/21/1999	Morley et al.	
	49.	US-6,004,574	12/21/1999	Backstrom et al.	
	50.	US-6,254,854	7/3/2001	Edwards, et al.	
	51.	US-6,316,410	11/13/2001	Barbier et al.	
	52.	US-6,395,300	5/28/2002	Straub et al.	
	53.	US-6,461,591	10/8/2002	Keller et al.	
	54.	US-6,482,834	9/20/2001	Spada, et al.	
	55.	US-6,495,498	12/17/2002	Niemiec et al.	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	13/495,942
				Filing Date	6/13/2012
				First Named Inventor	Steve Cartt
				Art Unit	1612
Examiner Name	Adam C. Milligan				
Sheet	3	of	9	Attorney Docket Number	35401-716.501

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	56.	US-6,524,557	2/25/2003	Backstrom et al.	
	57.	US-6,794,357	9/21/2004	Backstrom et al.	
	58.	US-6,932,962	8/23/2005	Backstrom et al.	
	59.	US-6,991,785	1/31/2006	Frey	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>2</sup> - Number <sup>3</sup> - Kind Code <sup>5</sup> (if known)				
	60.	EP-0396777 A1	11/14/1990	OTSUKA PHARMA CO LTD		
	61.	EP-1417972 A1	5/12/2004	ELI LILLY & COMPANY		
	62.	JP1-151528 (English Abstract and Claims)	6/14/1989	TAIHO YAKUHN KOGYO KK		X
	63.	WO-1991-019481	12/26/1991	ALLERGAN, INC.		
	64.	WO-1994-05262 A1	3/17/1994	F.H. FAUDLING & CO. LTD.		
	65.	WO-1995-000151 A1	1/5/1995	UAB RESEARCH FOUNDATION		
	66.	WO-2000-001390 A1	01/13/2000	RECORDATI S.A. CHEMICAL AND PHARMACEUTICAL COMPANY ET AL.		
	67.	WO-2003-055464	07/10/2003	BESINS INTERNATIONAL BELGIQUE ET AL.		
	68.	WO-2005-018565 A2	03/03/2005	TRANSORAL PHARMACEUTICAL S, INC.		
	69.	WO-2008-027395 A2	3/6/2008	Jazz Pharmaceuticals		

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	13/495,942
				Filing Date	6/13/2012
				First Named Inventor	Steve Cartt
				Art Unit	1612
Examiner Name	Adam C. Milligan				
Sheet	4	of	9	Attorney Docket Number	35401-716.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	70.	Ahsan et al., "Effects of the permeability enhancers, tetradecylmaltoside and dimethyl- $\beta$ -cyclodextrin, on insulin movement across human bronchial epithelial cells", European Journal of Pharmaceutical. Sciences, 2003; 20: 27-34	
	71.	Ahsan et al., "Sucrose cocoate, a component of cosmetic preparations enhances nasal and ocular peptide absorption", Int J Pharm, 2003; 251: 195-203.	
	72.	Albert et al., "Pharmacokinetics of diphenhydramine in man", J. Pharmacokinetic, Biopharm., 3(3):159-170 (1975).	
	73.	Arnold et al., "Correlation of tetradecylmaltoside induced increases in nasal peptide drug delivery with morphological changes in nasal epithelial cells", J. Pharm. Sci. 93(9):2205-2213 (2004).	
	74.	Beam et al., "Blood, Brain, Cerebrospinal Fluid Concentrations of Several Antibiotics in Rabbits with Intact and Inflamed Meninges", Antimicrobial Agents and Chemotherapy, December 1977, pp 710-716	
	75.	Bhairi S.M., "A guide to the properties and uses of detergents in biological systems", Calbiochem, pp. 1-42 (2001).	
	76.	Birkett et al., "Bioavailability and First Pass Clearance", Australian Prescriber, 1991, pp. 14-16, Vol. 14.	
	77.	Birkett et al., "How Drugs are Cleared by the Liver", Australian Prescriber, 1990, pp. 88-89, Vol. 13, No. 4.	
	78.	CA 2,723,470 Office action dated June 7, 2012	
	79.	Castro et al., "Ecologically safe alkyl glucoside-based gemini surfactants", ARKIVOC, xii:253-267 (2005)	
	80.	Chavanpatil and Vavia, "Nasal drug delivery of sumatriptan succinate", Pharmazie., 2005 May:60(5):347-349.	
	81.	Chen et al., "Peptide Drug Permeation Enhancement By Select Classes of Lipids", presented at the 45th American Society of Cell Biology, S.F., CA, December 10-14 (2005); 1 page total.	
	82.	Chen-Quay et al., "Identification of tight junction modulating lipids", J. Pharm. Sci., 98(2):606-619 (2009)	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	13/495,942
				Filing Date	6/13/2012
				First Named Inventor	Steve Cartt
				Art Unit	1612
Examiner Name	Adam C. Milligan				
Sheet	5	of	9	Attorney Docket Number	35401-716.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	83.	Chiou et al., "Improvement of Systemic Absorption of Insulin Through Eyes with Absorption Enhancers", Journal of Pharmaceutical Sciences, October 1989, pp. 815-818, Vol. 78, No. 10	
	84.	Chiou et al., "Systemic Delivery of Insulin Through Eyes to Lower the Glucose Concentration", Journal of Ocular Pharmacology, 1989, pp. 81-91, Vol. 5, No. 1.	
	85.	Chinese Patent Office from Application No. CN200980157305.0 dated January 28, 2013	
	86.	Davis and Illum, "Absorption enhancers for nasal drug delivery", Clin. Pharmacokine., 2003;42(13):107-28	
	87.	De Vry and Schreiber, "Effects of selected serotonin 5-HT(1) and 5-HT(2) receptor agonists on feeding behavior: possible mechanisms of action", Neurosci. Biobehav. Rev., 24(3):341-53 (2000)	
	88.	Definition downloaded 13 September 2012 at the medical-dictionary.thefreedictionary.com/p/encephalin	
	89.	Definition of pilus, Merriam-Webster Medical Dictionary, http://www.merriam-webster.com/medical/pilus, accessed online on 28 May 2013	
	90.	Definition of villus, Merriam-Webster Medical Dictionary, http://www.merriam-webster.com/medical/villus, accessed online on 28 May 2013	
	91.	Drewe et al., "Enteral absorption of octreotide: absorption enhancement by polyoxyethylene-24-cholesterol ether", Br. J. Pharmacol., 108(2):298-303 (1993).	
	92.	Duquesnoy et al., "Comparative clinical pharmacokinetics of single doses of sumatriptan following subcutaneous, oral, rectal and intranasal administration", Eur. J. Pharm. Sci., 6(2):99-104 (1998)	
	93.	Edwards CM., "GLP-1: target for a new class of antidiabetic agents?", J.R. Soc. Med., 97(6):270-274 (2004).	
	94.	Eley and Triumalashetty, "In vitro assessment of alkylglycosides as permeability enhancers", AAPS PharmSciTech., 2(3): article 19, pages 1-7 (2001).	
	95.	European Search Report (ESR) from EP 09 83 5809 dated 13 November 2012	
	96.	Fricker et al., "Permeation enhancement of octreotide by specific bile salts in rats and human subjects: in vitro, in vivo correlations", Br. J. Pharmacol., 117(1):217-23 (1996)	

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>				
				Application Number	13/495,942			
				Filing Date	6/13/2012			
				First Named Inventor	Steve Cartt			
				Art Unit	1612			
Examiner Name	Adam C. Milligan		Sheet	6	of	9	Attorney Docket Number	35401-716.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	97.	Gordon et al., "Nasal Absorption of Insulin: Enhancement by Hydrophobic Bile Salts", Proceedings of the National Academy of Sciences of the United States of America, November 1985, pp. 7419-7423, Vol. 82.	
	98.	Hathcox and Beuchat, "Inhibitory effects of sucrose fatty acid esters, alone and in combination with ethylenediaminetetraacetic acid and other organic acids, on viability of Escherichia coli 0157:H7", Food Microbiology, Volume 13, Issue 3, 213-225 (1996).	
	99.	Hovgaard et al., "Insulin Stabilization and GI Absorption", Journal of Controlled Release, March 1992, pp. 99-108, Vol. 19, Issue 1-3.	
	100.	Hovgaard et al., "Stabilization of insulin by alkylmaltosides. A. Spectroscopic evaluation", International Journal of Pharmaceutics, 132(1-2):107-113 (1996).	
	101.	Hovgaard et al., "Stabilization of Insulin by Alkylmaltosides. B. Oral Absorption in Vivo in Rats", International Journal of Pharmaceutics, 1996, pp. 115-121, Vol 132.	
	102.	International Search Report (ISR) from PCT/US2011/056735 dated June 22, 2012	
	103.	JP2010-507633 Office Action dated October 23, 2012	X
	104.	Katzung, B., "Basic and Clinical Pharmacology, 7th Edition", Appleton & Lange: Stamford, Connecticut, 1998, pp. 34-49	
	105.	Lacy, C, et al., "Drug Information Handbook, 7th Edition 1999-2000" Lexi-Comp, Inc., 1999, pp. 163-164.	
	106.	Lahat et al., "Intranasal midazolam for childhood seizures", The Lancet, 1998; 352: 620	
	107.	Lehninger et al., "Principles of Biochemistry with an Extended Discussion of Oxygen-Binding Proteins", 1982, pp. 150-151, Worth Publishers, Inc.	
	108.	Maa and Prestrelski, "Biopharmaceutical powders: particle formation and formulation considerations", Curr. Pharm. Biotechnol., 1(3):283-302 (2000).	
	109.	Material Safety Data Sheet for Anatrace, Inc. product n-DODECYL-β-d-MALTOPYRANOSIDE, ANAGRADE, Dated: 01/25/1994 and Revised: 07/15/2004, <a href="http://media.affymetrix.com/estore/browse/level_three)category_and_products.jsp?category=35843&amp;categoryldClicked=35843&amp;expand=true&amp;parent=35900">http://media.affymetrix.com/estore/browse/level_three)category_and_products.jsp?category=35843&amp;categoryldClicked=35843&amp;expand=true&amp;parent=35900</a> , access online on 13 December 2012	
	110.	Mathew N.T., "Serotonin 1D (5-HT1D) agonists and other agents in acute migraine", Neurol. Clin., 15(1):61-83 (1997).	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	13/495,942
				Filing Date	6/13/2012
				First Named Inventor	Steve Cartt
				Art Unit	1612
Examiner Name	Adam C. Milligan				
Sheet	7	of	9	Attorney Docket Number	35401-716.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	111.	Matsumura et al., "Surface activities, biodegradability and antimicrobial properties of n-alkyl glucosides, mannosides and galactosides", Journal of the America Oil Chemists' Society, 67(12):996-1001 (1990)	
	112.	Moses et al., "Insulin Administered Intranasally as an Insulin-Bite Salt Aerosol - Effectiveness and Reproducibility in Normal and Diabetic Subjects", Diabetes, November 1983, pp. 1040-1047, Vol. 32.	
	113.	Murakami et al., "Assessment of Enhancing Ability of Medium-Chain Alkyl Saccharides as New Absorption Enhancers in Rat Rectum", International Journal of Pharmaceutics, February 1992, pp. 159-169, Vol. 79, Issue 1-3]	
	114.	Ogiso et al., "Percutaneous Absorption of Elcatonin Chemical and Hypocalcemic Effect in Rat", Chemical & Pharmaceutical Bulletin, February 1991, pp. 449-453, Vol. 39, Issue 2, The Pharmaceutical Society of Japan, Tokyo, Japan.	
	115.	Olesen et al., "The Headaches", <i>Lippincott Williams &amp; Wilkins</i> , page 474 (2005)	
	116.	Paulsson and Edsman, "Controlled drug release from Gels using surfactant aggregates. II Vesicles formed from mixtures of amphiphilic drugs and oppositely charged surfactants", Pharm. Res., 18(11):1586-1592 (2001).	
	117.	PCT/US08/62961 International Preliminary Report on Patentability dated 11/10/2009	
	118.	PCT/US09/38696 International Preliminary Report on Patentability dated 9/28/2010	
	119.	Phillips, A., "The challenge of gene therapy and DNA delivery", J. Pharm Pharmacology 53: 1169-1174, 2001	
	120.	Pillion et al., "Synthetic long-chain alkyl maltoside and alkyl sucrose esters as enhancers of nasal insulin absorption", J. Pharm. Sci., 91:1456-1462 (2002).	
	121.	Pillion et al., "Systemic Absorption of Insulin Delivered Topically to the Rat Eye", Investigative Ophthalmology & Visual Science, November 1991, pp. 3021-3027, Vol. 32, Issue 12.	
	122.	Pirollo et al., "Targeted Delivery of Small Interfering RNA: Approaching Effective Cancer Therapies", Cancer Res. 68(5): 1247-1250, 2008	
	123.	Richards R.M., "Inactivation of resistant Pseudomonas aeruginosa by antibacterial combinations", J. Pharm. Pharmacol., 23:136S-140S (1971)	

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	13/495,942
				Filing Date	6/13/2012
				First Named Inventor	Steve Cartt
				Art Unit	1612
Examiner Name	Adam C. Milligan				
Sheet	8	of	9	Attorney Docket Number	35401-716.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	124.	Salzman et al., "Intranasal Aerosolized Insulin", The New England Journal of Medicine, April 25, 1985, pp. 1078-1084, Vol. 312, Issue 17	
	125.	Sanders et al., "Pharmacokinetics of ergotamine in healthy volunteers following oral and rectal dosing", Eur. J. Clin. Pharmacol., 30(3):331-334 (1986).	
	126.	Shim and Kim, "Administration Route Dependent Bioavailability of Interferon- $\alpha$ and Effect of Bile Salts on the Nasal Absorption", Drug Development and Industrial Pharmacy, 19(10):1183-1199 (1993).	
	127.	Stevens and Guillet, "Use of Glucagon to Treat Neonatal Low-Output Congestive Heart Failure after Maternal Labetalol Therapy", The Journal of Pediatrics, July 1995, pp. 151-153, Volume 127, Issue 1.	
	128.	Swarbrick et al., Encyclopedia of Pharmaceutical Technology, Informa Health Care, 2nd edition, Vol. 1, page 918 (2002).	
	129.	Tsuchido et al., "Lysis of Bacillus subtilis Cells by Glycerol and Sucrose Esters of Fatty Acids", Applied and Environmental Microbiology. Vol. 53, No.3, 505-508, 1987.	
	130.	Türker et al., "Nasal route and drug delivery systems", Pharm. World Sci., 26(3):137-42 (2004).	
	131.	Turton et al., "A role for glucagon-like peptide-1 in the central regulation of feeding", Nature, 1996; 379:69-72	
	132.	U.S. Serial No. 12/116,842 Office action mailed May 25, 2011	
	133.	U.S. Serial No. 12/116,842 Office action mailed April 2, 2013	
	134.	U.S. Serial No. 12/116,842 Office action mailed November 15, 2011	
	135.	U.S. Serial No. 12/116,842 Office action mailed December 17, 2013	
	136.	U.S. Serial No. 12/266,529 Office action mailed July 10, 2012	
	137.	U.S. Serial No. 12/266,529 Office action mailed November 16, 2011	
	138.	U.S. Serial No. 12/413,439 Office action mailed March 18, 2011	
	139.	U.S. Serial No. 12/413,439 Office action mailed November 21, 2011	
	140.	Vidal et al., "Making sense of antisense", European Journal of Cancer, 41:2812-2818, 2005	
Examiner Signature		Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	13/495,942
				Filing Date	6/13/2012
				First Named Inventor	Steve Cartt
				Art Unit	1612
Examiner Name	Adam C. Milligan				
Sheet	9	of	9	Attorney Docket Number	35401-716.501

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	141.	Watanabe et al., "Antibacterial Carbohydrate Monoesters Suppressing Cell Growth of Streptococcus mutans in the Presence of Sucrose", Current Microbiology, September 2000, pp. 210-213, Vol. 41, No. 3.	
	142.	Weber and Benning, "Metabolism of orally administered alkyl beta-glycosides in the mouse", J. Nutr., 114:247-254 (1984).	
	143.	Webpage for Anatrace products of Affymetrix, <a href="http://www.affymetrix.com/estore/browse/level_three_category_and_products.jsp?category=35843&amp;categoryIdClicked=35843&amp;expand=true&amp;parent=35900">http://www.affymetrix.com/estore/browse/level_three_category_and_products.jsp?category=35843&amp;categoryIdClicked=35843&amp;expand=true&amp;parent=35900</a> , accessed online on 13 December 2012	
	144.	Yamamoto et al., "The Ocular Route for Systemic Insulin Delivery in the Albino Rabbit", The Journal of Pharmacology and Experimental Therapeutics, April 1989, pp. 249-255, Vol. 249; No. 1.	
	145.	Yu Xinrui et al., "Triptan Medicament and Migraine", World Pharmacy (Synthetic Drug and Biochemical Drug Formulation Fascicule), 22(2):91-92 (2001)	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Europäisches Patentamt  
European Patent Office  
Office européen des brevets

Publication number:

**0 396 777  
A1**

12

**EUROPEAN PATENT APPLICATION  
published in accordance with Art.  
158(3) EPC**

21 Application number: **89912495.2**

51 Int. Cl.<sup>5</sup>: **A61K 37/66**

22 Date of filing: **13.11.89**

86 International application number:  
**PCT/JP89/01156**

87 International publication number:  
**WO 90/05535 (31.05.90 90/12)**

30 Priority: **14.11.88 JP 288591/88**

43 Date of publication of application:  
**14.11.90 Bulletin 90/46**

84 Designated Contracting States:  
**CH DE FR GB LI NL**

71 Applicant: **OTSUKA PHARMACEUTICAL CO.,  
LTD.  
9, Kandatsukasacho 2-chome  
Chiyoda-ku Tokyo 101(JP)**

72 Inventor: **ISHIZUE, Yoshihiro  
200-3, Takase Kamiita-cho Itano-gun  
Tokushima 771-13(JP)  
Inventor: KIMURA, Yuzo  
4-3-10, Minamisho-machi Tokushima-shi  
Tokushima 770(JP)  
Inventor: TODA, Masafumi  
463-10, Kagasuno Kawauchi-cho  
Tokushima-shi  
Tokushima 770(JP)  
Inventor: MASUDA, Yoshito  
463-10, Kagasuno Kawauchi-cho  
Tokushima-shi  
Tokushima 770(JP)**

74 Representative: **Hansen, Bernd, Dr.  
Dipl.-Chem. et al  
Hoffmann, Eitle & Partner Patent- und  
Rechtsanwälte Arabellastrasse 4  
D-8000 München 81(DE)**

**EP 0 396 777 A1**

84 **INTERFERON PREPARATION FOR NASAL ADMINISTRATION.**

87 The invention provides preparation for nasal administration which contains a pharmacologically effective amount of interferon and a fatty acid ester of sugar.

DESCRIPTION

Interferon Preparation for Nasal Administration

Technical Field

5 The present invention relates to interferon preparations for nasal administration, and more particularly to an interferon preparation for nasal administration which is applied by dropping or spraying into the nasal cavity in the form of a powder or liquid.

Background Art

10 Interferons (IFNs) are bioactive substances which display various clinical effects such as antiviral effect, antitumor effect and immunological enhancement effect and so have been developed as antiviral agents, anticancer agents, etc. However, such pharmaceutical  
15 preparations which contain IFNs as active components are limited to injectable forms such as intravenous injection, intramuscular injection and subcutaneous injection, since IFNs are polypeptides to be immediately inactivated by protease, etc. and are difficult to absorb through the  
20 gastrointestinal tract, skin and mucosa due to their large molecular weight.

Administration of such injections not only gives severe pain to patients but also makes home care difficult, hence very inconvenient. Therefore, it is  
25 desired in this field to research and develop more

convenient dosage forms other than injections.  
Preparations for nasal administration are exemplified as  
such dosage forms and disclosed in Unexamined Japanese  
Patent Publication No. 207226/87, etc. However, the  
5 absorbefaciants themselves used in such preparations  
largely stimulate nasal mucosa and thus have not been yet  
usable for nasal preparation in spite of their relatively  
large IFN-absorption promoting effect.

Disclosure of Invention

10 The present invention provides IFN preparations  
for nasal administration which can be effectively absorbed  
through the nasal mucosa and have little or no likelihood  
of stimulating the nasal mucosa for use with high safety.

The present invention relates to preparations  
15 for nasal administration comprising an IFN in a  
pharmacologically effective amount and a sucrose-fatty  
acid ester.

The inventors have found that, if sucrose fatty  
acid esters are used as absorbefaciants together with IFN,  
20 IFN can be very efficiently absorbed through the nasal  
mucosa, and that the IFN preparation thus obtained for  
nasal administration does not substantially impair the  
nasal mucosa but is usable with extremely high safety to  
the living body. The present invention has been  
25 accomplished based on the above novel findings.

In the nasal preparation of the present invention, a solution or powder containing an active substance is inhaled into the nasal cavity using an appropriate instrument such as a spray bomb, aerosol bomb  
5 or nebulizer aspirator, whereby the active substance is adhered to and absorbed through the nasal mucosa. The present invention provides a nasal preparation comprising an IFN as the above-mentioned active substance, and more particularly a nasal preparation which contains a specific  
10 absorbefacient to efficiently promote the absorption of the IFN and which hardly stimulates the nasal mucosa substantially.

The IFN to be used in the present invention is at least one compound selected from the group comprising  
15 interferon- $\alpha$  (IFN- $\alpha$ ), interferon- $\beta$  (IFN- $\beta$ ) and interferon- $\gamma$  (IFN- $\gamma$ ), which are already known. The method for preparing the present preparation for nasal administration is applicable to various bioactive substances as well as IFNs. Such bioactive substances include hormones such as  
20 insulins, calcitonins, luteohormone-releasing hormones, growth hormones, oxytocins, vasopressins, desmopressins; vaccines such as influenzae vaccines, hepatitis B vaccines, whooping cough vaccines; enzyme proteins such as urokinases, tissue plasminogen activators; bioactive  
25 proteins such as interleukins, tumor necrosis factors

(TNF), immunoglobulins, blood coagulation factors VIII;  
etc.

The absorbefacient to be used in the present invention is at least one sucrose fatty acid ester. Such  
5 sucrose fatty acid esters are preferably selected from those having 8 to 22 carbon atoms in their fatty acid moiety and more preferably those having 12 to 18 carbon atoms in their fatty acid moiety. These sucrose fatty acid esters are known and any of them can be used. Fatty  
10 acids constituting these esters may be saturated or unsaturated and straight- or branched-chain ones, and are particularly preferably straight-chain saturated fatty acids.

The amounts of IFN and sucrose fatty acid ester  
15 (absorbefacient) to be contained in the present nasal preparation are somewhat variable and can be appropriately decided depending on the kind of these components. IFN is generally used in a concentration of about  $10^3$  to about  $10^9$  IU per preparation. Sucrose fatty acid esters are  
20 used generally in a concentration of about 0.05 to about 10 w/v%, preferably about 0.1 to about 5.0 w/v%.

The nasal preparation of the present invention can be prepared by conventional methods suitable for the respective dosage forms. For example, preparations of the  
25 liquid type can be formulated by properly mixing IFN and

5 sucrose fatty acid ester (absorbefacient) and dissolving, emulsifying or dispersing the mixture in water or in an aqueous solution containing an organic solvent which is generally acceptable for use in nasal preparations. If  
10 desired, various pharmaceutically acceptable additives can be added which include, for example, buffers, stabilizing agents, preservatives, isotonic agents and viscosity increasing agents. Preparations of the solid type such as powder can also be prepared by a conventional method of pulverization.

The nasal preparation of the present invention thus obtained, like conventional nasal preparations, is intranasally given to the patient in an effective dose to exhibit the desired pharmacological effect. Particularly  
15 the present preparation can be administered in a relatively large amount because it is markedly less stimulant to the nasal mucosa, whereas the preparation displays a sufficient pharmacological effect even in a relatively small amount, since it is rendered highly  
20 absorbable by the addition of the specific absorbefacient.

#### Examples

The present invention will be described in more detail with reference to examples, comparative examples and test examples, but is not limited by these examples.

25 1) IFN- $\alpha$  standard solution (manufactured by



Hayashibara Biochemical Laboratories):

A standard solution wherein IFN derived from human BALL-1 cells (specific activity of 50000000 IU/mg) is dissolved in an amount of 30000000 IU/ml in a phosphate buffer (pH 6) containing human serum albumin (0.1 w/v%) as a stabilizer.

2) IFN- $\beta$  standard preparation (manufactured by Toray Industries, Inc.):

A lyophilized preparation containing 3000000 IU per vial of IFN derived from human fibroblasts (specific activity of 10000000 IU/mg) and 9 mg per vial of human serum albumin as a stabilizer.

3) IFN- $\gamma$  standard solution (manufactured by Hayashibara Biochemical Laboratories):

A standard solution wherein IFN derived from human HBL-38 cells (specific activity of 10000000 IU/mg) is dissolved in an amount of 30000000 IU/ml in a phosphate buffer (pH 7.2) containing human serum albumin (0.1 w/v%) as a stabilizer.

4) Sucrose fatty acid esters:

Sucrose lauric acid ester, sucrose palmitic acid ester, sucrose stearic acid ester and sucrose oleic acid ester (all are manufactured by Mitsubishi Chemical Food Co.,).

Example 1

A 50 mg quantity of sucrose lauric acid ester was dissolved in 5 ml of IFN- $\alpha$  standard solution, and D-mannitol was added thereto. The mixture was adjusted to osmotic ratio of 2 and lyophilized to afford a nasal preparation according to the present invention.

This preparation is given as dissolved in 10 ml of water at use.

Example 2

A 5 ml portion of 1 w/v% sucrose palmitic acid ester solution was added to 5 ml of IFN- $\alpha$  solution, followed by isotonization with D-mannitol. A nasal preparation according to the present invention was thus obtained.

Example 3

The lyophilized powder of IFN- $\alpha$  standard solution was added to 0.5 w/v% sucrose stearic acid ester solution to prepare a solution of 15000000 IU/ml. This solution was isotonized with D-mannitol, giving a nasal preparation of the invention.

Example 4

A 5 ml portion of 1 w/v% sucrose stearic acid ester solution was added to 5 ml of IFN- $\gamma$  standard solution, followed by isotonization with D-mannitol. A nasal preparation of the present invention was thus obtained.

Example 5

A 0.2 ml portion of 0.5 w/v% sucrose stearic acid ester was added to IFN- $\beta$  standard solution, giving a nasal preparation of the present invention.

5

Example 6

A 5 ml portion of 1 w/v% sucrose oleic acid ester solution was added to 5 ml of IFN- $\alpha$  solution, and the mixture was isotonized with D-mannitol, giving a nasal preparation of the invention.

10

Example 7

A 50 mg quantity of sucrose stearic acid ester was dissolved in 5 ml of IFN- $\alpha$  standard solution, and the solution was isotonized with D-mannitol, followed by lyophilization. A nasal preparation was thus obtained according to the invention.

15

This preparation is to be given as dissolved in 5 ml of water.

Comparative Example 1

A 5ml portion of water was added to 5 ml of IFN- $\alpha$  standard solution, and the mixture was isotonized with D-mannitol to give a nasal preparation for comparison.

20

Comparative Example 2

A 50 mg quantity of polyoxyethylene (9) lauryl ether (BL-9EX) was dissolved in 5 ml of IFN- $\alpha$  standard solution. The solution was isotonized with sodium

25

chloride, giving a nasal preparation for comparison.

Comparative Example 3

A 50 mg quantity of sodium glycocholate was dissolved in 5 ml of IFN- $\alpha$  standard solution. The solution was isotonized with sodium chloride, giving a nasal preparation for comparison.

Comparative Example 4

A 50 mg quantity of saponin was dissolved in 5 ml of IFN- $\alpha$  standard solution. The solution was isotonized with sodium chloride, giving a nasal preparation for comparison.

Test Example 1

IFN-absorption promoting effect

Male Sprague-Dawley rats (weighing 200-300 g) were anesthetized intraperitoneally with pentobarbital (50 mg/kg). Subsequently, the cervix was opened and a polyethylene tube was inserted into the trachea to rescue the airway. A part of the esophagus was opened, and a polyethylene tube whose end was stoppered was inserted thereinto in the direction of the postnaris to stop the postnaris.

Each of the preparations of the above examples and reference examples was intranasally administered in a dose of 0.1 ml/kg. Blood was then drawn periodically from jugular to determine antiviral activity of IFN in serum.

The result is shown in Table 1.

Table 1

		Change in serum IFN levels (IU/ml)					
		0 min	15 min	30 min	60 min	90 min	120 min
5	Example 1	N.D.	548	622	252	156	127
	Example 2	N.D.	180	375	316	228	232
	Example 3	N.D.	349	376	400	369	138
	Example 4	N.D.	43	114	138	108	71
	Example 5	N.D.	29	59	113	83	75
10	Example 7	N.D.	880	1102	783	436	271
	Comparative Example 1	N.D.	N.D.	N.D.	N.D.	N.D.	N.D.
	Comparative Example 2	N.D.	402	548	488	388	372
	Comparative Example 3	N.D.	235	271	199	86	43
15	Comparative Example 4	N.D.	374	300	226	213	210

In the above table, N.D. represents "not detectable". Each value given is the mean of three test values.

20 The result shows that with all the nasal preparations of the present invention comprising a sucrose C<sub>12-18</sub>-fatty acid ester, IFN is absorbed in a larger amount than in the case with the comparative preparation containing only IFN (Comparative example 1) and is  
25 absorbed in as great an amount as or in a larger amount

than in the case of the comparative preparations comprising other conventional absorbefacient (Comparative Examples 2 to 4).

Test Example 2

5 Protein Dissolution by Absorbefacient

The absorbefacients used were tested for the stimulant effect on the nasal mucosa by determining protein dissolution according to the following in situ recirculation technique.

10 Male Sprague-Dawley rats (weighing about 200-300 g) were anesthetized intraperitoneally with pentobarbital (50 mg/kg). Subsequently, the cervix was opened and a polyethylene tube was inserted into the trachea to rescue the airway. A part of the esophagus was opened, and a  
15 polyethylene tube whose end was stoppered was inserted thereinto in the direction of the postnaris to connect the tube to the postnasal. The preparations of the examples and comparative examples were diluted 2-fold with physiological saline. (In these dilutions, the  
20 absorbefacient was contained in a constant concentration of 0.5 w/v% (minimum concentration for efficient absorption of IFN.) A 20 ml portion of each dilution was transfused at a flow rate of 1 ml/min using a transfusion pump and perfused through the nasal cavity for 30  
25 minutes. A part of the perfusate was sampled 15 minutes

and 30 minutes after starting the perfusion to determine protein dissolution in the perfusion liquid. The degree of stimulating effect on the nasal mucosa was thus evaluated.

5 The result is shown in Table 2.

Table 2

		Protein Dissolution ( $\mu\text{g}/0.1 \text{ ml}$ )	
		15 minutes	30 minutes
	Example 1	50.3	88.2
10	Example 2	23.5	32.4
	Example 3	17.4	30.8
	Example 6	15.5	28.2
	Comparative Example 1	13.0	19.8
	Comparative Example 2	51.9	91.8
15	Comparative Example 3	54.2	119.4
	Comparative Example 4	114.7	192.7

The result reveals that all the nasal preparations of the present invention comprising sucrose C<sub>12-18</sub> fatty acid ester causes slightly greater stimulation than the comparative preparation containing only IFN (Comparative example 1) but are much less stimulant than the comparative preparations comprising other conventional absorbefacient (Comparative examples 2 to 4).

25

CLAIMS:

1. A preparation for nasal administration comprising an IFN in a pharmacologically effective amount and a sucrose fatty acid ester.

5                   2. A preparation according to claim 1 wherein the sucrose fatty acid ester is an ester of C<sub>8-22</sub> fatty acids.

                  3. A preparation according to claim 1 wherein the sucrose fatty acid ester is an ester of C<sub>12-18</sub> fatty acids.

10                   4. A preparation according to claim 1 wherein the sucrose fatty acid ester is contained in a concentration of 0.05-10 w/v%.

                  5. A preparation according to claim 1 wherein the sucrose fatty acid ester is contained in a concentration of 0.01-5.0 w/v%.

15



# INTERNATIONAL SEARCH REPORT

International Application No PCT/JP89/01156

<b>I. CLASSIFICATION OF SUBJECT MATTER</b> (if several classification symbols apply, indicate all) <sup>6</sup>		
According to International Patent Classification (IPC) or to both National Classification and IPC		
Int. Cl <sup>5</sup>	A61K37/66	
<b>II. FIELDS SEARCHED</b>		
Minimum Documentation Searched <sup>7</sup>		
Classification System	Classification Symbols	
IPC	A61K37/66, 9/12, 9/14, A61K47/26	
Documentation Searched other than Minimum Documentation to the Extent that such Documents are Included in the Fields Searched <sup>8</sup>		
<b>III. DOCUMENTS CONSIDERED TO BE RELEVANT <sup>9</sup></b>		
Category <sup>*</sup>	Citation of Document, <sup>11</sup> with indication, where appropriate, of the relevant passages <sup>12</sup>	Relevant to Claim No. <sup>13</sup>
A	JP, A, 59-163313 (Teijin Ltd.), 14 September 1984 (14. 09. 84), Claim & EP, A, 122036	1 - 5
A	JP, A, 62-281813 (Delaware Chemicals Corp.), 7 December 1987 (07. 12. 87), Claim & EP, A, 242643	1 - 5
A	JP, A, 63-115822 (Teijin Ltd.), 20 May 1988 (20. 05. 88), Claim (Family: none)	1 - 5
<p><sup>*</sup> Special categories of cited documents: <sup>10</sup></p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"G" document member of the same patent family</p>		
<b>IV. CERTIFICATION</b>		
Date of the Actual Completion of the International Search		Date of Mailing of this International Search Report
January 12, 1990 (12. 01. 90)		January 22, 1990 (22. 01. 90)
International Searching Authority		Signature of Authorized Officer
Japanese Patent Office		



(12) **EUROPEAN PATENT APPLICATION**

(43) Date of publication:  
**12.05.2004 Bulletin 2004/20**

(51) Int Cl.7: **A61K 38/29, A61K 47/10,**  
**A61K 9/08, A61K 47/26**

(21) Application number: **03104219.5**

(22) Date of filing: **07.12.1998**

(84) Designated Contracting States:  
**AT BE CH CY DE DK ES FI FR GB GR IE IT LI LU**  
**MC NL PT SE**

(30) Priority: **09.12.1997 US 69075 P**

(62) Document number(s) of the earlier application(s) in  
accordance with Art. 76 EPC:  
**98123225.9 / 0 920 873**

(71) Applicant: **Eli Lilly & Company**  
**Indianapolis, IN 46285 (US)**

(72) Inventors:  
• **Chang, Chin-Ming**  
**Fishers, 46038 (US)**

• **Havel, Henry A**  
**Indianapolis 46220 (US)**

(74) Representative: **Hiscock, Ian James**  
**European Patent Operations,**  
**Eli Lilly and Company Limited,**  
**Lilly Research Centre,**  
**Erl Wood Manor,**  
**Sunninghill Road**  
**Windsor GU20 6PH (GB)**

Remarks:

This application was filed on 17 - 11 - 2003 as a  
divisional application to the application mentioned  
under INID code 62.

(54) **Stabilized teriparatide solutions**

(57) A stabilized pharmaceutical composition in the  
form of a solution for parenteral administration of a par-  
athyroid hormone is described wherein the therapeuti-  
cally active ingredient is stabilized with a buffer and a  
polyol. Preferred preparations contain in an aqueous so-

lution human PTH(1-34), mannitol, an acetate or tartrate  
buffering agent and m-cresol or benzyl alcohol as a pre-  
servative.

**Description****TECHNICAL FIELD**

5 [0001] This invention relates to pharmaceutical compositions containing a parathyroid hormone. More particularly, the invention relates to teriparatide, PTH(1-34), stabilized solution formulations

**BACKGROUND OF THE INVENTION**

10 [0002] Parathyroid hormone (PTH) is a secreted, 84 amino acid product of the mammalian parathyroid gland that controls serum calcium levels through its action on various tissues, including bone. Studies in humans with certain forms of PTH have demonstrated an anabolic effect on bone, and have prompted significant interest in its use for the treatment of osteoporosis and related bone disorders.

15 [0003] Using the N-terminal 34 amino acids of the bovine and human hormone for example, which by all published accounts are deemed biologically equivalent to the full length hormone, it has been demonstrated in humans that parathyroid hormone enhances bone growth particularly when administered in pulsatile fashion by the subcutaneous route. A slightly different form of PTH, human PTH(1-38) has shown similar results.

20 [0004] PTH preparations have been reconstituted from fresh or lyophilized hormone, and incorporate various forms of carrier, excipient and vehicle. Most are prepared in water-based vehicles such as saline, or water acidified typically with acetic acid to solubilize the hormone. The majority of reported formulations also incorporate albumin as a stabilizer (see for example Reeve et al., Br. Med. J., 1980, 280:6228; Reeve et al., Lancet, 1976, 1:1035; Reeve et al., Calcif. Tissue Res., 1976, 21:469; Hodsman et al., Bone Miner; 1990, 9(2):137; Tsai et al., J. Clin. Endocrinol Metab., 1989, 69 (5): 1024; Isaac et al., Horm. Metab. Res., 1980, 12(9):487; Law et al., J. Clin Invest. 1983, 72(3):1106; and Hulter, J. Clin Hypertens, 1986, 2(4):360). Other reported formulations have incorporated an excipient such as mannitol, which is present either with the lyophilized hormone or in the reconstitution vehicle. Formulations representative of those employed for human studies include a human PTH(1-34) (SEQ ID NO: 2) preparation consisting, upon reconstitution, of mannitol, heat inactivated human serum albumin, and caproic acid (a protease inhibitor) as absorption enhancer (see Reeve et al., 1976, Calcif. Tissue Res., 21, Suppl., 469-477); a human PTH(1-38) preparation reconstituted into a saline vehicle (see Hodsman et al., 1991, 14(1), 67-83); and a bovine PTH(1-34) preparation in aqueous vehicle pH adjusted with acetic acid and containing albumin. There is also an International Reference preparation which for human PTH (1-84) (SEQ ID NO: 1) consists of 100 ng of hormone ampouled with 250 µg human serum albumin and 1.25 mg lactose (1981), and for bovine PTH (1-84) consists of 10 µg lyophilized hormone in 0.01M acetic acid and 0.1% w/v mannitol (see Martindale, The Extra Pharmacopoeia, The Pharmaceutical Press, London, 29th Edition, 1989 at p. 1338).

25 [0005] A recent attempt at improving the stability for the lyophilized preparation of h-PTH(1-34) (SEQ ID NO: 2) is reported in EP 619 119 with a combination of sugar and sodium chloride. Also U.S. Pat. No. 5,496,801 describes a freeze-dried composition for the natural hormone, PTH(1-84), containing mannitol as an excipient and a citrate source as a non-volatile buffering agent.

30 [0006] Commercial exploitation of parathyroid hormone requires the development of a formulation that is acceptable in terms of storage stability and ease of preparation. Because it is a protein and thus far more labile than the traditionally small molecular weight drugs, however, the formulation of parathyroid hormone presents challenges not commonly encountered by the pharmaceutical industry. Furthermore, like other proteins that have been formulated successfully, PTH is particularly sensitive to oxidation, deamidation and hydrolysis, and requires that its N-terminal and C-terminal sequences remain intact in order to preserve bioactivity.

35 [0007] It is an object of the present invention to provide a pharmaceutically useful PTH preparation, particularly one comprising, as active ingredient, teriparatide, PTH(1-34) (SEQ ID NO: 2).

**SUMMARY OF THE INVENTION**

40 [0008] The present invention provides a pharmaceutical composition in the form of a stabilized solution containing a parathyroid hormone (PTH) in a therapeutically effective amount. The solution is storage stable and, in sterile form, may be stored in vials or cartridges ready for parenteral administration in human patients. The advantages of the present solution is the elimination of the need for lyophilization.

[0009] Accordingly, the present invention is a parathyroid hormone solution including:

- 55 (a) a therapeutically effective amount of a parathyroid hormone;  
 (b) an effective amount of a stabilizing agent;  
 (c) a buffering agent in an amount sufficient to maintain the pH of the composition within a range of about 3-7; and  
 (d) the balance being water.

**[0010]** This solution may, if desired, undergo lyophilization to form a freeze-dried powder containing not more than 2% water by weight.

**[0011]** Another aspect of the present invention is a parathyroid hormone solution including:

- 5 (a) a therapeutically effective amount of a parathyroid hormone;  
 (b) from about 1 to 20 wt-% of a stabilizing agent;  
 (c) a buffering agent in an amount sufficient to maintain the pH of the composition within a range of about 3-7 and selected from an acetate or tartrate source;  
 10 (d) from about 0.1 to 2 wt-% of a parenterally acceptable preservative; and  
 (e) the balance being water.

**[0012]** Still another aspect of the present invention is a pharmaceutical composition in the form of a freeze-dried powder prior to reconstitution including:

- 15 (a) a therapeutically effective amount of a fragmented parathyroid hormone selected from the group consisting of PTH (1-34), PTH (1-37), PTH (1-38), and PTH (1-41);  
 (b) an effective amount of a stabilizing agent;  
 (c) a buffering agent in an amount sufficient to maintain the pH of the composition within a range of about 3-7; and  
 20 (d) less than 2% water by weight.

#### DETAILED DESCRIPTION

**[0013]** The invention relates to parathyroid hormone solutions that exhibit storage stability in terms of hormone composition and activity.

25 **[0014]** As active ingredient, the composition or solution may incorporate the full length, 84 amino acid form of parathyroid hormone, particularly the human form, hPTH (1-84) (SEQ ID NO: 1), obtained either recombinantly, by peptide synthesis or by extraction from human fluid. See, for example, U.S. Pat. No. 5,208,041, incorporated herein by reference. The amino acid sequence for hPTH (1-84) is reported by Kimura et al. in Biochem. Biophys. Res. Comm., 114 (2):493 (SEQ ID NO: 1).

30 **[0015]** The composition or solution may also incorporate as active ingredient fragments or variants of fragments of human PTH or of rat, porcine or bovine PTH that have human PTH activity as determined in the ovariectomized rat model of osteoporosis reported by Kimmel et al., Endocrinology, 1993, 32(4):1577.

**[0016]** The parathyroid hormone fragments desirably incorporate at least the first 34 N-terminal residues, such as PTH(1-34) (SEQ ID NO: 2), PTH(1-37), PTH(1-38) and PTH(1-41). Alternatives in the form of PTH variants incorporate from 1 to 5 amino acid substitutions that improve PTH stability and half-life, such as the replacement of methionine residues at positions 8 and/or 18 with leucine or other hydrophobic amino acid that improves PTH stability against oxidation and the replacement of amino acids in the 25-27 region with trypsin-insensitive amino acids such as histidine or other amino acid that improves PTH stability against protease. These forms of PTH are embraced by the term "parathyroid hormone" as used generically herein. The preferred hormone is human PTH(1-34) (SEQ ID NO: 2) also known as teriparatide. The hormones may be obtained by known recombinant or synthetic methods, such as described in U.S. Pat. No. 4,086,196, incorporated herein by reference.

45 **[0017]** The stabilizing agent incorporated into the solution or composition includes a polyol which includes a saccharide, preferably a monosaccharide or disaccharide, e.g., glucose, trehalose, raffinose, or sucrose; a sugar alcohol such as, for example, mannitol, sorbitol or inositol, and a polyhydric alcohol such as glycerine or propylene glycol or mixtures thereof. A preferred polyol is mannitol or propylene glycol. The concentration of polyol may range from about 1 to about 20 wt-%, preferably about 3 to 10 wt-% of the total solution.

**[0018]** The buffering agent employed in the solution or composition of the present invention may be any acid or salt combination which is pharmaceutically acceptable and capable of maintaining the aqueous solution at a pH range of 3 to 7, preferably 3-6. Useful buffering systems are, for example, acetate, tartrate or citrate sources. Preferred buffer systems are acetate or tartrate sources, most preferred is an acetate source. The concentration of buffer may be in the range of about 2 mM to about 500 mM, preferably about 2 mM to 100 mM.

55 **[0019]** The stabilized solution or composition of the present invention may also include a parenterally acceptable preservative. Such preservatives include, for example, cresols, benzyl alcohol, phenol, benzalkonium chloride, benzethonium chloride, chlorobutanol, phenylethyl alcohol, methyl paraben, propyl paraben, thimerosal and phenylmercuric nitrate and acetate. A preferred preservative is m-cresol or benzyl alcohol; most preferred is m-cresol. The amount of preservative employed may range from about 0.1 to about 2 wt-%, preferably about 0.3 to about 1.0 wt-% of the total solution.

**[0020]** Thus, the present invention has provided, for example, a stabilized teriparatide solution containing mannitol,

acetate and m-cresol with a predicted shelf-life of over 15 months at 5°C.

**[0021]** The parathyroid hormone compositions of the present invention may, if desired, be provided in a powder form containing not more than 2% water by weight, that results from the freeze-drying of a sterile, aqueous hormone solution prepared by mixing the selected parathyroid hormone, a buffering agent and a stabilizing agent as above described. Especially useful as a buffering agent when preparing lyophilized powders is a tartrate source. Particularly useful stabilizing agents include glycine, mannitol, sucrose, trehalose, raffinose or a mixture thereof.

**[0022]** The PTH solution and composition of the present invention incorporate PTH in a medically effective amount, a term used with reference to amounts useful either therapeutically or in medical diagnosis. The particular amount of parathyroid hormone incorporated in the preparation can be pre-determined based on the type of PTH selected and on the intended end-use of the preparation. In one application, the preparations are exploited for therapeutic purposes, and particularly for the treatment of osteoporosis. Osteoporosis therapy entails administration of the reconstituted preparation by injection, desirably subcutaneous injection, in unit doses that reflect the prescribed treatment regimen but are, by way of example, for human PTH(1-34) (SEQ ID NO: 2), within the range from 25 µg PTH/mL of injected solution to 1000 µg/mL of injected solution per patient, with injection volumes being desirably from 0.02 to 1.3 mL. Accordingly, the purified PTH is desirably incorporated with the buffering agent and excipient to form an aqueous solution containing PTH in a concentration range from 25 µg/mL to 1000 µg/mL, preferably 100 µg/mL to 500 µg/mL, which is then sterile-filtered and filled into a vial or cartridge for use.

**[0023]** Once the preparation is obtained as an aqueous solution containing desired amounts and concentrations of the buffering agent, excipient and PTH, individual vials are filled with the solution to the desired volume. The advantage of the present invention is that the above solution may be prepared with sterile water without the need to undergo a freeze-drying process.

**[0024]** In an alternative embodiment of the invention, the preparations are provided in a form that yields a unit container of 100-500 µg human PTH(1-34) (SEQ ID NO: 2) upon reconstitution into about 1 mL (0.8-1.2 mL) of the reconstitution vehicle, and the vials are accordingly loaded with about 1 mL of the aqueous PTH preparation, for subsequent freeze-drying.

**[0025]** In a preferred alternative embodiment of the invention, the PTH preparation subjected to freeze-drying comprises from 25 to 1000 µg/mL of human PTH(1-34) (SEQ ID NO: 2), from 2 to 8% by weight of mannitol, and a tartrate source in an amount capable of buffering the preparation to within the range from 3.0 to 6.5 upon reconstitution in sterile water. In specific embodiments of the invention, the tartrate buffering agent is incorporated in an amount sufficient to buffer the pH to 3.5 to 5.5.

**[0026]** In addition to their therapeutic use, the present PTH composition can be formulated and administered to aid in medical diagnosis, and particularly to assist in establishing the diagnosis of hypoparathyroidism and pseudohypoparathyroidism in hypocalcemic patients. Except for the dose of PTH, the composition of the PTH preparation will remain as described herein for therapeutic use. An intravenously infused, single dose of human PTH(1-34) (SEQ ID NO: 2) that is equal to 200 International Units of PTH activity is appropriate for this diagnostic purpose. Diagnosis is then made by determining the effect of administered PTH or urinary cAMP levels, with cAMP elevation being indicative of the hypoparathyroidism condition, rather than its pseudiform.

**[0027]** The examples which follow are illustrative of the invention and are not intended to be limiting.

## **EXAMPLES**

### **Example 1**

**[0028]** 0.1 mg rhPTH (1-34) (SEQ ID NO: 2), 50 mg mannitol, 2.5 mg m-cresol, 0.52 mg acetic acid and 0.12 mg sodium acetate were mixed into a solution with 1 ml of distilled water.

### **Example 2**

**[0029]** 0.25 mg rhPTH (1-34) (SEQ ID NO: 2), 45.4 mg mannitol, 3 mg m-cresol, 0.41 mg acetic acid and 0.1 mg sodium acetate were mixed into a solution with 1 ml of distilled water.

**[0030]** The formulations of the present invention, Examples 1 and 2 were compared to solutions containing no stabilizer, 0.9% NaCl, 20 mM acetate and 10 mM acetate as primary stabilizer. The stability was measured by determining the amount in % of rhPTH (1-34) (SEQ ID NO: 2) remaining after a certain time. The measurement was made by HPLC. The results are shown in Tables 1 and 2.

Table 1

Effect of Primary Stabilizer on Chemical Stability of rhPTH (1-34) at 50°C				
	Water	0.9% NaCl	20 mM acetate	10 mM acetate
Time, days	% Remaining			
Initial	100	100	100	100
7	74	81	84	80
14	55	58	67	71

Table 2

Comparison of Stability of rhPTH (1-34) at 30°C				
	20 mM acetate	10 mM acetate	Example 1	Example 2
Time, days	% Remaining			
Initial	100	100	100	100
7	96	94	100	--
14	94	92	96	100
21	90	93	97	--
30	--	81	96	96

Example 3

**[0031]** The following experiment was carried out to show that lyophilized powder formulations prepared from stabilized solutions of the present invention are more stable than a control which was prepared from PTH(1-34) and mannitol alone.

**[0032]** A control solution and solutions for samples A through O were prepared as previously described with the ingredients and concentrations shown in Table 3. The solutions were then freeze-dried and the resulting lyophilized powder formulations were stored at 40°C for a one month period. The amount of PTH(1-34) remaining in each sample was then measured by HPLC. The results are shown in Table 3.

Table 3

Stability of PTH(1-34) Lyophilized Formulations at 40°C for One Month						
Sample	PTH(1-34) mg/mL	Bulking Agent	Bulking Agent Conc. mg/mL	Buffer	Buffer Conc. mM	%PTH Remaining
Control	0.2	mannitol	40	--	--	78
A	0.5	mannitol	30	acetate	5	90
B	0.5	glycine	30	acetate	5	98
C	0.5	sucrose	30	acetate	5	98
D	0.5	trehalose	30	acetate	5	97
E	0.5	raffinose	30	acetate	5	99
F	0.75	mannitol	30	tartrate	15	95
G	1.5	sucrose & mannitol	5/25	tartrate	5	99
H	0.75	sucrose & mannitol	5/25	tartrate	15	99
I	1.5	mannitol	30	tartrate	5	96

EP 1 417 972 A1

Table 3 (continued)

Stability of PTH(1-34) Lyophilized Formulations at 40°C for One Month						
Sample	PTH(1-34) mg/ mL	Bulking Agent	Bulking Agent Conc. mg/mL	Buffer	Buffer. Conc. mM	%PTH Remaining
J	1.5	sucrose	30	tartrate	15	100
K	1.5	mannitol	30	tartrate	15	99
L	0.75	sucrose	30	tartrate	15	100
M	0.75	sucrose	30	tartrate	5	100
N	1.5	sucrose & mannitol	5/25	tartrate	15	99
O	1.5	sucrose & mannitol	5/25	acetate	5	91*

\*the stability at 2 months was 96%

20

25

30

35

40

45

50

55

SEQUENCE LISTING

5  
  
  
  
10  
  
  
  
15  
  
  
  
20  
  
  
  
25  
  
  
  
30  
  
  
  
35  
  
  
  
40  
  
  
  
45  
  
  
  
50  
  
  
  
55

<110> Eli Lilly and Company

<120> STABILIZED TERIPARATIDE SOLUTIONS

<130> 3797.16WO01

<140> NEW FILING

<141> 1998-12-08

<150> 60/069,075

<151> 1997-12-09

<160> 2

<170> PatentIn Ver. 2.0

<210> 1

<211> 84

<212> PRT

<213> Homo sapiens

<400> 1

Ser	Val	Ser	Glu	Ile	Gln	Leu	Met	His	Asn	Leu	Gly	Lys	His	Leu	Asn
1				5					10					15	
Ser	Met	Glu	Arg	Val	Glu	Trp	Leu	Arg	Lys	Lys	Leu	Gln	Asp	Val	His
			20					25					30		
Asn	Phe	Val	Ala	Leu	Gly	Ala	Pro	Leu	Ala	Pro	Arg	Asp	Ala	Gly	Ser
		35					40					45			
Gln	Arg	Pro	Arg	Lys	Lys	Glu	Asp	Asn	Val	Leu	Val	Glu	Ser	His	Glu
		50				55					60				
Lys	Ser	Leu	Gly	Glu	Ala	Asp	Lys	Ala	Asn	Val	Asp	Val	Leu	Thr	Lys
	65				70					75					80
Ala	Lys	Ser	Gln												

<210> 2

<211> 34

<212> PRT

<213> Homo sapiens



<400> 2  
 Ser Val Ser Glu Ile Gln Leu Met His Asn Leu Gly Lys His Leu Asn  
 1 5 10 15  
 Ser Met Glu Arg Val Glu Trp Leu Arg Lys Lys Leu Gln Asp Val His  
 20 25 30  
 Asn Phe

**Claims**

1. A parathyroid hormone solution comprising:
  - (a) a therapeutically effective amount of a parathyroid hormone;
  - (b) an effective amount of a stabilizing agent;
  - (c) a buffering agent in an amount sufficient to maintain the pH of the composition within a range of about 3-7; and
  - (d) the balance being water.
  
2. The solution of claim 1, wherein the hormone is a fragmented hormone selected from the group consisting of PTH(1-34), PTH(1-37), PTH(1-38), and PTH(1-41).
  
3. The solution of claim 1, wherein the hormone is human PTH(1-34) (SEQ ID NO: 2).
  
4. The solution of claim 1, wherein the hormone is human PTH(1-84) (SEQ ID NO: 1).
  
5. The solution of claim 1, wherein the stabilizing agent is a polyol.
  
6. The solution of claim 5, wherein the polyol is mannitol.
  
7. The solution of claim 5, wherein the polyol is propylene glycol.
  
8. The solution of claim 1, wherein the buffering agent is an acetate or tartrate source.
  
9. The solution of claim 8, wherein the buffering agent is acetate.
  
10. The solution of claim 1, which further comprises a parenterally acceptable preservative.
  
11. The solution of claim 10, wherein the preservative is m-cresol or benzyl alcohol.
  
12. The solution of claim 11, wherein the preservative is m-cresol.
  
13. A composition according to claim 1, in the form of a freeze-dried powder containing less than 2% water by weight.
  
14. A parathyroid hormone solution comprising:
  - (a) a therapeutically effective amount of a parathyroid hormone;
  - (b) from about 1 to 20 wt-% of a stabilizing agent;
  - (c) a buffering agent in an amount sufficient to maintain the pH of the composition within a range of about 3-7 and selected from an acetate or tartrate source;
  - (d) from about 0.1 to 2 wt-% of a parenterally acceptable preservative; and
  - (e) the balance being water.
  
15. The solution of claim 14, wherein the hormone is PTH(1-84).

16. The solution of claim 14, wherein the hormone is selected from the group consisting of PTH(1-34), PTH(1-37), PTH(1-38), and PTH(1-41).
- 5 17. The solution of claim 16, wherein the hormone is human PTH(1-34) (SEQ ID NO: 2).
18. The solution of claim 14, wherein the stabilizing agent is a polyol in an amount of about 3 to about 10 wt-%.
19. The solution of claim 14, wherein the preservative is m-cresol or benzylalcohol in an amount of about 0.3 to about 1.0 wt-%.
- 10 20. A pharmaceutical composition in the form of a freeze-dried powder comprising:
- (a) a therapeutically effective amount of a fragmented parathyroid hormone selected from the group consisting of PTH(1-34), PTH(1-37), PTH(1-38), and PTH(1-41);
  - 15 (b) an effective amount of a stabilizing agent;
  - (c) a buffering agent in an amount sufficient to maintain the pH of the composition within a range of about 3-7; and
  - (d) less than 2 wt-% water by weight.
- 20 21. The composition of claim 20, wherein the hormone is human PTH(1-34) (SEQ ID NO: 2).
22. The composition of claim 20, wherein the stabilizing agent is selected from the group consisting of glycine, mannitol, sucrose, trehalose, raffinose and a mixture thereof.
- 25 23. The composition of claim 20, wherein the buffering agent is an acetate or tartrate source.
24. The composition of claim 23, wherein the buffering agent is a tartrate source.
- 30 25. The composition of claim 20, wherein the stabilizing agent is in an amount of about 1 to about 20 wt-%.

35

40

45

50

55



European Patent Office

EUROPEAN SEARCH REPORT

Application Number  
EP 03 10 4219

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Y,D	WO 95 17207 A (ALLELIX) 29 June 1995 (1995-06-29)  * claims * * page 5, line 3 - line 22 * * page 6, line 4 - line 7 * * page 6, line 11 - page 7, line 2 * ---	1,5-8, 13,14, 20-24	A61K38/29 A61K47/10 A61K9/08 A61K47/26
Y,D	EP 0 619 119 A (ASAHI KASEI KOGYO KK) 12 October 1994 (1994-10-12)  * claims * ---	1,5-8, 13,14, 20-24	
Y	WO 91 06564 A (W.G.FORSSMANN) 16 May 1991 (1991-05-16)  * claims 1,5,6,13,15 * ---	1,5-8, 13,14, 20-24	
Y	EP 0 302 772 A (TOYO JOZO) 8 February 1989 (1989-02-08)  * claims 1,2,4,5,7,8 * * page 3, line 21 - line 30 * * page 3, line 32 - line 50 * * example 12 * ---	1,5-8, 13,14, 20-24	TECHNICAL FIELDS SEARCHED (Int.Cl.7) A61K
Y	DATABASE WPI Week 8817 Derwent Publications Ltd., London, GB; AN 88-115396 [17] XP002102409 & JP 63 060940 A (TOYO JOZO) 17 March 1988 (1988-03-17) ---	1,5-8, 13,14, 20-24	
-/--			
The present search report has been drawn up for all claims			
Place of search MUNICH		Date of completion of the search 17 March 2004	Examiner Allnutt, S
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			

EPO FORM 1503 03 82 (P04001)



European Patent Office

EUROPEAN SEARCH REPORT

Application Number  
EP 03 10 4219

DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim
Y	CHEMICAL ABSTRACTS, vol. 111, no. 26, 25 December 1989 (1989-12-25) Columbus, Ohio, US; abstract no. 239514, XP002105393 * abstract * & JP 01 016799 A (TOYO JOZO) 20 January 1989 (1989-01-20) -----	1,5-8, 13,14, 20-24
		CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
		TECHNICAL FIELDS SEARCHED (Int.Cl.7)
The present search report has been drawn up for all claims		
Place of search	Date of completion of the search	Examiner
MUNICH	17 March 2004	Allnutt, S
<p>CATEGORY OF CITED DOCUMENTS</p> <p>X : particularly relevant if taken alone                      Y : particularly relevant if combined with another document of the same category                      A : technological background                      O : non-written disclosure                      P : intermediate document</p> <p>T : theory or principle underlying the invention                      E : earlier patent document, but published on, or after the filing date                      D : document cited in the application                      L : document cited for other reasons                      .....                      &amp; : member of the same patent family, corresponding document</p>		

EPO FORM 1500 03 82 (P04001)

ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.

EP 03 10 4219

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report.  
The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

17-03-2004

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9517207      A	29-06-1995	US 5496801 A	05-03-1996
		AU 681737 B2	04-09-1997
		AU 1269895 A	10-07-1995
		BR 9408398 A	12-08-1997
		CA 2179207 A1	29-06-1995
		WO 9517207 A1	29-06-1995
		CN 1142772 A ,B	12-02-1997
		CZ 9601842 A3	15-01-1997
		EP 0735896 A1	09-10-1996
		FI 962593 A	19-08-1996
		HU 74381 A2	30-12-1996
		JP 3065662 B2	17-07-2000
		JP 9506869 T	08-07-1997
		LV 11731 A	20-04-1997
		LV 11731 B	20-08-1997
		NO 962634 A	20-06-1996
		NZ 277463 A	24-03-1997
		PL 315158 A1	14-10-1996
SK 82896 A3	08-01-1997		
EP 619119      A	12-10-1994	DE 69228828 D1	06-05-1999
		DE 69228828 T2	16-12-1999
		EP 0619119 A1	12-10-1994
		KR 131678 B1	17-04-1998
		US 5563122 A	08-10-1996
		AU 3095092 A	19-07-1993
		ES 2129048 T3	01-06-1999
		WO 9311785 A1	24-06-1993
		JP 2662842 B2	15-10-1997
		JP 5306235 A	19-11-1993
WO 9106564      A	16-05-1991	DE 3935738 A1	08-05-1991
		AT 121424 T	15-05-1995
		AU 643725 B2	25-11-1993
		AU 6871291 A	31-05-1991
		CA 2071538 A1	28-04-1991
		DE 59008949 D1	24-05-1995
		DK 497915 T3	25-09-1995
		WO 9106564 A1	16-05-1991
		EP 0497915 A1	12-08-1992
		ES 2071837 T3	01-07-1995
		GR 3015909 T3	31-07-1995
		JP 5505594 T	19-08-1993
		JP 3135122 B2	13-02-2001
		US 5744444 A	28-04-1998

EPO FORM P0458

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 03 10 4219

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

17-03-2004

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 302772 A	08-02-1989	JP 2000111 A	05-01-1990
		DE 3875025 D1	05-11-1992
		DE 3875025 T2	24-06-1993
		EP 0302772 A1	08-02-1989
		US 5059587 A	22-10-1991
-----			
JP 01016799 A	20-01-1989	JP 2505812 B2	12-06-1996
-----			

EPO FORM P0458

For more details about this annex : see Official Journal of the European Patent Office, No. 12/82

# PATENT ABSTRACTS OF JAPAN

(11)Publication number : 01-151528

(43)Date of publication of application : 14.06.1989

(51)Int.Cl. A61K 47/00  
A61K 9/02

(21)Application number : 62-311680 (71)Applicant : TAIHO YAKUHIN KOGYO KK

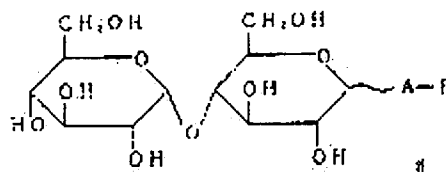
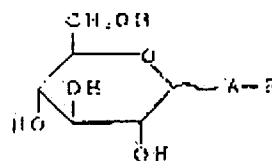
(22)Date of filing : 08.12.1987 (72)Inventor : MURANISHI SHOZO

## (54) TRANSMUCOUS ABSORBEFACIENT

### (57)Abstract:

**PURPOSE:** To obtain a transmucous absorbefacient for a hardly absorbable drug, by using a (thio)ether compound of monosaccharides or disaccharides as an active component.

**CONSTITUTION:** The objective transmucous absorbefacient contains an ether compound or thioether compound of monosaccharides (e.g. L-arabinose or D-mannose) or disaccharides (e.g. maltose) and a 6W18C aliphatic hydrocarbon, preferably a compound of formula I or formula II (A is O or S; R is 6W18C aliphatic hydrocarbon group). The amount of drug component in a mucous administration drug containing said absorbefacient is preferably 0.1W20wt.%, especially 0.5W5wt.%. The (thio)ether compound is e.g. n-octyl-β-D-(thio) glucopyranoside or n-lauryl-β-D-maltopyranoside.



## LEGAL STATUS

[Date of request for examination]

[Date of sending the examiner's decision of rejection]

[Kind of final disposal of application other than

the examiner's decision of rejection or  
application converted registration]

[Date of final disposal for application]

[Patent number]

[Date of registration]

[Number of appeal against examiner's  
decision of rejection]

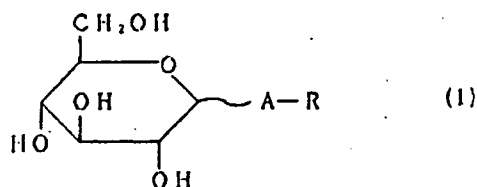
[Date of requesting appeal against examiner's  
decision of rejection]

[Date of extinction of right]



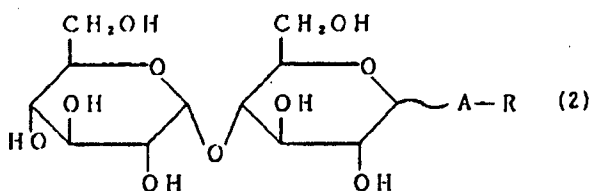
CLAIMS

- 5 1. An agent for accelerating transmucosal absorption of a poorly absorbable drug, wherein the agent comprises one or more ether or thioether compounds of C<sub>6</sub>-C<sub>18</sub> aliphatic hydrocarbon and monosaccharide or disaccharide.
- 10 2. The agent of claim 1, wherein the ether or thioether compound of aliphatic hydrocarbon and monosaccharide is represented by Formula (1):



wherein A represents an oxygen atom or sulfur atom; and R represents a C<sub>6</sub>-C<sub>18</sub> aliphatic hydrocarbon group.

- 15 3. The agent of claim 1, wherein the ether or thioether compound of aliphatic hydrocarbon and disaccharide is represented by Formula (2):



wherein A represents an oxygen atom or sulfur atom; and R represents a C<sub>6</sub>-C<sub>18</sub> aliphatic hydrocarbon group.

⑫ 公開特許公報(A) 平1-151528

⑮ Int. Cl.<sup>4</sup>

A 61 K 47/00  
9/02

識別記号

3 2 6

庁内整理番号

E-7417-4C  
E-7417-4C

⑬ 公開 平成1年(1989)6月14日

審査請求 未請求 発明の数 1 (全6頁)

⑭ 発明の名称 経粘膜吸収促進剤

⑯ 特 願 昭62-311680

⑰ 出 願 昭62(1987)12月8日

特許法第30条第1項適用 昭和62年9月18日 日本薬学会発行の「日本薬学会第3年会講演要旨集」において発表

⑱ 発 明 者 村 西 昌 三 京都府京都市上京区烏丸通一条上ル西入ル観三橋町562-19

⑲ 出 願 人 大鵬薬品工業株式会社 東京都千代田区神田錦町1-27

⑳ 代 理 人 弁理士 田 村 巖

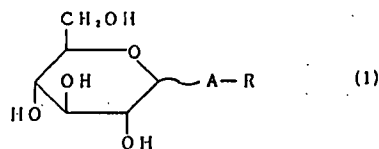
明 細 書

1. 発明の名称 経粘膜吸収促進剤

2. 特許請求の範囲

(1) 単糖類もしくは二糖類と炭素数6~18の脂肪族炭化水素のエーテル化合物もしくはチオエーテル化合物の1種以上を有効成分として含有する難吸収性薬物の経粘膜吸収促進剤。

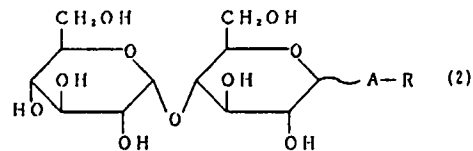
(2) 単糖類と脂肪族炭化水素のエーテル化合物もしくはチオエーテル化合物が下記一般式(1)で表わされる化合物である特許請求の範囲第1項記載の経粘膜吸収促進剤。



(式中、Aは酸素原子又は硫黄原子を、Rは炭素数6~18の脂肪族炭化水素基を示す)

(3) 二糖類と脂肪族炭化水素のエーテル化合物もしくはチオエーテル化合物が下記一般式(2)で表わされる化合物である特許請求の範囲第1項記載

の経粘膜吸収促進剤。



(式中、Aは酸素原子又は硫黄原子を、Rは炭素数6~18の脂肪族炭化水素基を示す)

3. 発明の詳細な説明

(産業上の利用分野)

本発明は新規な経粘膜吸収促進剤に関する。

(従来技術)

吸収促進剤を含有する粘膜投与製剤の開発は、水溶性薬物や生理活性ペプチド等の難吸収性薬物を注射によらず有効に全身に適用するためのアプローチの1つとして注目されているが、実用に供した例は依然として少ない。理想的な吸収促進剤が具備すべき条件としては、強力かつ安全でまた安定であること、さらに製剤化した時にもその効力が損なわれず、主薬並びに製剤の安定性にも影響を与えないことなどが挙げられる。

粘膜からの吸収性を向上させるための研究は、従来より盛んに行われており、親水性界面活性剤の使用、脂肪酸類及びミセルの使用、エナミン誘導体、サリチル酸誘導体の添加等がある。

(J. Pharm. Sci. 66 (7) 955 (1955); 薬劑字 38 (2) 67 (1978); Clin. Res. 25 (3) 386A; J. Pharm. Dyn. 3 24 (1980); Int. J. Pharm. 2 101 (1979); 特公昭55-8486; 特公昭55-8456; 特開昭57-158719; 特開昭58-177995; 特開昭59-176209等)。

しかしこれらの中には、組織粘膜を損傷したり、効果が不十分であつたり、製剤化が困難である等の欠点を有するものが多く、より有効且つ安全で使用し易い吸収促進剤の開発が期待されている。

(発明が解決しようとする問題点)

本発明の目的は、より効果が強力で、安全且つ安定した糖粘膜吸収促進剤を提供することにある。

(問題点を解決するための手段)

本発明は単糖類もしくは二糖類と炭素数6~18

の脂肪族炭化水素のエーテル化合物もしくはチオエーテル化合物の1種以上を有効成分として含有する糖吸収性薬物の糖粘膜吸収促進剤に係る。

本発明者は有用な糖粘膜吸収促進剤の開発を目的として鋭意研究を重ねた結果、実用上更に有用な上記本発明を完成するに至つた。

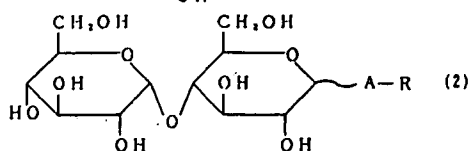
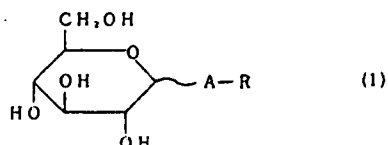
本発明における単糖類としては例えばL-アラビノース、D-キシロース、D-リボース、D-グルコース、D-マンノース、D-ガラクトース、D-フルクトース、また二糖類としてはマルトース、セロビオース、トレハロース、ゲンチオビオース、イソマルトース、乳糖、シヨ糖等が挙げられる。

本発明における炭素数6~18の脂肪族炭化水素は直鎖状でも分枝状でもよく、又飽和或いは不飽和のどちらでもよい。

上記飽和炭化水素から水素原子が1つ除かれて生成する飽和炭化水素基としては、例えばヘキシル、ヘプチル、オクチル、ノニル、デシル、ウンデシル、ドデシル、トリデシル、テトラデシル、

ヘキサデシル、オクタデシル、2-メチルヘキシル、2-エチルペンチル、2-エチルヘキシル、2-エチルヘプチル、2-エチルオクチル、2-エチルノニル、2-エチルデシル、2-エチルウンデシル、3,7-ジメチルオクチル、2-ヘキシルデシル、2-オクチルデシル、2,4,4-トリメチルペンチル等の直鎖及び分枝鎖のものが挙げられる。又、不飽和炭化水素基としては、例えばCis-3-ヘキセニル、1-エチニルヘキシル、オレイル、リノレイル等が挙げられる。

上記糖類と脂肪族炭化水素とのエーテルもしくはチオエーテル化合物の中でも下記式(1)及び(2)



(式中、Aは酸素原子又は硫黄原子を、Rは炭素数6~18の脂肪族炭化水素基を示す)で表わされる化合物が好ましい。

これらの好ましい化合物の具体例としては以下のもものが挙げられる。

- n-オクチル-β-D-グルコピラノシド、
- 2-エチルヘキシル-α,β-D-グルコピラノシド、
- n-オクチル-β-D-チオグルコピラノシド、
- n-ヘプチル-β-D-チオグルコピラノシド、
- n-ラウリル-β-D-マルトピラノシド

これらの糖類の脂肪族炭化水素との(チオ)エーテル類は生体粘膜、例えば直腸粘膜、その他の胃腸管粘膜、眼粘膜、口腔粘膜、膣粘膜、鼻粘膜を通しての薬物の吸収性を著しく高め、バイオアベイラビリティを良好に改善せしめることができる。他方これらの糖類の脂肪族炭化水素との(チオ)エーテル類は生体粘膜刺激性が少なく安全な化合物であり、容易に入手できるものである。

本発明で吸収促進効果を期待される薬物として

は、生体膜透過性が、増強剤を必要とする程度に低い薬物であり、例えば抗炎症剤、循環器官用剤、抗微生物剤、ホルモン剤、制癌剤、抗アレルギー用剤、呼吸器官用剤、中枢神経系用剤、末梢神経系用剤、生物学的製剤等にその例を見出すことができる。

抗炎症剤としては、例えばアロプリノールが挙げられ、循環器官用剤としては、例えばノチルドバ、グアナチジンの如き抗高血圧剤、トラピジル、クエン酸ニコチタートの如き血管拡張剤、プロプラノロール、コンドロイチン硫酸の如き抗血液凝固剤等を挙げることができる。

抗微生物剤としては、例えばペニシリンG、ペニシリンV、ノチシリン、クロキサシリン、アンピシリン、ヘタシリン、シクラシリン、アモキシシリン、カルペニシリン、スルベニシリン等のペニシリン型抗生物質、セファピリン、セファロリジン、セフォキシチン、セファロチン、セファゾリン、セファログリシン、セファレキシン等のセファロスポリン型抗生物質、ストレプトマイシン、

ロキナーゼ、インターフェロン、インターロイキンなどが挙げられる。

上記薬物は本発明に適用できるものの1例であつて全てではないと理解されるべきである。

又、本発明の粘膜吸収促進剤は上記薬剤と同時に又はその前後に投与することができるが、好ましくは予め配合剤としておくのが良い。

本発明の経粘膜吸収促進剤を用いた粘膜投与製剤にあつては、有効成分の配合量は薬物の種類、量、製剤の形態などによつて異なり一概には言えないが、製剤全重量に対して0.1~20重量%が好ましく、より好ましくは0.5~5重量%である。

本発明の経粘膜吸収促進剤を用いた粘膜投与製剤は例えば坐剤、溶液剤、懸濁剤、フィルム剤、エアゾール剤、錠剤、顆粒剤、細粒剤等が挙げられるが、目的とする剤形に応じて、薬物と粘膜吸収促進剤以外の成分を含有せしめることができる。例えば坐剤とする場合の基剤としては炭素数6~30の脂肪酸とグリセリンのエステル類、例えばダイナミット・ノーベル社製、ウイテツブソー

カナマイシン、ゲンタマイシン、フラジオマイシン等のアミノグリコシド型抗生物質などが挙げられる。

ホルモン剤としては、例えばインシュリン、アンジオテンシン、バソプレシン、プロチレリン、ゴナドトロピン放出ホルモン、コルチコトロピン、黄体刺激ホルモン、黄体形成ホルモン、カルシトニン、ガストリン等が挙げられる。

制癌剤としては、例えば5-フルオロウラシル、ウラシル、6-メルカプトプリン、ノトトレキサート、プレオマイシン、ダウノルビシン、ドキシルビシン、シ-アスバラギナーゼなどが挙げられる。

抗アレルギー用剤、呼吸器官用剤としては、例えばクロモグリケートの如き抗喘剤などが挙げられる。中枢神経系用剤としては、例えば臭化水素酸スコポラミン等が挙げられる。末梢神経系用剤としては、例えばプロカイン、メピバカイン、テトラカインなどが挙げられる。生物学的製剤としては、例えばトリブシン、キモトリブシン、ウ

ル、ミグリオール(いずれも商標)、ヤシ油、大豆油等の植物油、又はこれらを水素添加、アセチル化、分画抽出等により改質したものが挙げられ、またソフトカプセル坐剤とする場合には剤皮としてゼラチン等が挙げられる。溶液剤とする場合にはエタノール、精製水、グリコール等が通常用いられ、懸濁剤の場合にはアラビアゴム、トラガント、ゼラチン、ノチルセルロース、カルボキシノチルセルロース(CMC)等が通常用いられる。フィルム剤の場合にはヒドロキシプロピルセルロース、ノチルセルロース、ポリビニルピロリドン、ポリビニルアルコール等の基剤が用いられ、錠剤、顆粒剤、細粒剤の場合には乳糖、結晶セルロース、とうもろこしでんぷん等の賦形剤やヒドロキシプロピルセルロース、ノチルセルロース等の結合剤等が通常用いられる。又エアゾール剤の場合には噴射剤としてジクロロジフルオロノタン等が通常用いられる。

これらの添加物を含有する粘膜投与製剤は、通常行われている公知の方法によつて製造すること

ができ、その投与量も公知の量で良く、通常成人  
体重当たり1日の有効成分が約0.01~20mg/kgの  
範囲とするのが好ましい。

## (実施例)

次に本発明の吸収促進剤を配合した製剤の具体  
的な処方例を掲げる。

## 処方例1

セフアロリジン	500mg
n-ラウリル-β-D-マルトピラノシド	30mg
ウイテツブゾール W-35	1470mg
1坐剤当り	2000mg

上記配合割合で坐剤を調製した。

## 処方例2

アンピシリンナトリウム	250mg
2-エチルヘキシル-α,β-D- チオグルコピラノシド	40mg
ウイテツブゾール W-35	1710mg
1坐剤当り	2000mg

上記配合割合で坐剤を調製した。

## 処方例5

セフピラミド	18重量部
n-ラウリル-β-D-マルトピラノシド	2重量部
ウイテツブゾール W-35	80重量部
上記配合割合で坐剤を調製した。	

## 処方例6

セフピラミド	18重量部
n-ラウリル-β-D-マルトピラノシド	1重量部
ウイテツブゾール W-35	81重量部
上記配合割合で坐剤を調製した。	

## 処方例7~9

nH7.4のリン酸緩衝食塩水100mlに対し、n-オ  
クタール-β-D-グルコピラノシド(n-OG)を  
それぞれ100mM(約2.9W/V%)、50mM(約1.5W/  
V%)、20mM(約0.6W/V%)の濃度に調製して溶剤  
とした。

## 処方例10~12

処方例7と同様にしてn-オクタール-β-D-

## 処方例3

インシュリン	50 U
n-オクタール-β-D-グルコピラノシド	2mg
精製水	適量

1回噴霧量当り 0.1ml  
上記配合割合で経鼻投与(ネブライザー)用の溶  
剤を調製した。

## 処方例4

セフアロチンナトリウム	250mg
n-オクタール-β-D-チオグルコピラノシド	100mg
結晶セルロース	150mg
デンプングリコール酸ナトリウム	150mg
ヒドロキシプロピルセルロース	20mg
ヒドロキシプロピルセルロースフタレート	300mg
マクロゴール 6000	30mg
1包当り	1000mg

上記配合割合で腸溶性顆粒剤を調製した。

チオグルコピラノシド(OTG)をそれぞれ100mM  
(約3.1W/V%)、50mM(約1.5W/V%)、10mM(約0.3  
W/V%)の濃度に調製して溶剤とした。

## 処方例13~14

処方例7と同様にしてn-ヘプチル-β-D-  
チオグルコピラノシド(HTG)をそれぞれ100mM  
(約2.9W/V%)、50mM(約1.5W/V%)の濃度に調製  
して溶剤とした。

## 処方例15~17

処方例7と同様にして2-エチルヘキシル-  
α,β-D-グルコピラノシド(b-OG)をそれ  
ぞれ100mM(約2.9W/V%)、50mM(約1.5W/V%)、35  
mM(約1.0W/V%)の濃度に調製して溶剤とした。

## 処方例18~21

処方例7と同様にしてn-ラウリル-β-D-  
マルトピラノシド(LM)をそれぞれ50mM(約2.8  
W/V%)、10mM(約0.5W/V%)、5mM(約0.28W/  
V%)、2.5mM(約0.13W/V%)の濃度に調製して溶  
剤とした。

## 処方例22

セフピラミド 18重量部  
 n-ヘキシル-β-D-グルコピラノシド 2重量部  
 ワイテツブゾール W-35 80重量部  
 上記配合割合で坐剤を調製した。

処方例23

セフピラミド 18重量部  
 n-ヘキシル-β-D-チオグルコピラノシド 2重量部  
 ワイテツブゾール W-35 80重量部  
 上記配合割合で坐剤を調製した。

処方例24

セフピラミド 18重量部  
 n-オクタデシル-β-D-グルコピラノシド 2重量部  
 ワイテツブゾール W-35 80重量部  
 上記配合割合で坐剤を調製した。

処方例25

セフピラミド 18重量部  
 1-エテニルヘキシル-α-D-

グルコピラノシド 2重量部  
 ワイテツブゾール W-35 80重量部

上記配合割合で坐剤を調製した。

処方例26

セフピラミド 18重量部  
 9-オクタデセニル-β-D-グルコピラノシド 2重量部  
 ワイテツブゾール W-35 80重量部

上記配合割合で坐剤を調製した。

次に吸収試験を示し、経粘膜吸収促進作用を説明する。

<吸収試験>

当試験においては、Wistar系雄性ラット(240~300g)の結腸下部より肛門部までの6cmを吸収部位として行った。

(1) 処方例7~21の溶剤及び対照例としてpH 7.4のリン酸塩緩衝食塩水100mlに難吸収性の薬物モデルとして水溶性の蛍光色素であるG-カルボキシフルオレセイン(CF)0.1gを溶解し、16時間絶食したペントバルビタール麻酔下のラットの大

腸ループ内に体重250g当り125μl投与後、頸動脈より経時的に採血を行い、血中G-カルボキシフルオレセイン濃度を蛍光光度法(EX: 490nm, EM: 520nm)により定量した。結果を第1~5図に示す。

(2) 処方例7(n-OG、約2.9W/V%)、処方例10(OTG、約3.1W/V%)の溶剤及び対照例としてpH 7.4のリン酸塩緩衝食塩水100mlにセフピラミド12g又はペブレオマイシン1.6gを各々溶解し、16時間絶食したペントバルビタール麻酔下のラットの大腸ループ内に上記の各溶液を体重250g当り125μl投与後、頸動脈より経時的に採血を行い、血中セフピラミド又はペブレオマイシン濃度をペーバーディスク法(bacillus sub. ATCC 8623)により定量し、それぞれの血中濃度下面積(AUC)を求めた。結果を第1表に示す。

第 1 表

薬物	粘膜吸収促進剤	最高血中濃度 (μg/ml)	AUC <sub>0-25h</sub> (μg·min/ml)
セフピラミド (60mg/kg)	-	-	223.6 ± 35.7
	n-OG 100mM	51.8 ± 12.0	2594.9 ± 225.9
	OTG 100mM	45.3 ± 5.7	2692.0 ± 189.3
ペブレオマイシン (8mg/kg)	-	-	50.8 ± 11.3
	n-OG 100mM	3.6 ± 0.4	233.3 ± 16.3
	OTG 100mM	4.9 ± 0.8	361.2 ± 25.1

(3) 処方例5、6及び対照例としてセフピラミド18重量部、ワイテツブゾール W-35(82重量部)の配合割合より成る処方剤を固化、成形した坐剤83mgを16時間絶食したラットの直腸に投与し、以下吸収試験(2)と同様に採血及び血中濃度の定量を行った。結果を第6図に示す。

以上の吸収試験から本発明の経粘膜吸収促進剤は難吸収性薬物の粘膜吸収に優れた効果を有することが明らかである。

4. 図面の簡単な説明

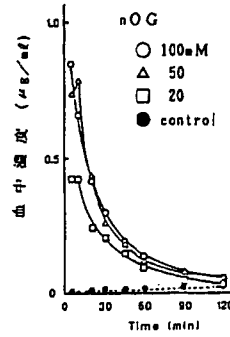
第1-6図は吸収試験における薬物の血中濃度の経時変化を示すグラフである。

(以上)

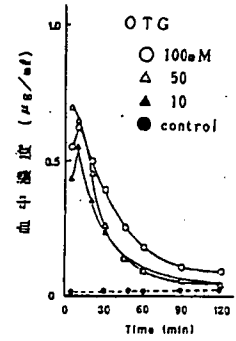
出願人 大鵬薬品工業株式会社

代理人 弁理士 田村 巖

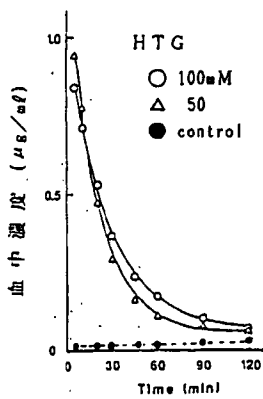
第1図



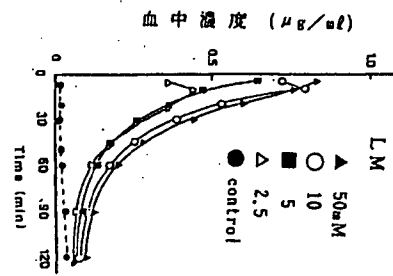
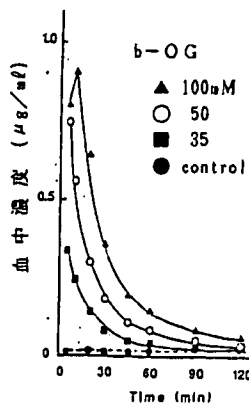
第2図



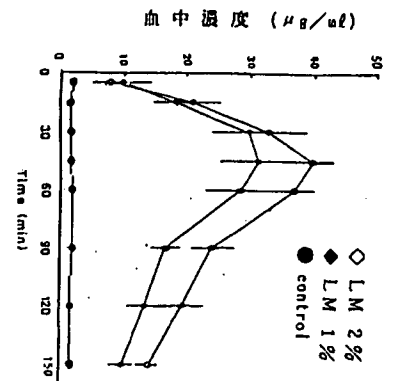
第3図



第4図



第5図



第6図



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

<b>(51) International Patent Classification <sup>5</sup> :</b>  <b>A61K 9/107</b>	<b>A1</b>	<b>(11) International Publication Number:</b> <b>WO 91/19481</b>  <b>(43) International Publication Date:</b> 26 December 1991 (26.12.91)
<b>(21) International Application Number:</b> PCT/US91/04104  <b>(22) International Filing Date:</b> 11 June 1991 (11.06.91)  <b>(30) Priority data:</b> 539,061                      15 June 1990 (15.06.90)                      US  <b>(71) Applicant:</b> ALLERGAN, INC. [US/US]; 2525 Dupont Drive, Post Office Box 19534, Irvine, CA 92713-9534 (US).  <b>(72) Inventors:</b> JOSHI, Abhay ; 120 Monroe, Irvine, CA 92720 (US). DING, Shulin ; 14641 Fir Avenue, Irvine, CA 92714 (US). HIMMELSTEIN, Kenneth, James ; 217 Gilbert Avenue, Pearl River, NY 10965 (US).		<b>(74) Agents:</b> BARAN, Robert, J. et al.; Allergan, Inc., 2525 Dupont Drive, Post Office Box 19534, Irvine, CA 92713-9534 (US).  <b>(81) Designated States:</b> AT (European patent), AU, BB, BE (European patent), BF (OAPI patent), BG, BJ (OAPI patent), BR, CA, CF (OAPI patent), CG (OAPI patent), CH (European patent), CI (OAPI patent), CM (OAPI patent), DE (European patent), DK (European patent), ES (European patent), FI, FR (European patent), GA (OAPI patent), GB (European patent), GN (OAPI patent), GR (European patent), HU, IT (European patent), JP, KP, KR, LK, LU (European patent), MC, MG, ML (OAPI patent), MR (OAPI patent), MW, NL (European patent), NO, PL, RO, SD, SE (European patent), SN (OAPI patent), SU, TD (OAPI patent), TG (OAPI patent).  <b>Published</b> <i>With international search report.</i>
<b>(54) Title:</b> REVERSIBLE GELATION COMPOSITIONS AND METHODS OF USE		
<b>(57) Abstract</b>  Reversibly gelling aqueous compositions are disclosed which undergo significant changes in viscosity in response to substantially simultaneous changes in both temperature and pH. The compositions are formed of relatively low concentrations of a stable combination of at least one pH-sensitive reversibly gelling polymer and at least one temperature-sensitive reversibly gelling polymer. The compositions can be formulated to exhibit a sol-gel transition over a wide range of conditions and viscosities and may be modified to incorporate a pharmaceutical compound for utilization as droppable or injectable drug delivery systems which will gel following administration to a physiological system for the sustained delivery of such pharmaceutical compounds.		



**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.

AT	Austria	ES	Spain	MG	Madagascar
AU	Australia	FI	Finland	ML	Mali
BB	Barbados	FR	France	MN	Mongolia
BE	Belgium	GA	Gabon	MR	Mauritania
BF	Burkina Faso	GB	United Kingdom	MW	Malawi
BG	Bulgaria	GN	Guinea	NL	Netherlands
BJ	Benin	GR	Greece	NO	Norway
BR	Brazil	HU	Hungary	PL	Poland
CA	Canada	IT	Italy	RO	Romania
CF	Central African Republic	JP	Japan	SD	Sudan
CG	Congo	KP	Democratic People's Republic of Korea	SE	Sweden
CH	Switzerland	KR	Republic of Korea	SN	Senegal
CI	Côte d'Ivoire	LI	Liechtenstein	SU	Soviet Union
CM	Cameroon	LK	Sri Lanka	TD	Chad
CS	Czechoslovakia	LU	Luxembourg	TG	Togo
DE	Germany	MC	Monaco	US	United States of America
DK	Denmark				

## REVERSIBLE GELATION COMPOSITIONS AND METHODS OF USE

## FIELD OF THE INVENTION

5 The present invention relates in general to macromolecular polymer mixtures exhibiting reversible gelation properties. More particularly, the present invention is directed to aqueous compositions that reversibly gel in response to simultaneous variations in at least two physical parameters such as temperature and pH or ionic strength. These compositions can be designed to reversibly gel at varying viscosities  
10 over a relatively wide range of conditions, making them particularly suitable for use as droppable, oral, or injectable drug delivery systems for the sustained and controlled delivery of pharmaceutical medicaments and diagnostic agents.

## 15 BACKGROUND OF THE INVENTION

Various approaches to the production of reversibly gelling solutions have been developed over the years. Principal efforts have been devoted to the development of gelatinous drug delivery systems for topical and subcutaneous applications and, more recently, for the  
20 administration of ophthalmic drugs to the eye. In general, sustained release drug delivery systems incorporate pharmaceutical agents in solid or semi-solid vehicles which are applied to or implanted under the skin of a patient by medical personnel. Additionally, unlike conventional drug delivery systems, ocular drug delivery systems also must address  
25 the additional problem of drug loss through the lacrimal drainage system as well as the needs of patient comfort and ease of administration.

Early approaches to the solution of the problems associated with ocular drug delivery systems utilized semi-solid ointments or gels applied directly to the conjunctiva or cul-de-sac of the eye to retain  
30 the pharmaceutical agents contained therein on the ocular surface against such physiological factors as tear turnover, tear drainage, blinking, and other mechanical losses. For example, U.S. Patents Nos. 3,944,427 and 3,700,451 disclose gelatinous drug delivery compositions containing agar, xanthine gum, and carob gum in liquid mediums in order  
35 to enhance their residence time upon the skin or mucosae and the resultant bioavailability of the medicinal products contained therein. Similarly, European Patent Application No. 0 300 888 A1, filed July 18, 1988, recently disclosed the use of rhamosan gum to thicken ophthalmic compositions for droppable and topical application.

Though effective at increasing drug retention times, lack of patient acceptability remains as a significant drawback to the use of such known viscous drug delivery compositions in the eye. Many patients experience difficulty in applying the appropriate amount of such compounds to the eye and resist the unpleasant side effects of eyelid crusting and vision blurring. As a result, these compounds may only be suitable for use in the evening or during non-active hours.

A known alternative approach to these problems was the use of a formulation which is liquid at room temperature but which forms a semi-solid when warmed to body temperature. Such a thermally triggered system is disclosed in U.S. Patent No. 4,474,751, where an aqueous drug delivery system that forms a semi-solid "gel" at body temperature is formed from proprietary polymers known as "Tetronic®" polyols. Generally speaking, these compositions are formed from approximately 10% to 50% of the specific polymers in an aqueous base. By adjusting the pH of these drug delivery systems through the addition of buffering agents, the gelling transition temperature can be raised to physiological temperatures on the order of 35°C.

Similar drug delivery systems which can be injected subcutaneously or intramuscularly are disclosed in United States Patent No. 4,474,752. These compounds also contain from 10% to 50% by weight Tetronic® polymers and gel at temperatures from about 30° to 10°C.

A thermal setting gel drug delivery system is also described in U.S. Patent No. 4,188,373, utilizing "Pluronic®" polyols" as the thermally gelling polymer. Adjusting the concentration of the polymer gives the desired "sol-gel" transition temperature. However, producing a compound which sets at physiologically useful temperature ranges limits the available viscosity of the gelled product.

Alternatively, it has been proposed to utilize formulations which gel in response to changes in pH as drug delivery vehicles. By carefully controlling the pH of such mixtures, a solution which forms a gel upon mixing with aqueous tear fluid could theoretically be produced. However, it is believed that the relatively high buffering capacity of such pH responsive compositions can lead to slow gelling, irritation and discomfort in patient eyes.

Though successful at achieving increased drug retention times, the relatively high polymer concentrations required by such formulations undesirably increase both the buffering capacity and the amount of thermal energy necessary to induce gelation of the compounds which may

lead to irritation and discomfort when used in the eye. What is more, the high polymer concentrations also contribute to unacceptably high product costs and generally slow the gelling process as well, leading to migration of the compounds from the site of application or injection.

5 Accordingly, it is a principal object of the present invention to provide a reversibly gelling polymer solution having significantly lower polymer concentrations than has previously been attainable by the prior art in order to reduce both the buffering and thermal capacities of the solution to ensure its rapid and complete transition from liquid to gel  
10 upon application to a physiological system such as an oral dosage, the surface of the eye, or an injectable drug depot.

It is a further object of the present invention to provide a reversibly gelling solution which can be utilized as a drug delivery vehicle or wetting solution that can easily be administered by a patient  
15 in the form of a freely flowing liquid or drops which gel immediately following administration with minimal side effects, thereby providing ready patient control of drug dosage and improved patient acceptability.

It is a further object of the present invention to provide an oral dosage, drop-instillable, injectable or other depot form drug delivery  
20 vehicle which will prolong drug contact time for improved bioavailability and for sustained drug release.

#### SUMMARY OF THE INVENTION

Generally stated, the present invention accomplishes the above-described objectives by providing aqueous compositions that reversibly  
25 gel in response to substantially simultaneous variations in at least two physical parameters such as temperature, pH, or ionic strength. What is more, the compositions of the present invention can be tailored to exhibit a specific sol-gel transition over predetermined temperature and  
30 pH ranges to make the compositions particularly well suited for use as drop-instillable aqueous wetting agents and drug delivery systems, as well as for use as injectable sustained release drug delivery systems.

More particularly, it has been surprisingly discovered that superior reversibly gelling compositions can be produced from unusually  
35 low concentrations of uniquely synergistic polymer systems which stably exist in aqueous solutions. In contrast to prior art gelation systems that rely on only a single triggering mechanism which may be either changes in pH, ionic strength, or changes in temperature, the compositions of the present invention reversibly gel in response to sub-

stantially simultaneous changes in both temperature and pH over predetermined ranges. What is more, the synergistic gelation action of the compositions of the present invention produces rapid and complete viscosity changes of an order of magnitude without the undesirable side effects associated with the high polymer concentration, single gelation mechanism compositions of the prior art.

These properties make the compositions of the present invention particularly well suited for uses as topically applied lubricants and wetting agents as well as for drug delivery vehicles where sustained and controlled delivery of bioactive agents is desired. For example, wetting agents, ocular drug delivery vehicles, oral and injectable drug delivery compositions can be produced in accordance with the teachings of the present invention which exhibit steady state flow characteristics at or near room temperature and a pH range of 2.5 to 6.5, yet almost instantaneously transform to highly visco-elastic gels when exposed to physiological conditions of pH and temperature on the order of pH 7.4 and 37°C.

Exemplary compositions are formed in accordance with the teachings of the present invention from aqueous solutions containing effective concentrations of a stable physical admixture or combination of at least one thermally-sensitive gelling polymer and at least one pH-sensitive gelling polymer. Thermally-sensitive gelling polymers for practicing the present invention can be selected from the group including alkyl cellulose, hydroxyalkyl cellulose, cellulosic ethers, Pluronic® polymers and Tetronic® polymers, with methylcellulose being particularly preferred. Exemplary pH-triggered gelling polymers that produce thickening at increased pH are preferably acidic polymers such as those containing carboxyl groups. Those skilled in the art will appreciate that small amounts of crosslinking agents such as divinyl benzene, divinyl glycol and polyalkenyl polyethers will facilitate the formation of three dimensional polymer network structures in the resultant cross-linked polyacrylates. Carboxy vinyl linear or branched or crosslinked polymers of the monomers, such as methacrylic acid, ethacrylic acid,  $\beta$ -methylacrylic acid, cis- $\alpha$ -methylcrotonic acid, trans- $\alpha$ -methylcrotonic acid,  $\alpha$ -butylcrotonic acid,  $\alpha$ -phenylacrylic acid,  $\alpha$ -benzylacrylic acid,  $\alpha$ -cyclohexylacrylic acid, and the like are examples of such acidic pH-sensitive gelling polymers. Conversely, where thickening is desired at decreased pH, polymers containing weakly basic pendant groups such as poly-N-N-dimethylaminoethylmethacrylate may be employed.

In contrast to the relatively high polymer concentrations required by the individually triggered prior art compositions (on the order of 10% or more by weight), the reversibly gelling compositions of the present invention preferably contain only approximately 0.25% to 5% by weight thermally-sensitive gelling polymer and only 0.1% to 0.5% by weight pH-sensitive gelling polymer. This substantially lower polymer concentration significantly reduces the amount of thermal energy required to induce gelation as well as reducing the buffering capacity of the compositions of the present invention, making them markedly superior topical wetting agents and drug delivery compounds. When utilized in the ocular milieu, the compositions of the present invention eliminate the discomfort, vision blurring and crusting produced by the known prior art compositions yet produce rapid conformational changes to high viscosity.

However, it is contemplated as being within the scope of the present invention to utilize thermally-sensitive gelling polymer concentrations ranging from approximately 0.1% to 30% by weight and pH-sensitive gelling polymer concentrations ranging from approximately 0.01% to 10% by weight. As discussed in detail below, these relatively broader polymer concentration ranges increase the scope of the available viscosities and sol-gel transition temperatures that may be produced in accordance with the teachings of the present invention. Thus, viscosities ranging from 200 to approximately 1 million cP at sol-gel transition temperatures ranging from 0°C to 60°C can be attained with the present invention. Nonetheless, for ophthalmic uses, the previously described polymer concentration ranges are preferred.

For use as drug delivery vehicles, the aqueous compositions of the present invention can be modified through the incorporation of a suitable pharmaceutical medicament or diagnostic compound in a concentration ranging from approximately 0.0001% to 50% by weight. As those skilled in the art will appreciate, when compatible medicaments and/or diagnostic compounds are incorporated into the aqueous compositions of the present invention, the drugs will also be incorporated into the gelling matrix following delivery to the target site. As a result, the drug containing visco-elastic gel will reside at the applied location, thereby prolonging the retention and delivery of the incorporated drug. Similarly, fine suspensions of solid drug compositions or particulate drug containing delivery systems may also be incorporated into the reversibly gelling compositions of the present invention. Injection

into subcutaneous drug delivery depots or topical delivery by drop installation of the solutions will then position such delivery systems at the site of choice for sustained bioavailability. This enhanced bioavailability and improved duration of action may lead to overall lower drug dosages being required with resultant improved side effect profiles.

Modifications to the viscosity ranges, pH ranges and temperatures at which the sol-gel transition takes place can be produced in the compositions of the present invention by varying the polymer concentrations as well as through the incorporation of small amounts of univalent or divalent salt. Typically, the addition of small quantities of salt giving a salt-to-combined polymer ratio up to 0.5 and preferably on the order of 0.045 to 0.075 will decrease the viscosity of the composition in the ungelled state if desired. Alternatively, it is contemplated as being within the scope of the present invention to incorporate up to approximately 0.2% to 0.9% by weight salt.

Further objects and advantages of the reversibly gelling compositions of the present invention, as well as a better understanding thereof, will be afforded to those skilled in the art from a consideration of the following detailed explanation of preferred exemplary embodiments thereof. Reference will be made to the appended sheets of drawings which will now be first described briefly.

#### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a graphical illustration showing the viscosity of a Methocel/Carbopol (Carbopol concentration fixed at 0.3% by weight) mixture as a function of the concentration of a Methocel at room temperature and pH 4.0 Carbopol;

FIG. 2 is a graphical illustration showing the viscosity of a Methocel/Carbopol (Carbopol concentration fixed at 0.3% by weight) mixture as a function of the concentration of a Methocel at 37°C and pH 7.4 Carbopol;

FIG. 3 is a graphical illustration showing the viscosity of a Methocel (1%)/Carbopol (0.3%) mixture as a function of salt concentration at room temperature and pH 4.0;

FIG. 4 is a graphical illustration showing the viscosity of a Methocel (1%)/Carbopol (0.3%) mixture as a function of salt concentration at 37°C and pH 7.4;

FIG. 5 is a graphical illustration showing the viscosity of a Pluronic®/Carbopol (Carbopol concentration fixed at 0.3% by weight) mixture as a function of the concentration of Pluronic® at room temperature and pH 5.0 Carbopol;

5 FIG. 6 is a graphical illustration showing the viscosity of a Pluronic®/Carbopol (Carbopol concentration fixed at 0.3% by weight) mixture as a function of the concentration of Pluronic® at 37°C and pH 7.4 Carbopol;

10 FIG. 7 is a graphical illustration showing the viscosity of a Tetronic®/Carbopol (Carbopol concentration fixed at 0.3% by weight) mixture as a function of the Tetronic® concentration at room temperature and pH 5.0 Carbopol; and

15 FIG. 8 is a graphical illustration showing the viscosity of a Tetronic®/Carbopol (Carbopol concentration fixed at 0.3% by weight) mixture as a function of the Tetronic® concentration at 37°C and pH 7.4 Carbopol.

#### DETAILED DESCRIPTION OF PREFERRED EMBODIMENTS

20 The reversibly gelling aqueous compositions of the present invention are primarily intended for use as drop instillable, oral and injectable drug delivery vehicles as well as for topically applied lubricants, wetting agents and cleaning agents. Accordingly, the preferred exemplary embodiments of the present invention exhibit good, usable flow characteristics at room temperature, yet rapidly gel to  
25 highly visco-elastic compounds exhibiting viscosities several orders of magnitude greater at physiological temperatures and pH. Thus, the preferred exemplary embodiments exhibit significant increases in viscosity in response to substantially simultaneous upshifts in both temperature and pH to those conditions encountered in the ocular milieu  
30 or at typical injectable drug delivery sites. However, those skilled in the art will appreciate that alternative compositions which gel in response to simultaneous increases in temperature and decreases in pH or the converse may also be produced in accordance with the teachings of the present invention where desired. Similarly, alternative  
35 compositions which gel at temperatures significantly above or below those encountered in physiological systems or which exhibit markedly different viscosities relative to those of the preferred embodiments may also be produced. Thus, for purposes of explanation and without limiting the scope of the present invention, the following exemplary



embodiments will be discussed in the context of drop instillable or injectable reversibly gelling compounds intended for use in physiological systems.

5 As those skilled in the art will also appreciate, in addition to responding to changes in both temperature and pH, the ability to produce dramatic changes in viscosity with very small polymer concentrations is a significant feature of the present invention which overcomes many of the disadvantages associated with prior art compositions. For example, the polymer concentrations utilized in accordance with the teachings of 10 the present invention significantly reduce the buffering capacity of the aqueous compositions so produced, thereby effectively eliminating the irritation associated with high buffering capacity compounds such as the pH triggered gelling compositions of the prior art. Similarly, reducing the polymer concentration also reduces the thermal energy requirement of the reversibly gelling compositions and, as a result, the compositions of the present invention gel almost instantaneously upon application. This instantaneous gelation further reduces migration and loss of the compositions of the present invention over the prior art compounds. As an additional benefit, the low polymer concentration 20 compositions of the present invention produce transparent, colorless gels, making them particularly well suited for use as ocular drug delivery vehicles.

In its broadest capacity, an exemplary embodiment of the aqueous compositions of the present invention which exhibits reversible gelation 25 in response to simultaneous variations in both temperature and pH over predetermined ranges comprises an aqueous solution incorporating a stable combination or admixture of at least one thermally-sensitive gelling polymer and at least one pH-sensitive gelling polymer in sufficient amounts to effectively produce reversible gelation over the 30 desired temperature and pH ranges. Preferred thermally-sensitive gelling polymers include alkyl cellulose, hydroxyalkyl cellulose, cellulosic ethers, Pluronic<sup>®</sup> polymers and Tetronic<sup>®</sup> polymers, with methylcellulose being particularly preferred. Preferred pH-sensitive gelling polymers which increase viscosity with increasing pH are 35 selected from the family of linear, branched or crosslinked acidic polymers such as those containing carboxyl groups, particularly carboxy vinyl polymers of monomers such as acrylates, methacrylic acid, ethacrylic acid,  $\beta$ -methylacrylic acid, cis- $\alpha$ -methylcrotonic acid, trans- $\alpha$ -methylcrotonic acid,  $\alpha$ -butylcrotonic acid,  $\alpha$ -phenylacrylic acid,  $\alpha$ -

benzylacrylic acid,  $\alpha$ -cyclohexylacrylic acid, and the like. Exemplary concentrations giving the widest range of viscosities and sol-gel transition temperatures range from approximately 0.1% to 40% by weight thermally-sensitive gelling polymer and from approximately 0.01% to 10%  
5 by weight pH-sensitive gelling polymer. For physiological systems, the preferred exemplary concentrations giving the preferred sol-gel transition temperatures and associated viscosities range from approximately 0.1% to 5% by weight thermally-sensitive gelling polymer, and from approximately 0.01% to 0.5% by weight pH-sensitive gelling polymer.

10 Thus, an exemplary composition of the present invention comprises a homogeneous association complex of a macromolecular mixture of methylcellulose, a polysaccharide available from Dow Chemical under the trade name Methocel, and a cross-linked polyacrylic acid such as Carbopol 940, a hydrophilic acrylic polymer available from the B. F.  
15 Goodrich Company. Methocel consists of cellulose chains with a moderate to high degree of hydrophobic methyl group substitution, while Carbopol is a hydrophilic acrylic polymer. When these polymers are mixed in the preferred exemplary aqueous concentrations ranging from 0.1% to 10% by weight Carbopol and from 0.01% to 30% by weight Methocel, a stable  
20 combination of the aqueous polymer mixture is formed. This is in direct contrast to the teachings of the prior art wherein aqueous polymer mixtures are extremely difficult, if not impossible, to form due to molecular interaction and precipitation. More importantly, by varying the concentration ranges of this aqueous composition, a wide variety of  
25 viscosities and sol-gel transition temperatures and pHs can be produced.

For example, at formation conditions, the pH of the composition will generally range from approximately 2.5 to 6.5, with a preferable range of 4.0 to 5.5. The osmolality will generally range from 20 to 500, with a preferable range between approximately 50 to 400. The  
30 osmolality can be adjusted through the addition of physiologically acceptable salts and non-ionic additives such as sodium chloride, potassium chloride, calcium chloride, magnesium chloride, sodium lactate, magnesium phosphate, mannitol, sucrose and glycerine. However, sodium chloride is the preferred tonicity adjuster. More significantly,  
35 at temperatures ranging from 0°C to 45°C, and preferably between 15°C to 30°C, the viscosity of the composition can be adjusted to range from 20 to 40,000 cP (measured at a shear rate of 2.6 sec<sup>-1</sup>), with a preferred range between 100 to 30,000 cP to produce a drop instillable or injectable viscous fluid. Taking these same formulations and exposing

them to physiological conditions of pH approximately 7.4 and temperature approximately 37°C results in viscosities ranging from 200 to 1 million cP with preferable ranges between approximately 50,000 to 400,000 cP. As a result, the compositions of the present invention can be tailored to produce drop instillable ocular wetting agents, cleaning agents or drug delivery systems which will remain in the eye from fractions of an hour up to ten hours or more, and preferably from two to six hours.

More specifically, when mixed in the exemplary aqueous concentrations of approximately 1% to 3% by weight methylcellulose and 0.2% to 0.4% by weight Carbopol, a stable combination of the aqueous polymer mixture is formed which exhibits a viscosity on the order of 10,000 cP at room temperature (25°C) and at a pH of between 3.0 and 5.0. When this composition is subjected to physiological temperatures and pH on the order of 37°C and pH 7.4 two simultaneous intermolecular conformational changes are believed to occur. First, increased ionization produces unwinding of the coils of the acrylic chain. This is accompanied by the expulsion of the hydrophobic functional components of the methylcellulose chain. As a result, within approximately 60 to 120 seconds a three-dimensional network is formed with a concomitant increase in visco-elasticity of several orders of magnitude to approximately 140,000 cP. As those skilled in the art will appreciate, compatible medicaments, diagnostic compounds and microfine particulate drug delivery vehicles incorporated into the composition will be entrapped in the visco-elastic polymer matrix so produced for sustained release applications where desired.

That such significant increases in viscosity should occur with such low polymer concentrations in response to simultaneous changes in both temperature and pH comes in complete contrast to the teachings of the prior art. As noted above, prior art systems for which high viscosity change is induced by temperature change alone require preparations with high polymer concentrations typically much greater than 10% by weight. What is more, with such high concentrations, the heat transfer limitations of the preparations themselves may result in relatively slow or incomplete viscosity increases. Moreover, the high polymer concentrations of the prior art may cause discomfort, polymer crusting on the eyelids, vision blurring, and altered anatomical conditions such as blockage of the lacrimal duct. Similarly, systems for which viscosity change is induced by pH changes alone typically require high polymer concentrations. These pH-triggered systems exhibit

a significantly greater buffering capacity than the thermally-triggered systems. In the ocular milieu this high buffering capacity may lead to incomplete gelation and local irritation. Accordingly, the compositions of the present invention are significantly advantageous over these known systems in two major ways. First, for use in physiological conditions, the compositions of the present invention can have significantly less total polymer content; and, second, these compositions effectively utilize both the buffering and heat capacity of the ocular milieu to rapidly and completely induce conformational changes leading to substantially higher viscosity.

As with the compositions of the present invention in general, the rheological properties of the exemplary aqueous solutions of thermally-sensitive methylcellulose and pH-sensitive polyacrylate are effected by the molecular weights of the respective polymers, their concentration, temperature, pH and the presence of other solutes. However, it should be emphasized that the properties of the aqueous compositions of the present invention are uniquely and unexpectedly synergistic. For example, because methylcellulose is non-ionic, in solution alone it is visco-elastically stable over a wide range of pH from approximately 3 to 11. The viscosity of polyacrylate solutions alone is proportional to the polymer concentration, both at lower and higher pH. For example, at polymer concentrations between 0.1% and 0.4% by weight, aqueous polyacrylate solutions are very inviscid over a pH range of 3 to 7. Additionally, aqueous solutions containing more than 0.5% by weight polyacrylate have a much higher buffer capacity and need additional neutralizing base to increase their viscosity. However, mixtures of such pH-sensitive and thermally-sensitive polymers in accordance with the teachings of the present invention exhibit viscosities which are substantially in excess of the sum of the individual viscosities of the individual aqueous polymer solutions at both lower and higher pH. For example, at pH 4.0, the viscosity of a 3% by weight methylcellulose solution measured with a Carri-Med rheometer at a shear rate of approximately  $2.6 \text{ sec}^{-1}$  is approximately 18,000 cP. Similarly, the viscosity of a 0.2% Carbopol solution at pH 4.0 is approximately 50 cP. The viscosity of the mixture of these two polymers produced in accordance with the teachings of the present invention at pH 4.0 is approximately 30,000 cP. As those skilled in the art will appreciate, 30,000 cP is substantially greater than the anticipated combined viscosity of 18,050 cP.

The following table is an illustrative listing of the rheological properties that can be expected with the aqueous compositions of the present invention utilizing an exemplary formulation of Methocel A4M methylcellulose and Carbopol (940), a crosslinked polyacrylate.

5

TABLE 1  
Viscosity for Typical Methocel (1% by Weight)/Carbopol  
(0.3% by Weight) Preparation

	25°C		37°C	
10 pH	4.0	7.4	4.0	7.4
Viscosity, cP	11,500	90,800	20,000	140,000

(shear rate approximately 2.6 sec<sup>-1</sup>)

15 FIGS. 1 and 2 more clearly show the rheologic properties of exemplary Methocel/Carbopol mixtures in accordance with the teachings of the present invention. As shown in FIGS. 1 and 2, the viscosity of an exemplary aqueous Methocel/Carbopol composition is plotted as a function of the concentration of Methocel (the Carbopol concentration being fixed at 0.3% by weight) at room temperature and pH 4 in FIG. 1 and at 37°C and pH 7.4 in FIG. 2. As shown in FIG. 1, aqueous compositions exhibiting a viscosity ranging from approximately 20 to in excess of 40,000 cP can be produced at room temperature and pH 4 which, as shown in FIG. 2, gel to viscosities ranging from approximately 200 to well in excess of 200,000 at physiological conditions. As those skilled in the art will also appreciate, the foregoing temperature and pH conditions discussed in Table 1 are exemplary of those present at room temperature (25°C) and in the ocular milieu where the cul-de-sac of the eye is bathed with isotonic lacrimal fluid at pH 7.4 and approximately 37°C. Thus, it is readily apparent that the exemplary composition disclosed in Table 1 is a freely-flowing viscous liquid at its formulation temperature and pH which, upon contact with tear fluid and physiologic conditions, forms a highly visco-elastic gel.

25 Additionally, the highly visco-elastic gels formed at the physiologic temperature and pH are transparent with a specific gravity of approximately 1.01 and a refractive index of approximately 1.33. Thus, the aqueous compositions of the present invention can easily be administered to the eye in drop form and will rapidly gel under the combined effect of both temperature and pH when placed in the eye thereby preventing their rapid elimination from the eye through the

35

lacrima drainage system. Moreover, the favorable optical properties and low polymer concentration of the compositions should cause minimal or no visual perturbation once gelled *in situ*. It should also be appreciated that these exemplary gelled compositions exhibit a muco-  
5 adhesive property which further aids their retention in the cul-de-sac of the eye. Also, the gelled polymers are self-lubricating and relatively soft and deformable which increases patient comfort and acceptability.

As shown in FIGS. 3 and 4, it should also be noted that the  
10 viscosity of the aqueous compositions of the present invention can be modified by adding a pharmaceutically acceptable salt such as mono- or di-valent salts including sodium chloride, potassium chloride, calcium chloride or mixtures thereof, as well as suitable alkali metal salts such as sodium sulfate and the like. Preferred salt to total polymer  
15 ratios will range from 0 to approximately 0.5 and preferably from approximately 0.045 to 0.075. As shown in FIGS. 3 and 4, the addition of salt exhibits its most significant relative effect on the lower viscosity of the aqueous system. For example, slight increases in the salt concentration apparently preferentially decrease the lower  
20 viscosity ranges while exhibiting a comparatively minor decrease on the upper viscosity ranges.

The rheological properties of alternative exemplary compositions produced in accordance with the teachings of the present invention are illustrated in FIGS. 5 through 8. FIGS. 5 and 6 illustrate the  
25 viscosity of a Pluronic®/Carbopol mixture prepared in accordance with the teachings of the present invention. Pluronic® polymers are block copolymers of propylene oxide and ethylene oxide and are thermally-sensitive gelling polymers. It is contemplated as being within the scope of the present invention to form reversibly gelling aqueous  
30 compositions comprising stable mixtures of from 0.01% to 10% by weight pH-sensitive gelling polymers such as Carbopol, and from approximately 1% to 30% by weight Pluronic® polymer. As shown in FIGS. 5 and 6, such mixtures form viscous liquids at room temperature and pH 5 and rapidly gel to highly visco-elastic gels at physiologic conditions.

35 Similarly, alternative compositions can be formulated within the scope of the present invention utilizing Tetronic® polymers. Tetronic® polymers are tetrafunctional block copolymers derived from the sequential addition of propylene oxide and ethylene oxide to ethylenediamine. As shown in FIGS. 7 and 8, reversibly gelling aqueous compositions

produced in accordance with the teachings of the present invention utilizing Tetronic® polymers can also be formulated to remain liquid at room temperature and lower pHs on the order of 4.0 to 5.5 while gelling to highly visco-elastic gels at physiological conditions. It should be noted that these alternative polymer compositions extend the temperature ranges available for gelling and formulation without significantly modifying the pH and osmolality conditions associated with these compositions.

Though the foregoing exemplary compositions all reversibly gel in response to simultaneous upshifts in both temperature and pH, it is also possible to utilize the teachings of the present invention to produce aqueous compositions which are liquid at higher pH and lower temperatures and gel at lower pH (neutral or lower) and higher temperatures. For example, polymers containing weakly basic pendant groups such as amine containing polymers of poly-N,N dimethylaminoethyl methacrylate can be combined with methylcellulose, Pluronic® or Tetronic® polymers or combinations thereof. Such combinations will be liquid at higher pH and lower temperature while gelling at lower pH and higher temperature.

As those skilled in the art will appreciate, the aqueous compositions of the present invention may be utilized as wetting agents or lubricants for contact lenses or the treatment of conditions such as dry eye. However, it is preferred that the compositions be utilized as drug delivery vehicles for administering a variety of pharmaceutical medicaments and diagnostic compounds.

The most promising drugs for incorporating into the aqueous drug delivery compositions of the present invention are levobunolol, pilocarpine, dipivefrin and others which exhibit poor bioavailability. Other exemplary drugs or diagnostic agents which can be administered by the aqueous compositions of the present invention include, but are not limited to:

(1) antibacterial substances such as beta-lactam antibiotics, such as cefoxitin, n-formamidoyl-thienamycin and other thienamycin derivatives, tetracyclines, chloramphenicol, neomycin, carbenicillin, colistin, penicillin G, polymyxin B, vancomycin, cefazolin, cephaloridine, chibrorifamycin, gramicidin, bacitracin, sulfonamides; aminoglycoside antibiotics such as gentamycin, kanamycin, amikacin, sisomicin and tobramycin; nalidixic acid and analogs such as norfloxacin and the antimicrobial combination of flucalanine/pentizidone; nitrofurazones, and the like;

-15-

(2) antihistaminics and decongestants such as pyrilamine, chlorpheniramine, tetrahydrazoline, antazoline, and the like;

(3) anti-inflammatorics such as cortisone, hydrocortisone, hydrocortisone acetate, betamethasone, dexamethasone, dexamethasone sodium phosphate, prednisone, methylprednisolone, medrysone, fluoro-  
5 metholone, fluocortolone, prednisolone, prednisolone sodium phosphate, triamcinolone, indomethacin, sulindac, its salts and its corresponding sulfide, and the like;

(4) miotics and anticholinergics such as echothiophate,  
10 pilocarpine, physostigmine salicylate, diisopropylfluorophosphate, epinephrine, dipivoyl epinephrine, neostigmine, echothiophate iodide, demecarium bromide, carbachol, methacholine, bethanechol, and the like;

(5) mydriatics such as atropine, homatropine, scopolamine, hydroxyamphetamine, ephedrine, cocaine, tropicamide, phenylephrine,  
15 cyclopentolate, oxyphenonium, eucatropine, and the like; and other medicaments used in the treatment of eye conditions or diseases such as

(6) antiglaucoma drugs, for example, betaxalol, pilocarpine, timolol, especially as the maleate salt and R-timolol and a combination of timolol or R-timolol with pilocarpine. Also included are epinephrine  
20 and epinephrine complex or prodrugs such as the bitartrate, borate, hydrochloride and dipivefrin derivatives and hyperosmotic agents such as glycerol, mannitol and urea;

(7) antiparasitic compounds and/or anti-protozoal compounds such as ivermectin; pyrimethamine, trisulfapyrimidine, clindamycin and  
25 corticosteroid preparations;

(8) antiviral effective compounds such as acyclovir, 5-iodo-2'-deoxyuridine (IDU), adenosine arabinoside (Ara-A), trifluorothymidine, and interferon and interferon inducing agents such as Poly I:C;

(9) carbonic anhydrase inhibitors such as acetazolamide,  
30 dichlorphenamide, 2-(p-hydroxyphenyl)thio-5-thiophenesulfonamide, 6-hydroxy-2-benzothiazolesulfonamide and 6-pivaloyloxy-2-benzothiazole-sulfonamide;

(10) anti-fungal agents such as amphotericin B, nystatin, flucytosine, natamycin, and miconazole;

(11) anesthetic agents such as etidocaine cocaine, henoxinate, dibucaine hydrochloride, dyclonine hydrochloride, naepaine, phenacaine hydrochloride, piperocaine, proparacaine hydrochloride, tetracaine hydrochloride, hexylcaine, bupivacaine, lidocaine, mepivacaine and  
35 prilocaine;



- 5
- (12) ophthalmic diagnostic agents such as
- (a) those used to examine the retina and chloride-sodium fluorescein;
  - (b) those used to examine the conjunctiva, cornea and lacrimal apparatus such as fluorescein and rose bengal; and
  - (c) those used to examine abnormal pupillary responses such as methacholine, cocaine, adrenaline, atropine, hydroxyamphetamine and pilocarpine;
- 10
- (13) ophthalmic agents used as adjuncts in surgery such as alpha-chymotrypsin and hyaluronidase;
- (14) chelating agents such as ethylenediamine tetraacetate (EDTA) and deferoxamine;
- 15
- (15) immunosuppressive agents and anti-metabolites such as methotrexate, cyclophosphamide, 6-mercaptopurine, and azathioprine;
- (16) peptides and proteins such as atrial natriuretic factor, calcitonin-gene related factor, lutinizing hormone, releasing hormone, neuroterisin, vasoactive intestinal peptide, vasopressin, cyclosporine, interferon, substance P enkephalins, epidermal growth factor, eye-
- 20
- derived growth factor, fibronectin, insulin-like growth factor and mesodermal growth factor;
- (17) lubricating agents such as sodium hyaluronate or polyvinyl alcohol; and
- (18) combinations of the above such as antibiotic/anti-inflammatory as in neomycin sulfate-dexamethasone sodium phosphate, concomittant anti-glaucoma therapy such as timolol maleate-aceclidine.
- 25

As those skilled in the art will appreciate, the foregoing listing of pharmaceutical compounds is exemplary only. Because the drug delivery compositions of the present invention are uniquely suited for

30

utilization in a wide variety of physiological applications such as the ocular, oral, nasal, rectal or subcutaneous administration of pharmaceutical compounds, a wide variety of pharmaceutical agents may be incorporated therein. Accordingly, the foregoing listing of pharmaceutical agents is not intended to limit the scope of the present invention and is exemplary only.

35

Preferably, when utilized as an aqueous drug delivery vehicle for drop instillation, oral administration or injection, the compositions of the present invention can be modified to include from approximately 0.0001% to 50% by weight pharmaceutical medicament or diagnostic agent.

To prepare an aqueous drug delivery vehicle in accordance with the teachings of the present invention, an appropriately effective amount of the pharmaceutical compound of choice is simply incorporated into the aqueous composition at the composition formulation temperatures and pHs. Preferably, the compound of choice will be soluble in the solution or will be homogeneously dispersed and will not react with the polymer system. Soluble pharmaceutical compounds will readily dissolve in the aqueous composition, whereas insoluble compounds will preferably be particularized for even dispersion throughout the compositions. Along these lines, it is also contemplated as being within the scope of the present invention to incorporate insoluble or erodible microparticulate drug delivery systems such as those known in the art into the aqueous compositions. In this manner, controlled release drug delivery systems can be incorporated into the aqueous compositions of the present invention and retained in position when administered by drop or injection.

Following gelation, the medicament or diagnostic agent will be incorporated into the gelled polymer matrix and will remain on site for sustained drug delivery as the solidified gel slowly erodes and the incorporated pharmaceutical agent diffuses out into the surrounding lacrimal or physiological fluid. Additionally, it should be noted that by varying the concentration of pharmaceutical compound within the aqueous composition, it is possible to modify and control the quantity of pharmaceutical compound delivered by drop or injection. For example, a liquid drug delivery vehicle can be prepared in accordance with the teachings of the present invention containing from about 0.01 to about 5% of the medicament or pharmaceutical agent of choice on a weight to weight basis. For drop instillation methodologies the drop size will preferably range from approximately 20  $\mu$ l to 50  $\mu$ l, with 25  $\mu$ l drops being particularly preferred. Thus, from one drop of the liquid composition which contains about 25  $\mu$ l of solution, one would obtain about 0.0025 mg to about 1.25 mg of drug.

The following non-limiting examples are offered as being illustrative of the properties of exemplary compositions of the present invention. In the following example, concentrations are expressed in weight percent (% w/w), deionized water is utilized to make the formulations, and the formulation temperatures are 25° C.

#### EXAMPLE I

Thirty gm of water was heated to about 90°C. To this heated water, 3 gm of Methocel A4M (available from Dow Chemicals, Midland, MI) was added and the mixture was stirred until the polymer particles were thoroughly wetted and evenly dispersed. Sixty-seven gm cold water was added to lower the temperature of the dispersion to about 10°C for complete solubilization. The final mixture was brought to 100 gm of total weight by adding deionized water to give 3% w/w of Methocel mixture. The resultant mixture was stirred for two hours at 2.5 rpm.

In a separate container, 0.9 gm of Carboxypolymethylene (available from B. F. Goodrich, Cleveland, OH, as Carbopol 940) was completely dispersed and stirred in 90 gm of deionized water. The mixture was agitated at 100 rpm for two hours following which water was added to bring the final mixture weight to 100 gm and 0.9% w/w of Carbopol content.

A physical admixture of 20 gm of the 3% w/w of Methocel solution (prepared as mentioned above) and 20 gm of the 0.9% w/w Carbopol solution was prepared. 0.06 gm of Levobunolol was dissolved in 18 gm of deionized water and added to the physical admixture of the polymers. The resultant drug containing aqueous solution was then titrated with 5N NaOH to pH 4.5 following which the final formulation was brought to 60 gm by adding deionized water. The resultant formulation was as follows: 1% Methocel, 0.3% Carbopol and 0.1% Levobunolol. The viscosity was measured using a Carri-Med Rheometer and a rheogram depicting shear stress v/s shear rate was obtained. The formulation had a viscosity of 12,000 cP at a shear rate of 2.64/sec. The mixture was a smooth flowing liquid having droppable characteristics.

#### EXAMPLE II

Methocel A4M mixture, 3% w/w, was prepared as set forth under Example I. Forty grams of this solution was blended with 0.12 gm of Carbopol 940, 0.6 gm of Levobunolol and 18 gm of deionized water. The mixture was then stirred at 50 rpm at room temperature for 15 hours. The resultant drug containing mixture was titrated with 5N NaOH to pH 4.2 following which deionized water was added to bring the final formulation weight to 100% (60 gm) followed by stirring at 50 rpm for another two hours. The final formulation obtained was as follows: 2% Methocel, 0.2% Carbopol and 0.1% Levobunolol. The viscosity was measured using a Carri-Med Rheometer and a rheogram depicting shear stress v/s shear rate was obtained. The formulation had a viscosity of

7806 cP at a shear rate of 2.64/sec. The mixture was a smooth flowing liquid having droppable characteristics.

#### EXAMPLE III

5 Methocel A4M mixture, 3% w/w, was prepared as set forth under Example I. A preblend of 0.06 gm of salt (Sodium Chloride) and 0.06 gm of Levobunolol was prepared. Forty gm of Methocel solution was blended with 0.18 gm of Carbopol 940, the preblend of salt and Levobunolol and 16 gm of water. The mixture was then stirred at 50 rpm for 15 hours and then titrated with 5N NaOH to pH 4.00. The final formulation was brought to 100% weight (60 gm) by adding deionized water and stirred at 50 rpm for another two hours. The final formulation obtained was as follows: 2% Methocel, 0.3% Carbopol, 0.1% Sodium Chloride and 0.1% Levobunolol. The viscosity was measured using a Carri-Med Rheometer and a rheogram depicting shear stress v/s shear rate was obtained. The formulation had a viscosity of 8317 cP at a shear rate of 2.65/sec. The mixture was a smooth flowing liquid having droppable characteristics.

#### EXAMPLE IV

20 Methocel A4M mixture, 3% w/w, was prepared as set forth under Example I. A preblend of 0.06 gm of Levobunolol and 0.18 gm of Carbopol 940 was prepared. A physical admixture of 20 gm of the 3% w/w of Methocel solution and the preblend was prepared, followed by adding 38 gm of deionized water. The mixture was stirred for 15 hours at 50 rpm to assure complete mixing. The resultant drug containing aqueous solution was then titrated with 5N NaOH to pH 4.12 following which the final formulation was brought to 60 gm by adding deionized water followed by mixing for two hours at 50 rpm. The resultant formulation was as follows: 1% Methocel, 0.3% Carbopol and 0.1% Levobunolol. The viscosity of the formulation was measured using a Carri-Med Rheometer and a rheogram depicting shear stress v/s shear rate was obtained. The formulation had a viscosity of 3154 cP at a shear rate of 2.55/sec. The mixture was a smooth flowing liquid having droppable characteristics.

#### EXAMPLE V

35 Thirty gm of water was heated to 90°C. To this heated water, 5 gm of Methocel A4M (available from Dow Chemicals, Midland, MI) was added and the mixture was stirred until the polymer particles were thoroughly wetted and evenly dispersed. The remainder of the water, 67 gm, was

added as cold water to lower the temperature of dispersion to about 10°C for complete solubilization. The final mixture was brought to 100 gm of total weight by adding purified water to give 5% w/w of Methocel mixture. The resultant mixture was stirred for two hours at 25 rpm.

5 Twenty grams of deionized water was measured and to this 0.12 gm of Carbopol 940 (available from B. F. Goodrich) was added. The solution was stirred at 50 rpm for two hours until all the Carbopol was dispersed into the solution. Thirty-six grams of 5% Methocel solution, as prepared above, was added to the Carbopol solution followed by the  
10 addition of 0.09 gm of Sodium Chloride. The physical admixture was stirred for 12 hours at 50 rpm to ensure complete mixing and dispersion of the polymers. The mixture was then titrated with 5N NaOH to pH 3.53 following which the final formulation was brought to 100% weight. The final formulation by weight percent was: 3% Methocel, 0.2% Carbopol,  
15 0.15% Sodium Chloride. The viscosity of the formulation was measured using a Carri-Med Rheometer and a rheogram depicting shear stress v/s shear rate was obtained. The formulation had a viscosity of 16,610 cP at a shear rate of 2.64/sc. The mixture was a smooth flowing liquid having droppable characteristics.

20

#### EXAMPLE VI

Methocel A4M mixture, 5% w/w, was prepared as set forth under Example V. A preblend of 0.12 gm of Carbopol 940 and 0.14 gm of Sodium Chloride was prepared. This preblend was added to 36 gm of the 5% w/w  
25 of Methocel solution followed by the addition of 20 gm of water. The mixture was stirred at 50 rpm for 15 hours and then titrated with 5N NaOH to pH 3.5. The final formulation was then brought to 100% weight by adding deionized water and further stirred for two hours at 50 rpm. The final formulation by weight percent was: 3% Methocel, 0.2%  
30 Carbopol, 0.25% Sodium Chloride. The viscosity was measured using a Carri-Med Rheometer and a rheogram depicting shear stress v/s shear rate was obtained. The formulation had a viscosity of 16,600 cP at a shear rate of 2.85/sec. The mixture was a smooth flowing liquid having droppable characteristics.

35

#### EXAMPLE VII

Methocel A4M mixture, 3% w/w, was prepared as set forth under Example I. Carbopol 940 (available from B. F. Goodrich), 0.12 gm, was dispersed in 18 gm of deionized water. After complete dispersion, 0.09

gm of Sodium Chloride was added to this Carbopol solution and the resultant mixture was stirred at 50 rpm for 10 hours. Forty grams of 3% Methocel was then added to the Carbopol/Salt solution and the mixture stirred for four hours. The resultant mixture was then titrated with 5N NaOH to pH 4.49 following which deionized water was added to bring the final formulation to 100% weight (60 gm). The final formulation by weight percent was: 2% Methocel, 0.2% Carbopol, 0.15% Sodium Chloride. The viscosity was measured using a Carri-Med Rheometer and a rheogram depicting shear stress v/s shear rate was obtained. The formulation had a viscosity of about 11,500 cP at a shear rate of 2.64/sec. The mixture was a smooth flowing liquid having droppable characteristics.

#### EXAMPLE VIII

An exemplary aqueous gel mixture was prepared containing 3% Methocel A4M, 0.3% Carbopol 940 and 0.2% salt with a 1% loading of Acid Orange 8 dye for an *in vitro* release kinetic study. A 0.4 gram solidified gel sample of this composition was placed in a USP dissolution kettle (paddle speed 50 rpm) containing 500 ml phosphate buffer at pH 7.4 and 37°C. The dissolution time for the gel was observed to be in excess of nine hours. A  $T_{50}$  value of approximately 55 minutes and a  $T_{90}$  value of approximately 200 minutes was obtained from the dye release profile of the gel.

#### EXAMPLE IX

An analysis of *in vivo* gel retention time was undertaken utilizing rabbit eyes. The gel mixture of Example 1 was tagged with high molecular weight FITC dextran (MW approximately 70,000). Gel formation after installation of a 50 microliter drop appeared to be quite rapid and led to the formation of a continuous coating on the pre-corneal surface of the eye by the gel matrix. Photographic and biomicroscopic assessments were obtained over a seven hour observation period. Two significant retention times of the delivery vehicle in the rabbit eye were obtained: (1) a distinct gelatinous formation in the lower cul-de-sac; and (2) a smooth, apparently uniform film over the ocular surface. The distinct gel formation lasted for approximately three hours while the uniform film retention time was 0 to 6.5 hours or more.

**EXAMPLE X**

Sodium fluorescein was used as a marker with the composition of Example 2 to monitor its penetration into the anterior chamber of the eye. The rabbit eye anterior chamber was monitored using a slit lamp technique and an incremental increase in fluorescence over a period of seven hours after the installation of the gel labelled with fluorescein was observed.

**EXAMPLE XI**

Probe acute toxicological studies did not reveal any toxicity issues. No irritation, injection, staining or cytotoxicity was observed with the gel mixture in rabbit eyes. Ocular status was noted to be healthy after 24 hours post-installation.

**EXAMPLE XII**

An exemplary drug delivery vehicle incorporating erodible microparticulate drug delivery vehicles was prepared as follows. Levobunolol was blended into a heated slurry of poly(orthoester) and cooled to solidify the mixture. The drug containing poly(orthoester) was ground to produce microparticulates ranging in size from 1 to 300  $\mu\text{m}$ . These particles were physically dispersed in the exemplary reversible gelling composition of Example I to produce a reversibly gelling drug delivery vehicle incorporating erodible drug containing microparticulates.

**EXAMPLE XIII**

An exemplary therapeutic agent for the treatment of severe keratoconjunctivitis sicca was produced from an aqueous composition containing 1% by weight Methocel, 0.3% by weight Carbopol 940, and 0.1% by weight sodium hyaluronate and isotonicity adjusted with glycerol at pH 4.5 to 5.5. Upon installation of a 50  $\mu\text{l}$  drop in rabbit eyes, almost instantaneous gelation was observed. Examination of the rabbit eyes 24 hours following installation indicated healthy ocular status.

As those skilled in the art will appreciate, though the foregoing examples were primarily directed to ocular drug delivery vehicles, wetting agents and topical compositions, it is contemplated as being within the scope of the present invention to utilize the aqueous compositions of the present invention as drug delivery vehicles which

-23-

can be orally administered or injected either subcutaneously or intramuscularly. Following injection of the free-flowing drug delivery vehicle, the aqueous composition will rapidly gel to form a stable drug delivery depot from which the incorporated pharmaceutical compound can diffuse.

5

However, it is preferred that the aqueous compositions of the present invention be utilized to deliver pharmaceutical compounds to the surface of the eye. In this manner, the pharmaceutical compounds can be retained in contact with the eye surface over an extended period of time to enhance the bioavailability of the incorporated pharmaceutical compound. Such a drug delivery method would comprise the steps of preparing the aqueous composition of the present invention containing the above described effective amount of pharmaceutical compound and introducing the composition into the lacrimal secretions of the eye. Once introduced into the cul-de-sac of the eye, the composition will rapidly gel and resist the dilution and depletion normally associated with tear turnover in the eye. The mucoadhesive gel so formed will remain in the eye for significant periods of time, slowly eroding and releasing the dissolved pharmaceutical agent dispersed within it. This prolonged residence time leads to more effective levels of concentration of the pharmaceutical agent in the tear film and may actually result in a decrease in the overall dosage that need be administered.

10

15

20

25

30

Having thus described preferred exemplary embodiments of the present invention, it should be noted by those skilled in the art that the disclosures herein are exemplary only and that alternatives, adaptations and modifications may be made within the scope of the present invention. Thus, by way of example and not limitation, it is contemplated that ionic strength sensitive gelling polymers also may be utilized which thicken when exposed to changes in ionic strength. Accordingly, the present invention is not limited to the specific embodiments illustrated herein.



We claim:

1. An aqueous composition of matter exhibiting the property of reversible gelation in response to substantially simultaneous variations in both temperature and pH over predetermined ranges.
2. The composition of claim 1 comprising an aqueous solution having a reversible viscosity modifying effective concentration of a stable combination of at least one thermally-sensitive gelling polymer and at least one pH-sensitive gelling polymer.
3. The composition of claim 2 wherein said at least one thermally-sensitive gelling polymer is selected from the group consisting of alkylcellulose, hydroxyalkyl cellulose, Pluronic® polymers, and Tetronic® polymers.
4. The composition of claim 2 wherein said at least one thermally-sensitive gelling polymer is methylcellulose.
5. The composition of claim 2 wherein said at least one pH-sensitive gelling polymer is an acidic polymer.
6. The composition of claim 5 wherein said acidic polymer is a carboxyl containing polymer.
7. The composition of claim 6 wherein said carboxyl containing polymer is polyacrylate.
8. The composition of claim 2 wherein said at least one thermally-sensitive gelling polymer is methylcellulose and said at least one pH-sensitive gelling polymer is polyacrylate.
9. The composition of claim 8 wherein said aqueous composition comprises approximately 0.1% to 5% by weight methylcellulose and approximately 0.01% to 10% polyacrylate.
10. The composition of claim 8 wherein said aqueous composition comprises approximately 1% by weight methylcellulose and approximately .3% by weight polyacrylate.

11. The composition of claim 2 further comprising a viscosity modifying amount of salt.
12. The composition of claim 11 wherein said salt is selected from the group consisting of univalent and divalent dissociable ionic compounds.
13. The composition of claim 11 wherein said salt is present in a salt-to-polymer ratio of approximately 0.001 to 0.5.
14. The composition of claim 1 wherein said range of temperature variation is from approximately 0° to 60°C.
15. The composition of claim 1 wherein said range of pH variation is from approximately 2.5 to 7.4.
16. The composition of claim 2 further comprising an effective amount of a pharmaceutical medicament or diagnostic compound.
17. The composition of claim 16 wherein said pharmaceutical medicament or diagnostic compound is incorporated in a microparticulate drug delivery system.
18. The composition of claim 16 wherein said pharmaceutical medicament or diagnostic compound is selected from the group consisting of anti-bacterial substances, anti-histamines and decongestants, anti-inflammatorys, miotics and anti-cholinergics, mydriatics, anti-glaucoma compounds, anti-parasitics, anti-viral compounds, carbonic anhydrase inhibitors, diagnostic agents, ophthalmic agents, chelating agents, immunosuppressive agents, anti-metabolites, anesthetics, anti-fungal compounds, amoebacidal compounds, trichomonacidal agents, analgesics, anti-arthritis, anti-asthmatics, anti-coagulants, anti-convulsants, 5 anti-depressants, anti-diabetics, anti-neoplastics, anti-psychotics, 10 anti-hypertensive agents, muscle relaxants, proteins, peptides and lubricating agents.
19. An aqueous pharmaceutical composition comprising:  
approximately 0.1% to 30% by weight thermally-sensitive gelling polymer; and

5 approximately 0.01% to 10% by weight pH-sensitive gelling polymer.

20. The pharmaceutical composition of claim 19 further comprising a viscosity modifying effective concentration of salt in a salt-to-polymer ratio of 0.045 to 0.075.

21. The pharmaceutical composition of claim 19 wherein said thermally-sensitive gelling polymer is methylcellulose and said pH-sensitive gelling polymer is polyacrylate.

22. An ophthalmic drug delivery system comprising the aqueous composition of claim 19 and an effective concentration of an ophthalmic drug.

23. The ophthalmic drug delivery system of claim 22 wherein said ophthalmic drug is incorporated in a microparticulate drug delivery system.

24. The ophthalmic drug delivery system of claim 22 wherein said ophthalmic drug is selected from the group consisting of anti-bacterial substances, anti-histamines and decongestants, anti-inflammatorics, miotics and anti-cholinergics, mydriatics, anti-glaucoma compounds, 5 anti-parasitics, anti-viral compounds, carbonic anhydrase inhibitors, diagnostic agents, ophthalmic agents, chelating agents, immunosuppressive agents, anti-metabolites, anesthetics, anti-fungal compounds, amoebacidal compounds, trichomonacidal agents, analgesics, anti-arthritics, anti-asthmatics, anti-coagulants, anti-convulsants, anti-depressants, anti-diabetics, anti-neoplastics, anti-psychotics, anti-10 hypertensive agents, muscle relaxants, proteins, peptides, and lubricating agents.

25. An aqueous injectable drug delivery composition for injection into a body to treat a condition requiring pharmacological treatment or diagnosis comprising the composition of claim 19 and an effective concentration of a drug selected from the group consisting of 5 anti-bacterial substances, anti-histamines and decongestants, anti-inflammatorics, miotics and anti-cholinergics, mydriatics, anti-glaucoma compounds, anti-parasitics, anti-viral compounds, carbonic anhydrase

inhibitors, diagnostic agents, ophthalmic agents, chelating agents, immunosuppressive agents, anti-metabolites, anesthetics, anti-fungal  
10 compounds, amoebacidal compounds, trichomonacidal agents, analgesics, anti-arthritics, anti-asthmatics, anti-coagulants, anti-convulsants, anti-depressants, anti-diabetics, anti-neoplastics, anti-psychotics, anti-hypertensive agents, muscle relaxants, proteins, peptides and lubricating agents.

26. A method for delivering a pharmaceutical compound over an extended period of time to the surface of an eye needing treatment, said method comprising the steps of:

5 preparing an aqueous composition of an effective amount of a pharmaceutical compound and a reversible viscosity modifying effective concentration of a stable combination of at least one thermally-sensitive gelling polymer and at least one pH-sensitive gelling polymer; and

10 introducing said composition into the lacrimal secretions of the eye.

1/4

FIG. 1.

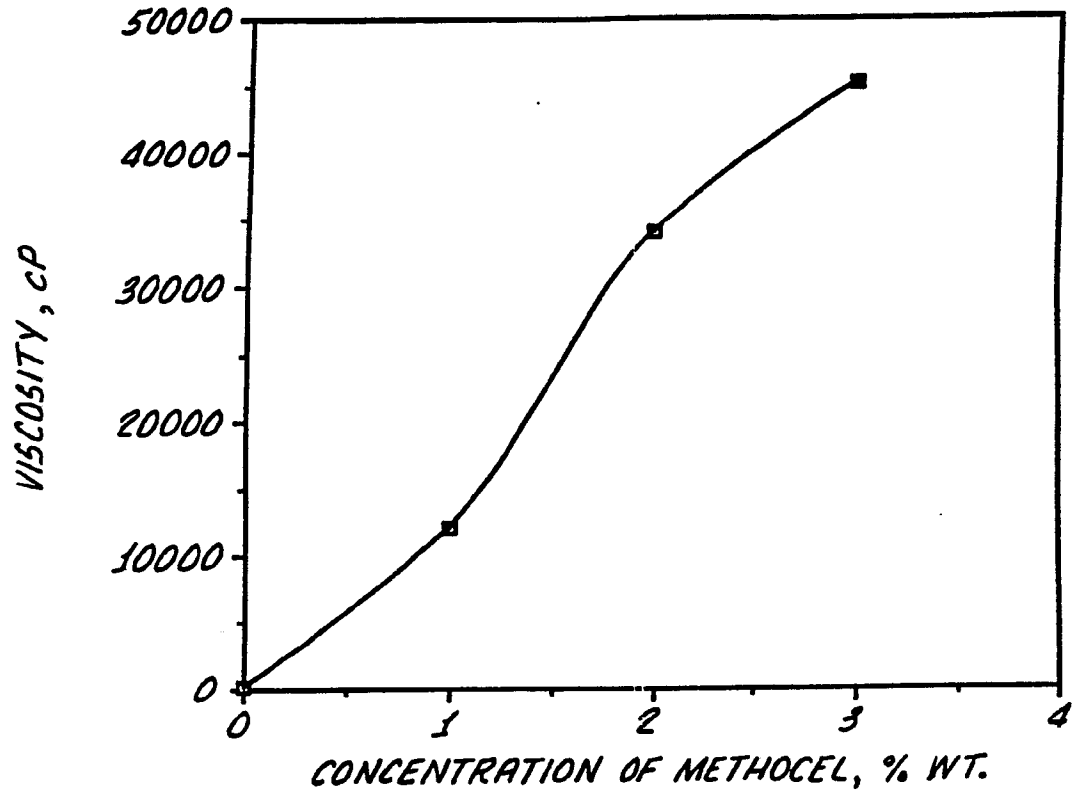


FIG. 2.

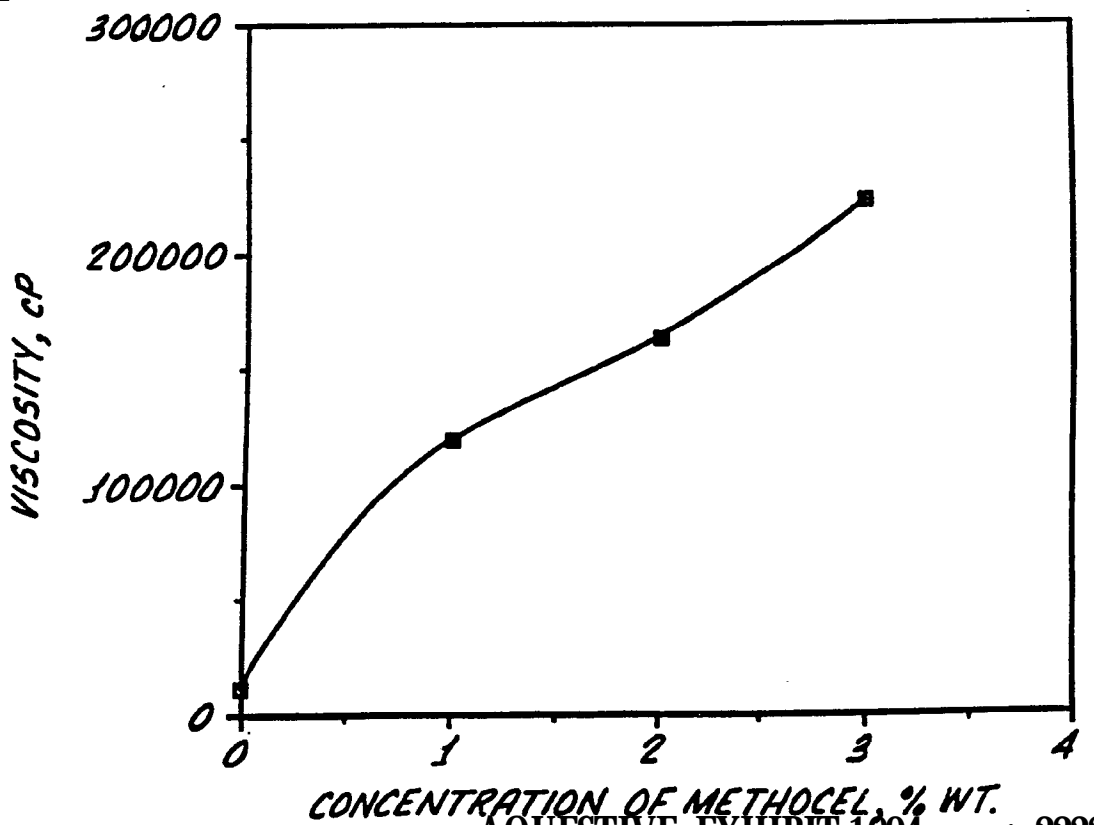


FIG. 3.

214

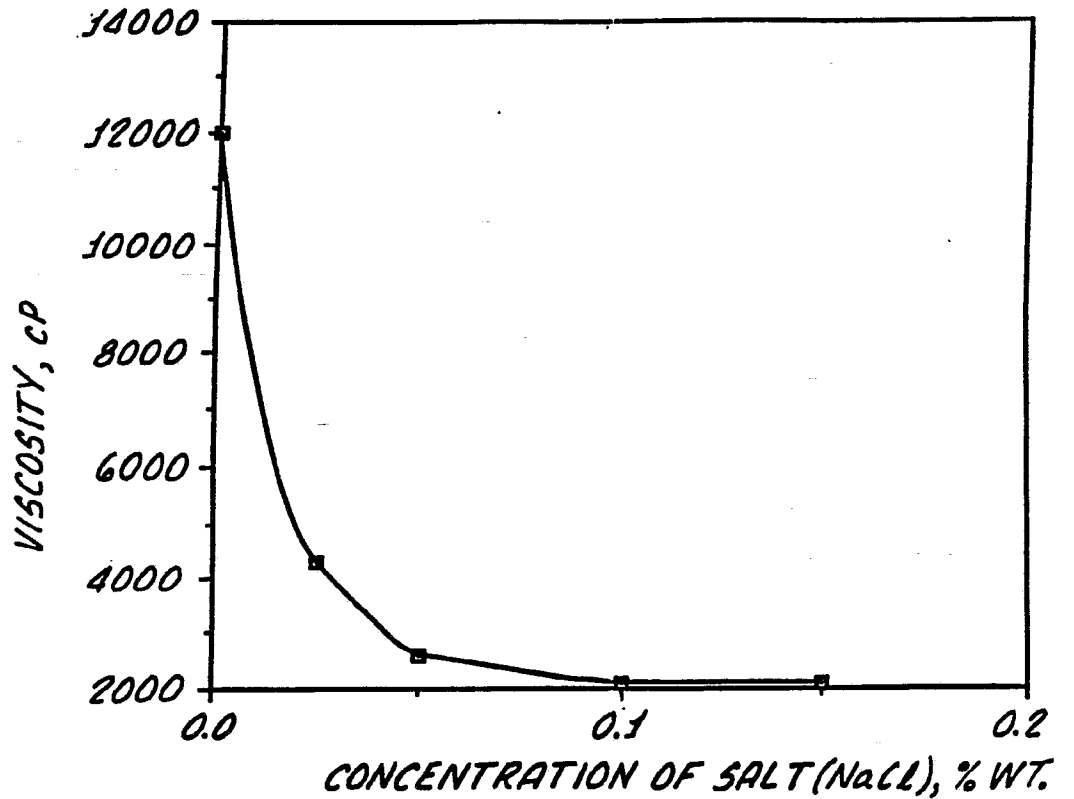
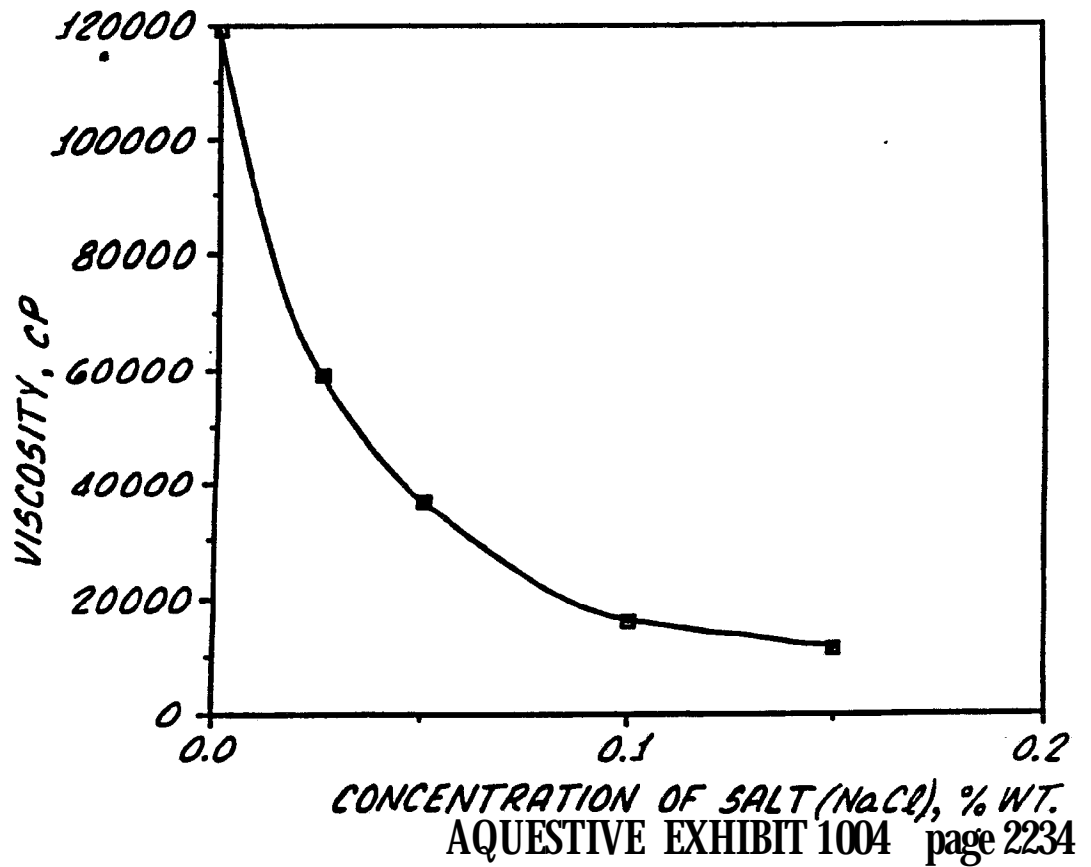


FIG. 4.



3/4

FIG. 5.

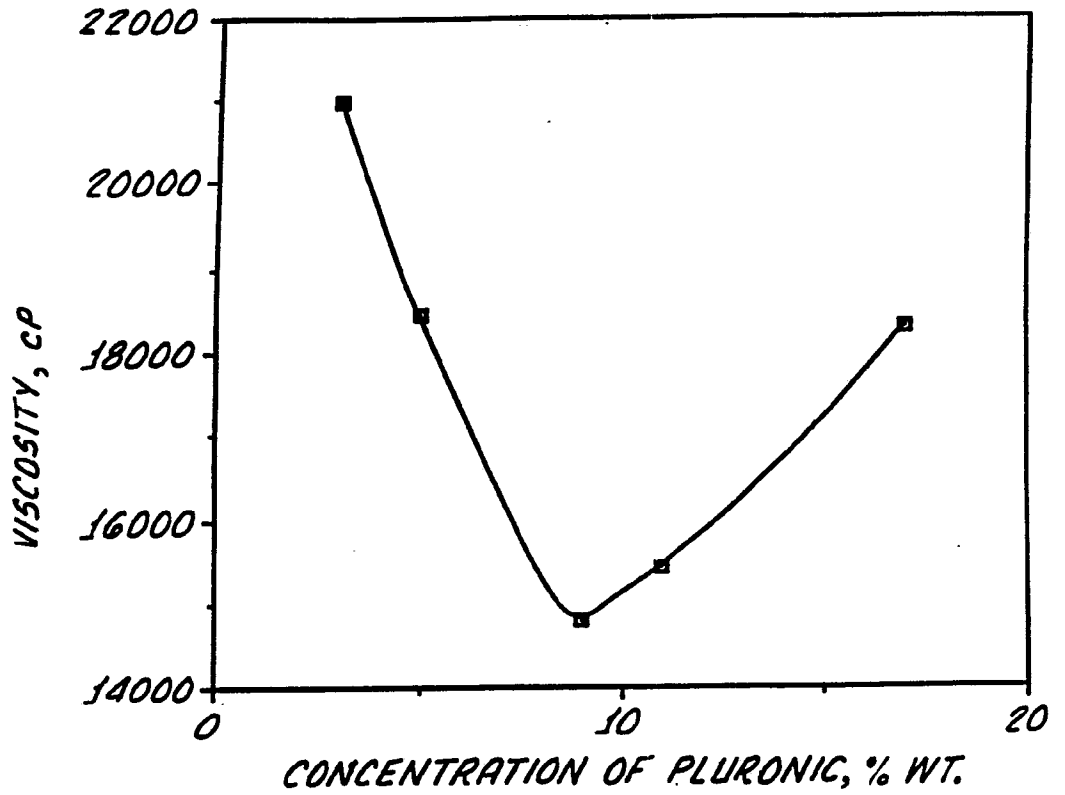


FIG. 6.

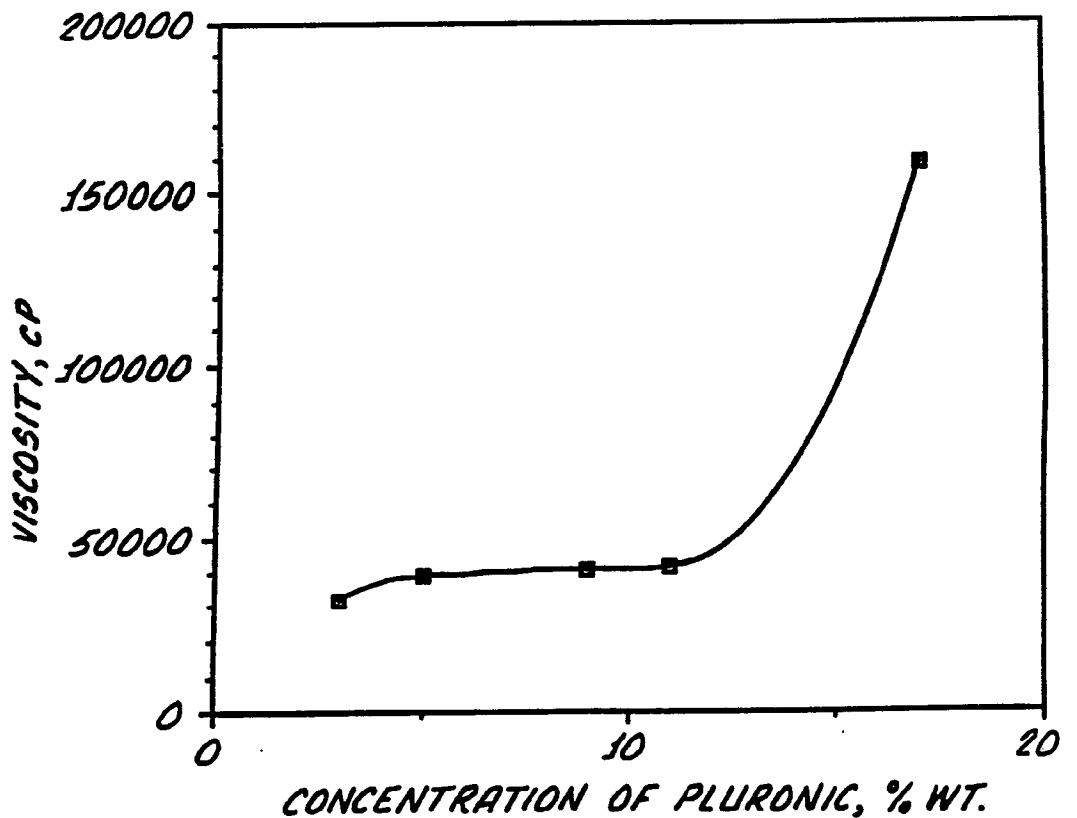


FIG. 7. 4/4

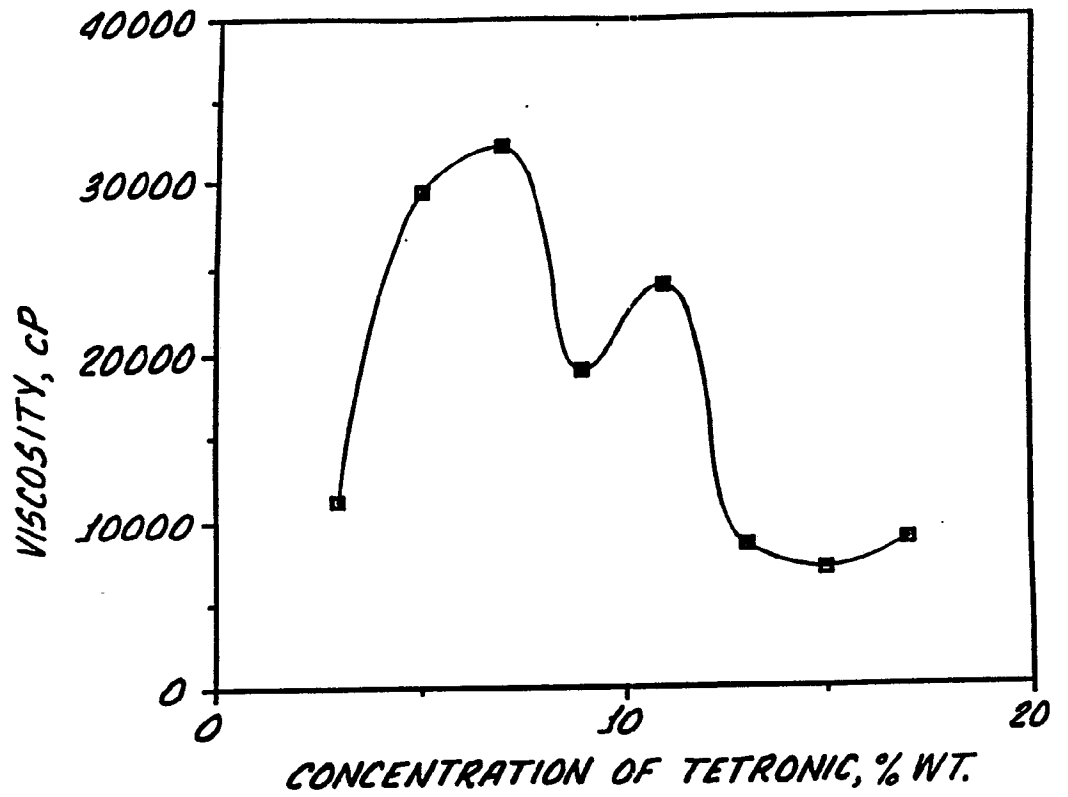
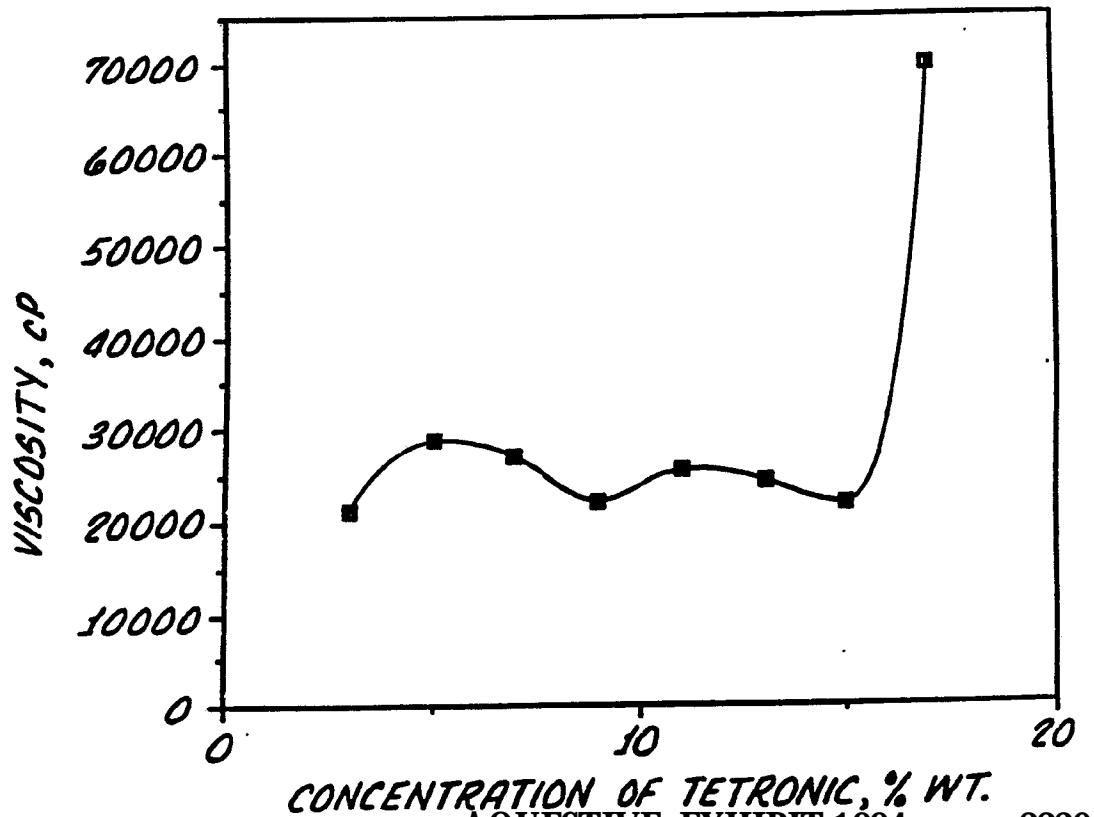


FIG. 8.





# INTERNATIONAL SEARCH REPORT

PCT/US91/04104

International Application No

<b>I. CLASSIFICATION OF SUBJECT MATTER</b> (if several classification symbols apply, indicate all) <sup>3</sup>				
According to International Patent Classification (IPC) or to both National Classification and IPC				
IPC(5): A61K 9/107				
U.S. CL. 424/422, 427; 514/912, 913, 914, 915				
<b>II. FIELDS SEARCHED</b>				
Minimum Documentation Searched <sup>4</sup>				
Classification System <sup>1</sup>	Classification Symbols			
U.S.	424/422, 427; 514/912, 913, 914, 915			
Documentation Searched other than Minimum Documentation to the Extent that such Documents are Included in the Fields Searched <sup>5</sup>				
<b>III. DOCUMENTS CONSIDERED TO BE RELEVANT</b> <sup>14</sup>				
Category <sup>6</sup>	Citation of Document, <sup>15</sup> with indication, where appropriate, of the relevant passages <sup>17</sup>	Relevant to Claim No. <sup>18</sup>		
<table border="0" style="margin-left: auto; margin-right: auto;"> <tr><td style="padding: 0 5px;">X</td></tr> <tr><td style="padding: 0 5px;">Y</td></tr> </table>	X	Y	<p>US, A, 4,692,454 (MICH ET AL) 08 SEPTEMBER 1987; See entire document.</p>	<p><u>1-8,16,19,22</u> 1-24</p>
X				
Y				
<p><b>* Special categories of cited documents: <sup>13</sup></b></p> <p>"A" document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier document but published on or after the international filing date</p> <p>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" document published prior to the international filing date but later than the priority date claimed</p> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step</p> <p>"Y" document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</p> <p>"&amp;" document member of the same patent family</p>				
<b>IV. CERTIFICATION</b>				
Date of the Actual Completion of the International Search <sup>8</sup>	Date of Mailing of this International Search Report <sup>9</sup>			
13 AUGUST 1991	10 OCT 1991			
International Searching Authority <sup>10</sup>	Signature of Authorized Officer <sup>11</sup>			
ISA/US	Carlos Azpuru			

Form PCT/ISA/210 (second sheet) (May 1986).



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

<p>(51) International Patent Classification <sup>5</sup> : A61K 9/16, 9/52, 9/22 A61K 31/44</p>	A1	<p>(11) International Publication Number: <b>WO 94/05262</b> (43) International Publication Date: 17 March 1994 (17.03.94)</p>
<p>(21) International Application Number: PCT/AU93/00462 (22) International Filing Date: 9 September 1993 (09.09.93) (30) Priority data: PL 4602 10 September 1992 (10.09.92) AU (71) Applicant (for all designated States except US): F.H. FAULDING &amp; CO. LIMITED [AU/AU]; 160 Greenhill Road, Parkside, S.A. 5063 (AU). (72) Inventors; and (75) Inventors/Applicants (for US only) : MORELLA, Angelo, Mario [AU/AU]; 10 Seymour Grove, Campbelltown, S.A. 5074 (AU). QUINN, Eugene, Anthony [AU/AU]; 23 Balmoral Road, Salisbury East, S.A. 5109 (AU). WILLOUGHBY, David, John [AU/AU]; 30 Geraldine Street, Valley View, S.A. 5093 (AU).</p>		<p>(74) Agent: PHILLIPS ORMONDE &amp; FITZPATRICK; 367 Collins Street, Melbourne, VIC 3000 (AU). (81) Designated States: AT, AU, BB, BG, BR, BY, CA, CH, CZ, DE, DK, ES, FI, GB, HU, JP, KP, KR, KZ, LK, LU, LV, MG, MN, MW, NL, NO, NZ, PL, PT, RO, RU, SD, SE, SK, UA, US, UZ, VN, European patent (AT, BE, CH, DE, DK, ES, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).  <b>Published</b> <i>With international search report.</i></p>
<p>(54) Title: SUSTAINED RELEASE MATRIX COMPOSITION</p>		
<p>(57) Abstract</p> <p>Sustained release microparticle compositions including a core element comprising an active ingredient of very low solubility and at least two polymers. The core element is optionally coated with an enteric coating and includes dihydropyridines, especially nifedipine as the active ingredient. The compositions are prepared by spraying a core seed with the core element formulation in a fluidised bed coater, centrifugal granulator or spheronizer and drying the composition. The compositions are useful for treating cardiovascular related conditions.</p>		

**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.

AT	Austria	FR	France	MR	Mauritania
AU	Australia	GA	Gabon	MW	Malawi
BB	Barbados	GB	United Kingdom	NE	Niger
BE	Belgium	GN	Guinea	NL	Netherlands
BF	Burkina Faso	GR	Greece	NO	Norway
BG	Bulgaria	HU	Hungary	NZ	New Zealand
BJ	Benin	IE	Ireland	PL	Poland
BR	Brazil	IT	Italy	PT	Portugal
BY	Belarus	JP	Japan	RO	Romania
CA	Canada	KP	Democratic People's Republic of Korea	RU	Russian Federation
CF	Central African Republic	KR	Republic of Korea	SD	Sudan
CG	Congo	KZ	Kazakhstan	SE	Sweden
CH	Switzerland	LI	Liechtenstein	SI	Slovenia
CI	Côte d'Ivoire	LK	Sri Lanka	SK	Slovak Republic
CM	Cameroon	LU	Luxembourg	SN	Senegal
CN	China	LV	Latvia	TD	Chad
CS	Czechoslovakia	MC	Monaco	TC	Togo
CZ	Czech Republic	MG	Madagascar	UA	Ukraine
DE	Germany	ML	Mali	US	United States of America
DK	Denmark	MN	Mongolia	UZ	Uzbekistan
ES	Spain			VN	Viet Nam
FI	Finland				

SUSTAINED RELEASE MATRIX COMPOSITION

The present invention relates to sustained release pharmaceutical microparticle compositions in particular sustained release pharmaceutical microparticle compositions including an active ingredient of very low solubility in water, and to a method of preparing same.

As is known in the prior art it is desirable in the treatment of a number of diseases both therapeutically and prophylactically to provide the active pharmaceutical ingredient in a sustained release form. This is particularly desirable for the treatment of diseases which have to be treated for prolonged periods such as, for example, hypertension. In these instances it is desirable to minimize the frequency of intake of medicaments. This is not only more pleasant for the patient it also increases the reliability of treatment by diminishing the disadvantages of irregular intakes and results in a more nearly constant therapeutic level of active ingredient in the body. Further this minimizes the risks of the active blood levels not being within the required therapeutic indices and avoids blood level peaks usually found after intake of rapid release forms.

Whilst there is known in the prior art numerous sustained release formulations the extension of such sustained release regimen to active pharmaceutical ingredients of very low solubility in water has been extremely limited.

For example, active ingredients of very low solubility include the dihydropyridine compounds which are used as cardiovascular agents. Difficulties often occur in the pharmaceutical formulation of these potent active compounds due to their very low solubility, which can result in erratic and/or poor absorption of the drug from pharmaceutical dosage forms.

One such technique of enhancing drug absorption is to formulate a solid dispersion or co-precipitate system. This technique is well known and is extensively discussed in the article "Pharmaceutical Applications of Solid Dispersion Systems" by Win Loung Chiou and Sidney

Riegelman. J. of Pharm. Sci. Vol. 60, No. 9, September 1971 (1281-1301) which is incorporated herein by reference.

The term Solid Dispersion or Co-Precipitate refers to the dispersion of one or more active ingredients in an inert carrier or matrix at solid state prepared by the melting (fusion), solvent, or melting-solvent method and is hereinafter simply referred to as a "matrix". Solid dispersions may also be called solid-state dispersions. The dispersion of a drug or drugs in a solid diluent or diluents by traditional mechanical mixing is not included in this definition.

Whilst numerous attempts have been made to prepare sustained release forms of pharmaceutical formulations including dihydropyridine compounds as the active ingredient, it has not been possible to date to formulate a matrix composition in microparticle form which in use will release such active ingredients at a sufficient rate to provide a therapeutic level of active for extended periods of time, preferably for at least approximately 12 hours or more, preferably 24 hours or more.

Accordingly it is an object of the present invention to overcome, or at least alleviate, one or more of the difficulties related to the prior art.

Accordingly in a first aspect of the present invention there is provided a sustained release matrix pharmaceutical microparticle composition including

a core element including

an active ingredient of very low solubility;

and

at least two polymers in a matrix therewith; and optionally an enteric coating over the core element.

By the term "matrix" as used herein we mean that the active ingredient is in a solid dispersion or co-precipitate with a polymer.

By the term "microparticle composition" as used herein we mean pellets or granules. Preferably the microparticle composition is in the form of pellets.

By "sustained release" as used herein we mean at

least a two fold reduction in dosing frequency as compared to drug presented as a conventional dosage form (e.g. as a solution or a prompt drug-releasing, conventional dosage form). [U.S. Pharmacopeia [USPXXI](1985)(xivi)]. e.g. for  
5 at least approximately 12 hours or greater, preferably for at least approximately 24 hours.

By "active ingredient of very low solubility" as used herein we mean pharmaceutically active, orally acceptable ingredients having an aqueous solubility of  
10 approximately 1 in  $10^3$  parts of solvent per part of solute or less, preferably at least approximately 1 in  $10^4$  parts of solvent per part of solute or less.

By "bioavailability" as used herein we mean the extent to which the active drug ingredient is absorbed  
15 from the microparticle composition and which reaches the general circulation intact.

The active ingredient of very low solubility may be selected from the group consisting of dihydropyridines for example Nifedipine, Nitrendipine, Nisoldipine,  
20 Nimodipine, Nicardipine, Darodipine, Isradipine, Niludipine, Amlodipine, Felodipine, Lacidipine, BBR-2160, Cronidipine, Diperdine, Mepirodipine, Nilvadipine, Oxodipine, Sangandipine, Clinidipine, Manidipine, Benidipine, pharmaceutically acceptable isomers and salts  
25 thereof and mixtures thereof. The active ingredient in the final composition is preferably in crystalline form.

The active ingredient may be present in the core element in any suitable effective amount. The amount of active ingredient is dependent on the potency of the active  
30 ingredient and on the desired dosage strength and volume of a unit dose of the drug product. The active ingredient may be present in amounts of approximately 0.1 to 99%, preferably 1 to 95% by weight, based on the total weight of the core element. The active ingredient may preferably  
35 be a dihydropyridine compound, more preferably nifedipine. The compound nifedipine may be present in amounts of approximately 5 to 70% by weight, preferably 15 to 50% by weight, based on the total weight of the core element.

In the following description the active ingredient

of very low solubility will be illustrated by reference to the dihydropyridine, nifedipine. However this is illustrative only and the invention is in no way restricted thereto. Nifedipine is a cardiovascular drug and is a potent relaxant of arterial smooth muscle. It dilates both the main coronary arteries and arterials both in normal and in ischaemic myocardioregions. Nifedipine is also a potent inhibitor of coronary artery spasm. Nifedipine is thus indicated in the long-term management of angina pectoris due to coronary heart disease. The usual dose is one 10 mg capsule three times daily but up to two capsules four times daily may be taken. The benefits of a sustained release microparticle composition including nifedipine are thus obvious.

The polymeric component of the sustained release matrix pharmaceutical composition may include, in addition to the active ingredient,

a polymer which is at least partially water-soluble (water-soluble polymer); and

a polymer which is substantially insoluble at acidic pH but at least partially soluble at a less acidic to basic pH (enteric polymer).

The water-soluble polymer may be selected from the group consisting of polyvinyl pyrrolidone, hydroxypropyl cellulose, hydroxypropyl methylcellulose, polyethylene glycol, polyvinyl alcohol and mixtures thereof. Polyethylene glycols or Macrogols of intermediate molecular weights (4000-12000) have been found to be suitable. The polyethylene glycol sold under the trade designation PEG 6000 has been found to be suitable.

The water-soluble polymer may be present in the core element in amounts of from approximately 10 to 80%, preferably 15 to 60% by weight, based on the total weight of the core element.

The enteric polymer, when present, may be selected from the group consisting of cellulose acetate phthalate, hydroxypropyl methyl-cellulose phthalate (HPMCP), polyvinyl acetate phthalate, methacrylic acid copolymer, hydroxypropyl methylcellulose acetate succinate, shellac,

cellulose acetate trimellitate and mixtures thereof. Particularly preferred enteric polymers include synthetic or semi-synthetic resins bearing carboxyl groups. The hydroxypropyl methylcellulose phthalates sold under the trade designations HP50 or HP55 have been found to be suitable.

The enteric polymer may be present in the core element in an amount of from 0 to approximately 50% by weight, preferably 0.1 to 20% by weight, more preferably 0.5 to 10% by weight, based on the total weight of the core element.

Accordingly, in a preferred aspect of the invention there is provided a sustained release pharmaceutical microparticle composition including

a core element including

approximately 1 to approximately 95% by weight based on the total weight of the core element of a pharmaceutically active ingredient of very low solubility; and

approximately 5 to approximately 99% by weight of a polymeric component in a matrix therewith including

a water-soluble polymer; and

an enteric polymer;

and optionally

an enteric coating over the core element.

The core element may further include other compounding ingredients including plasticisers and fillers. Accordingly, in a preferred aspect, the core element may further include

0 to approximately 20% by weight, preferably 5 to 10% by weight, based on the total weight of the core element of a plasticiser selected from the group consisting of diethyl phthalate, triethyl citrate, triethyl acetyl citrate, triacetin, tributyl citrate, glycerol or mixtures thereof; optionally

0 to approximately 50% by weight, preferably 5 to 30% by weight, based on the total weight of the core element of a filler selected from the group consisting of



insoluble materials such as silicon dioxide, titanium dioxide, talc, alumina, starch, kaolin, polacrillin potassium, powdered cellulose, and microcrystalline cellulose and mixtures thereof; and optionally

5           0 to approximately 50% by weight, preferably 5 to 10% by weight, of a water-insoluble polymer selected from any suitable pharmaceutically acceptable polymer substantially insoluble independent of pH. The polymer may be selected from the group consisting of  
10 ethylcellulose, acrylic and/or methacrylic ester polymers or mixtures thereof and the like may be used. Polymers or copolymers of acrylates or methacrylates having a low quaternary ammonium content may be used. The acrylic acid ethyl ester: methacrylic acid ester (1:1) copolymer has  
15 been found to be suitable.

In a still further preferred aspect the core element may further include 0 to approximately 20% by weight, preferably 1 to 10% by weight of at least one surfactant selected from docusate sodium lecithin,  
20 polyoxethylene, sorbitan fatty acids (e.g. tweens) and sorbitan esters (e.g. spans). The surfactant sold under the trade designation Cremaphore RH410 has been found to be suitable.

In a preferred aspect of the present invention the  
25 core element of the pharmaceutical microparticle composition according to the present invention may include a core seed.

The size and amount of the core seed may vary substantially from approximately 100 $\mu$ m to 1700 $\mu$ m  
30 depending upon the amount of active ingredient to be included. Accordingly, the core seeds may vary from approximately 5 to 99% by weight, preferably 10 to 70% by weight based on the total weight of the core element, depending on the potency of the active ingredient. The  
35 core seed may be of such a diameter to provide a final core element having a diameter of approximately 200 to 2000 $\mu$ m.

The core seed may be of any suitable type. A sugar sphere or an active core seed may be used. The core element may further include other carriers or excipients,

stabilizing agents and colorants.

Where the matrix pharmaceutical microparticle composition includes an enteric coating on the core element, the enteric coating may be formed from an enteric polymer as described above. A hydroxypropyl methyl cellulose phthalate coating such as that sold under the trade designation HP50 or HP55 has been found to be suitable.

The enteric coating may further include a plasticiser.

Accordingly in a preferred aspect the enteric coating may include

approximately 40 to 100% by weight, preferably 70 to 95% by weight, based on the total weight of the enteric coating, of at least one enteric polymer,

0 to approximately 30% by weight, preferably 5 to 10% by weight, based on the total weight of the enteric coating of at least one plasticiser selected from diethyl phthalate, triethyl citrate, triethyl acetyl citrate, triacetin, tributyl citrate, dibutyl sebacate and glycerol.

The enteric coating may comprise from approximately 2 to 20% by weight, preferably approximately 4 to 10% by weight, of the pharmaceutical microcapsule composition.

In a preferred form the pharmaceutical microparticle composition may have the following formulation

Percentage ranges for the components of the pharmaceutical microparticle composition (percentages W/W):

	Preferred Range % w/w	More Preferred Range % w/w
Active Ingredient	(5-70)	(10-40)
Water Soluble Polymer	(10-80)	(15-60)
Core Seed	(10-80)	(15-60)
Enteric Polymer	(0.1-50)	(0.5-20)
Plasticiser	(0-10)	(0-1)

The core element may comprise a single or a

plurality of core layers.

In a preferred aspect of the invention, the core element comprises a single layer.

Accordingly in the preferred aspect of the invention there is provided a sustained release matrix pharmaceutical microparticle composition including

a core element comprising a single layer including approximately 1 to approximately 95% by weight based on the core element of a pharmaceutically active ingredient of very low solubility; and

approximately 5 to approximately 99% by weight of a polymeric component in a matrix therewith including

at least one water-soluble polymer; and at least one enteric polymer;

and optionally an enteric coating over the core element.

In a further preferred form the pharmaceutical microparticle composition may have the following formulation:

Percentage ranges for the components of the pharmaceutical microparticle composition (percentages W/W):

	Preferred Range % w/w	More Preferred Range % w/w
Nifedipine	(5-70)	(10-40)
PEG 6000	(10-80)	(15-60)
Sugar spheres	(10-80)	(15-60)
HP 50	(0.1-50)	(0.5-20)
Diethylphthalate	(0-10)	(0-1)

In an alternative preferred aspect of the invention, the core element comprises a plurality of core layers.

Accordingly in an alternative preferred aspect of the invention there is provided a sustained release pharmaceutical microparticle composition including

a core element including a plurality of core layers, wherein the core element includes

5 approximately 1 to approximately 95% by weight based on the total weight of the core element of a pharmaceutically active ingredient of very low solubility; and

10 approximately 5 to approximately 99% by weight based on the total weight of the core element of a polymeric component in a matrix therewith,

wherein at least one core layer includes

a water-soluble polymer; and

an enteric polymer in a matrix therewith;

and optionally

15 an enteric coating over the core element.

Preferably where the core element comprises a plurality of core layers, the outer core layer of the core element comprises the two polymers in matrix therewith.

20 The pharmaceutically active ingredient may be present in the outer core layer in any suitable effective amount. The amount of active ingredient is dependent on the potency of the active ingredient and on the desired dosage strength and volume of a unit dose of the drug product. The active ingredient may be present in amounts  
25 of approximately 0.1 to 95% by weight, based on the total weight of the outer core layer. The active ingredient may preferably be a dihydropyridine compound. The compound may be present in amounts of approximately 5 to 70% by weight, preferably 10 to 60% by weight, based on the total  
30 weight of the outer core layer.

The water-soluble polymer may be selected from the list of polymers as previously described. The polyethylene glycol sold under the trade designation PEG 6000 has been found to be suitable.

35 The water-soluble polymer may be present in the outer core layer in amounts of from approximately 10 to 80%, preferably 15 to 60% by weight, more preferably 30 to 50% by weight, based on the total weight of the outer core layer.

The enteric polymer may be selected from the list of polymers previously described. The hydroxypropyl methyl cellulose phthalates sold under the trade designation HP50 or HP55 have been found to be suitable.

5 The enteric polymer may be present in the outer core layer in an amount of up to approximately 50% by weight, preferably 1 to 20% by weight, more preferably 2 to 15% by weight, based on the total weight of the outer core layer.

10 Accordingly, in a preferred aspect of the present invention there is provided a sustained release matrix pharmaceutical microparticle composition including a core element including

15 approximately 1 to 95% by weight based on the total weight of the core element of a dihydropyridine compound;

a core seed;

20 approximately 20 to 90% by weight based on the total weight of the inner core layer of a water-soluble polymer in a matrix therewith; and

approximately 30 to 80% by weight based on the total weight of the outer core layer, of a water-soluble polymer; and

25 approximately 2 to 20% by weight based on the total weight of the outer core layer, of an enteric polymer in a matrix therewith, and optionally an enteric coating over the core element.

30 As described above the pharmaceutical microparticle composition may include a plurality of core layers. The composition of the core layers may differ in the concentration or nature of the active ingredients therein. For example use of active ingredients of differing crystal size in adjacent layers is preferred. This may extend the period of sustained release even further.

35 The inner layer and outer core layer of the core element may be present in any suitable amounts in the pharmaceutical microparticle composition. The inner core layer (including sugar seeds where present) may comprise from approximately 40 to 95% by weight, preferably 50 to

85% by weight, of the pharmaceutical microparticle composition. The outer core layer may comprise from approximately 5 to 60% by weight, preferably 15 to 50% by weight, of the pharmaceutical microparticle composition.

5 Accordingly, the pharmaceutical matrix microcapsule composition may have the following formula:

	CORE ELEMENT			CORE COATING	
	Core Seed	Inner Core Layer	Outer Core Layer	Enteric Layer	Final Comp. %
10					
		Nifedipine	50 g	50 g	20.5
		PEG 6000	100 g	50 g	30.7
15	Sugar spheres	200 g			40.6
		HP50		10 g	8.5
		(Hydroxypropyl-methylcellulose-phthalate)		32 g	
20	Diethyl phthalate			3.5 g	0.6

The components of the core element other than the core seed, when present, may be provided in the form of a solution, dispersion or suspension.

25 In the form of a solution, the solvent or solvents may be present in amounts of from approximately 25 to 97% by weight, preferably 85 to 97% by weight, based on the total weight of the core formulation. The solvent for the core formulation may be a solvent such as methanol, ethanol, methylene chloride, acetone, isopropanol and mixtures thereof. Methanol, methylene chloride or a mixture thereof is preferred.

30 In a further aspect of the present invention, there is provided a method for preparing a sustained release pharmaceutical microparticle composition providing a core seed;

a core formulation including

an active ingredient of very low solubility;

at least two polymers capable of forming a

- 12 -

matrix with the active ingredient; and  
a solvent therefor;

introducing the core seed into a fluidised bed  
coater, a centrifugal granulator or spheronizer; and  
5 spraying the core formulation onto the core seed  
to form a matrix core element; and  
drying the core element.

The core seed may include a sugar sphere. The  
active ingredient may be a dihydropyridine compound,  
10 preferably nifedipine.

Where a plurality of core layers are to be used  
the method may further include  
providing

a core layer formulation including  
15 at least one active ingredient of very  
low solubility;  
at least two polymers including a  
water-soluble polymer; and optionally  
an enteric polymer; and  
20 a solvent therefor;

introducing the core seed into a fluidised bed  
coater, a centrifugal granulator or spheronizer; and  
spraying successive layers onto the core seed to  
form the matrix core element wherein at least one layer  
25 includes the core layer formulation.

Where an enteric coating is to be used, the method  
may further include  
providing

a sustained release pharmaceutical  
30 microparticle; and  
an enteric coating formulation including  
an enteric polymer; optionally  
a plasticiser; and  
a solvent therefor.

35 introducing the microparticle into a fluidised bed  
coater, a centrifugal granulator or spheronizer; and  
spraying the enteric coating formulation onto the  
microparticle to form a sustained release microcapsule.

The sustained release core element and sustained

release microcapsules may be subjected to a drying step. The drying step may be conducted in a fluidised bed or drying oven.

5 Spray coating of core elements may be undertaken utilizing bottom or Wurster, top or tangentially located spray nozzles. A bottom spray nozzle may reside proximate to the base of the fluidised bed facing upwards while a top spraying nozzle is located above the contents of the bed and facing downwards. The spray nozzle may reside in  
10 the mid-section of the fluidised bed and be oriented such as to spray tangentially to the rotating core elements.

The sustained release matrix pharmaceutical microparticle composition according to the present invention may include a plurality of microparticles.

15 The sustained release pharmaceutical composition may be provided in any suitable unit dosage form. An encapsulated form may be used. The pharmaceutical microparticle composition may be provided in a pellet or tabletted pellet form. A tablet may be formed by  
20 compression of the pellets optionally with the addition of suitable excipients.

The sustained release pharmaceutical microparticle composition may be in multi-pellet encapsulated, sprinkle, sachet or tabletted forms.

25 The sustained release pharmaceutical microparticle composition may be administered under a similar dosage regimen to that used in the prior art. However, it is preferred that the pellet composition be administered less frequently. The multi-pellet encapsulated form may for  
30 example be administered once every 12 hours, preferably once every 24 hours.

In a preferred aspect of the present invention the sustained release pharmaceutical pellet composition incorporating the dihydropyridine compound may provide  
35 effective vasodilation with once daily administration. Versatility of dosing may be achieved with 20 to 90 mg or any other dose strength of capsules required.

In accordance with a further aspect of the present invention, there is provided a method of treating



cardiovascular related conditions in patients requiring such treatment which method includes administering to a patient an effective amount of a sustained release pharmaceutical microparticle composition including

5 a core element including a dihydropyridine; and  
 at least two polymers in a matrix therewith; and optionally  
 an enteric coating over the core element.

10 The method of treatment according to this aspect of the present invention is particularly applicable to the treatment of Hypertension and/or Angina pectoris due to coronary heart disease, particularly Angina pectoris related to coronary artery spasm, utilising for example nifedipine.

15 Preferably the sustained release pharmaceutical microparticle composition is provided in a unit dosage form and administration occurs at intervals of approximately 12 to 24 hours.

20 The present invention will now be more fully described with reference to the accompanying examples. It should be understood, however, that the following description is illustrative only and should not be taken in any way as a restriction on the generality of the invention specified above.

25 EXAMPLES

A. SINGLE LAYERED OR "ONE STEP" CORES

EXAMPLE 1 (1/1.5/0.1)\*

Formulation		(g)
Sugar spheres	30/35 mesh	200
Nifedipine		100
PEG 6000		150
HP 50		10
35 Methanol **		540
Methylene Chloride **		540

Finished cores are between 710 - 1000 µm with potency of 22%, yield 460 g.

- 15 -

EXAMPLE 2 (1/1.5/0.3)\*

	Formulation	(g)
5	Sugar spheres 30/35 mesh	600
	Nifedipine	143
	PEG 6000	214.5
	HP 50	42.9
	Methanol **	1158.3
10	Methylene Chloride **	1158.3

Finished cores are between 600 - 850  $\mu$ m with potency of 14%, yield 1000 g.

EXAMPLE 3 (1/1.3/0.2)\*

15	Formulation	(g)
	Sugar spheres 30/35 mesh	600
	Nifedipine	133.3
20	PEG 6000	173.3
	HP 50	26.7
	Methanol **	900
	Methylene Chloride **	900

25 Finished cores are between 600 - 850  $\mu$ m with potency of 14%, yield 933 g.

Examples 1 to 3 illustrate how the ratio of polymers may be varied to the desired release profile.

EXAMPLE 4 (1/1/0.2)\*

30	Formulation	(g)
	Sugar spheres 30/35 mesh	200
	Nifedipine	100
35	PEG 6000	100
	PVAP	20
	Methanol **	500
	Methylene Chloride **	500

- 16 -

Finished cores are between 600 - 850  $\mu$ m with potency of 24%, yield 420 g.

Example 4 uses a different enteric polymer to Examples 1 to 3.

5

EXAMPLE 5 (1/1/0.2)\*

Formulation		(g)
Sugar spheres	35/45 mesh	600
10 Nifedipine		208
PEG 6000		208
HP 50		41.6
Methanol **		1123
Methylene Chloride **		1123

15

Finished cores are between 500 - 710  $\mu$ m with potency of 19%, yield 1057 g.

Notes: \* Defines Nifedipine/Water Soluble Polymer/Enteric Polymer Ratio

20

\*\* Not present in final formulation.

PROCESS FOR EXAMPLES 1 TO 4 (CORE MANUFACTURE)

To a Fuji Paudal Q400 spheroniser for Examples 1 and 4 or Glatt WSG1 for Examples 2, 3 and 5 the sugar spheres are charged. A dissolved solution containing 25 nifedipine PEG 6000 and HP50 (or PVAP, for Example 4) in a mixture of methanol/methylene chloride (50/50) was applied as atomised droplets onto the sugar spheres. The finished cores are dried for 15 minutes at 40°C.

30

35

- 17 -

**B. DOUBLE LAYERED or "TWO STEP" SUSTAINED RELEASE CORE****EXAMPLE 6**

5	CORE ELEMENT		
	Sugar Seed	Inner Core Layer	Outer Core Layer
	Nifedipine	50g	50g
	PEG 6000	100g	50g
10	Sugar spheres 30/35	200g	
	HP50		10 g
	Methylene Chloride**	250	300
	Methanol**	250	300
15	Finished cores are between 710 - 1000 µm with potency of 22% and yield of 460 g.		

**EXAMPLE 7**

20	CORE ELEMENT		
	Sugar Seed	Inner Core Layer	Outer Core Layer
	Nifedipine	200g	125g
	PEG 6000	400g	125g
25	Sugar Spheres 35/45	300g	-
	HP 50	-	25g
	Methanol **	1000g	675g
	Methylene Chloride **	1000g	675g
30	Finished cores are between 600-850µm with potency of 28% and yield of 1075g.		

**PROCESS FOR EXAMPLE 6 AND 7 (CORE MANUFACTURE)**

To a Fuji Paudal Q400 spheroniser the sugar spheres are charged. A dissolved solution containing the nifedipine, PEG 6000 and mixture of methanol/methylene chloride (50/50) was applied as atomised droplets onto the sugar spheres. The finished inner cores are dried at 40°C for 15 minutes. This batch is returned to commence the second stage or second layer. To this charge a dissolved

solution containing the nifedipine, PEG 6000 and HP50 in the methanol/methylene chloride mixture was supplied as atomised droplets onto the inner cores. The finished cores are dried at 40°C for 15 minutes.

5 ENTERIC COATING OF CORES

The cores produced from Example 6 was enteric coated using the following process.

To the Glatt WSG/1, 1.6 kg of cores were charged. A dissolved solution containing 117.6 g HP50, 13g of diethyl phthalate in 1.96 kg of ethanol/water mixture was applied as atomised droplets to the fluidising cores. On completion of the spray, the pellets were dried for 50 minutes at an inlet air temperature of 41°C. The weight gain was recorded as 5.8% w/w.

15 IN-VITRO TESTING

In vitro dissolution profiles were generated at pH 6.8 for Examples 1 to 7 above utilising the following test method dissolution.

Each formulation included 60 mg equivalent to nifedipine and was dissolved in 900 mL at pH of 6.8 with surfactant and an orthophosphate buffer. The apparatus used is baskets. Sampling is carried out using a 0.45 µm filter and samples were determined using a UV spectrophotometer at a wavelength of 340 nm.

25 The results are provided in Figures 1 to 7.

IN VIVO TESTING

Mean nifedipine concentrations were generated in vivo utilising Example 6 above. These were compared with comparison formulations A and B (see below).

30 A three way single dose cross over pilot study was performed to assess the bioequivalence of the nifedipine formulations, including batches of Example 6, comparison A and comparison B (reference). Eighteen healthy male subjects received a single 60 mg dose of a formulation after an overnight fast. At the end of the study, each subject had received two formulations (out of a possible 4) and the reference formulation (B). Plasma samples from all subjects were analysed for nifedipine using a validated chromatographic procedure.

Comparison A is not in accordance with the invention and comprises an uncoated core where micronised nifedipine is layered onto sugar spheres.

The formulation comprises

5

---

COMPARISON A	W/W%
Nifedipine	31.85
Hydroxypropyl Cellulose	4.14
10 Polyoxyethylene 20 sorbitan	0.32
Sugar spheres 20/25 mesh	63.69

---

It does not contain a matrix composition, and as can be evidenced by the high initial plasma peak, does not produce a suitable sustained release profile.

15

Comparison B is the existing commercially available sustained release product Procardia XL, 60 mg extended release tablets by Pfizer.

The results are provided in Figure 8.

20

Finally, it is to be understood that various other modifications and/or alterations may be made without departing from the spirit of the present invention as outlined herein.

25

30

35

Claims

1. A sustained release pharmaceutical microparticle composition including  
a core element including  
5 an active ingredient of very low solubility;  
and  
at least two polymers in a matrix therewith;  
and optionally  
an enteric coating over the core element.
- 10 2. A microparticle composition according to claim 1,  
wherein the polymer components include  
a polymer which is at least partially  
water-soluble (water-soluble polymer); and  
a polymer which is substantially insoluble at  
15 acidic pH but at least partially soluble at a less acidic  
to basic pH (enteric polymer).
3. A microparticle composition according to claim 2,  
wherein  
the water-soluble polymer is selected from the  
20 group consisting of polyvinyl pyrrolidone, hydroxypropyl  
cellulose, hydroxypropyl methylcellulose, polyethylene  
glycol, polyvinyl alcohol and mixtures thereof; and  
the enteric polymer is selected from the group  
consisting of cellulose acetate phthalate, hydroxypropyl  
25 methylcellulose phthalate (HPMCP), polyvinyl acetate  
phthalate, methacrylic acid copolymer, hydroxypropyl  
methylcellulose acetate succinate, shellac, cellulose  
acetate trimellitate and mixtures thereof.
4. A microparticle composition according to claim 3,  
30 wherein  
the water-soluble polymer is present in an amount  
of from approximately 10 to 80% by weight, based on the  
total weight of the core element; and  
the enteric polymer is present in amounts from  
35 0.1% to approximately 50% by weight, based on the total  
weight of the core element.
5. A microparticle composition according to claim 1  
wherein the active ingredient includes a dihydropyridine.
6. A microparticle composition according to claim 5

wherein the dihydropyridine is nifedipine.

7. A microparticle composition according to claim 1, further including

0 to approximately 50% by weight, based on the  
5 total weight of the core element of a plasticiser selected from the group consisting of diethyl phthalate, triethyl citrate, triethyl acetyl citrate, triacetin, tributyl citrate, glycerol, dibutyl sebacate or mixtures thereof; optionally

10 0 to approximately 50% by weight, based on the total weight of the core element of a filler selected from the group consisting of insoluble materials such as silicon dioxide, titanium dioxide, talc, alumina, starch, kaolin, polacrilin potassium, powdered cellulose, and  
15 microcrystalline cellulose and mixtures thereof; and optionally

0 to approximately 50% by weight, of a  
water-insoluble polymer selected from the group consisting  
of ethyl cellulose, acrylic and/or methacrylic ester  
20 polymers or mixtures thereof.

8. A microparticle composition according to claim 7 further including approximately 1 to 10% by weight based on the total weight of the core element, of a surfactant.

9. A microparticle composition according to claim 1,  
25 wherein the core element includes a core seed.

10. A sustained release pharmaceutical microparticle composition including

a core element including

approximately 1 to approximately 95% by  
30 weight based on the total weight of the core element of a pharmaceutically active ingredient of very low solubility; and

approximately 5 to approximately 99% by  
weight of a polymeric component in a matrix  
35 therewith including

a water-soluble polymer; and

an enteric polymer;

and optionally

an enteric coating over the core element.



11. A sustained release pharmaceutical microparticle composition including

a core element including a plurality of core layers, wherein the core element includes

5 approximately 1 to approximate 95% by weight based on the total weight of the core element of a pharmaceutically active ingredient of very low solubility; and

10 approximately 5 to approximately 99% by weight based on the total weight of the core element of a polymeric component in a matrix therewith,

wherein at least one core layer includes

a water-soluble polymer; and

15 an enteric polymer in a matrix therewith; and optionally an enteric coating over the core element.

12. A sustained release matrix pharmaceutical microparticle composition including a core element  
20 including

approximately 1 to 95% by weight based on the total weight of the core element of a dihydropyridine compound;

a core seed;

25 approximately 20 to 90% by weight based on the total weight of the inner core layer of a water-soluble polymer in a matrix therewith; and

30 approximately 30 to 80% by weight based on the total weight of the outer core layer, of a water-soluble polymer; and

approximately 2 to 20% by weight based on the total weight of the outer core layer, of an enteric polymer in a matrix therewith,

and optionally an enteric coating over the core element.

35 13. A microcapsule composition including a microparticle composition according to claim 1, further including approximately 2 to 20% by weight of an enteric coating over the core element.

14. A microcapsule composition according to claim 13,

wherein the enteric coating includes

approximately 40 to 100% by weight, based on the total weight of the enteric coating, of at least one enteric polymer,

5 0 to approximately 30% by weight, based on the total weight of the enteric coating of at least one plasticiser selected from diethyl phthalate, triethyl citrate, triethyl acetyl citrate, triacetin, tributyl citrate, dibutyl sebacate and glycerol.

10 15. A method for preparing a sustained release pharmaceutical microparticle composition providing

a core seed;

a core formulation including

an active ingredient of very low solubility;

15 at least two polymers capable of forming a matrix with the active ingredient; and

a solvent therefor;

introducing the core seed into a fluidised bed coater, a centrifugal granulator or spheronizer; and

20 spraying the core formulation onto the core seed to form a matrix core element; and

drying the core element.

16. A method according to claim 15, further including providing

25 a core layer formulation including

an active ingredient of very low solubility;

at least two polymers including a water-soluble polymer; and optionally

30 an enteric polymer; and

a solvent therefor;

introducing the core seed into a fluidised bed coater, a centrifugal granulator or spheronizer; and

35 spraying successive layers onto the core seed to form the matrix core element wherein at least one layer includes the core formulation.

17. A method according to claim 16 wherein the core element includes

approximately 1 to approximate 95% by weight

based on the total weight of the core element of a pharmaceutically active ingredient of very low solubility; and

5 approximately 5 to approximately 99% by weight based on the total weight of the core element of a polymeric component in a matrix therewith,

wherein at least one core layer includes  
a water-soluble polymer; and  
10 an enteric polymer in a matrix therewith;  
and optionally  
an enteric coating over the core element.

18. A method according to claim 15, further including providing

15 a sustained release pharmaceutical microparticle; and

an enteric coating formulation including  
an enteric polymer; optionally  
a plasticiser; and  
20 a solvent therefor

introducing the microparticle into a fluidised bed coater, a centrifugal granulator or spheronizer; and  
spraying the enteric coating formulation onto the microparticle and then spraying an enteric coating  
25 formulation onto the core element to form a sustained release coated pellet.

19. A method according to claim 15 wherein  
the water-soluble polymer is selected from the group consisting of polyvinyl pyrrolidone, hydroxypropyl  
30 cellulose, hydroxypropyl methylcellulose, polyethylene glycol, polyvinyl alcohol and mixtures thereof; and

the enteric polymer is selected from the group consisting of cellulose acetate phthalate, hydroxypropyl methylcellulose phthalate (HPMCP), polyvinyl acetate  
35 phthalate, methacrylic acid copolymer, hydroxypropyl methylcellulose acetate succinate, shellac, cellulose acetate trimellitate and mixtures thereof.

20. A method according to claim 19 wherein  
the water-soluble polymer is present in an amount

of from approximately 10 to 80% by weight, based on the total weight of the core element; and

the enteric polymer is present in amounts from 0.1% to approximately 50% by weight, based on the total weight of the core element.

21. A method according to claim 20 wherein the active ingredient includes a dihydropyridine.

22. A method according to claim 21 wherein the dihydropyridine is nifedipine.

23. A method of treating cardiovascular related conditions in patients requiring such treatment which method includes administering to a patient an effective amount of a sustained release pharmaceutical microparticle composition including

a core element including a dihydropyridine; and at least two polymers in a matrix therewith; and optionally an enteric coating over the core element.

24. A method according to claim 23 wherein the microparticle composition is administered at intervals of approximately 24 hours or more.

25. A method according to claim 23 wherein the dihydropyridine is nifedipine.

26. A method according to claim 23 wherein the water-soluble polymer is selected from the group consisting of polyvinyl pyrrolidone, hydroxypropyl cellulose, hydroxypropyl methylcellulose, polyethylene glycol, polyvinyl alcohol and mixtures thereof; and

the enteric polymer is selected from the group consisting of cellulose acetate phthalate, hydroxypropyl methylcellulose phthalate (HPMCP), polyvinyl acetate phthalate, methacrylic acid copolymer, hydroxypropyl methylcellulose acetate succinate, shellac, cellulose acetate trimellitate and mixtures thereof.

27. A method according to claim 23 wherein the water-soluble polymer is present in an amount of from approximately 10 to 80% by weight, based on the total weight of the core element; and

the enteric polymer is present in amounts from

0.1% to approximately 50% by weight, based on the total weight of the core element.

28. A method according to claim 23 wherein the microparticle composition includes

5 a core element including a plurality of core layers, wherein the core element includes

approximately 1 to approximately 95% by weight based on the total weight of the core element of a dihydropyridine; and

10 approximately 5 to approximately 99% by weight based on the total weight of the core element of a polymeric component in a matrix therewith,

wherein at least one core layer includes

15 a water-soluble polymer; and

an enteric polymer in a matrix therewith;

and optionally

an enteric coating over the core element.

29. A method according to claim 28 wherein the 20 dihydropyridine is nifedipine.

30. A microparticle composition according to claim 1, wherein the composition is in a unit dosage form.

31. A microparticle composition according to claim 30 wherein the composition is in a pellet or tableted pellet 25 form.

32. A microparticle composition according to claim 1 wherein the active ingredient is in a crystalline form.

30

35

Figure 1

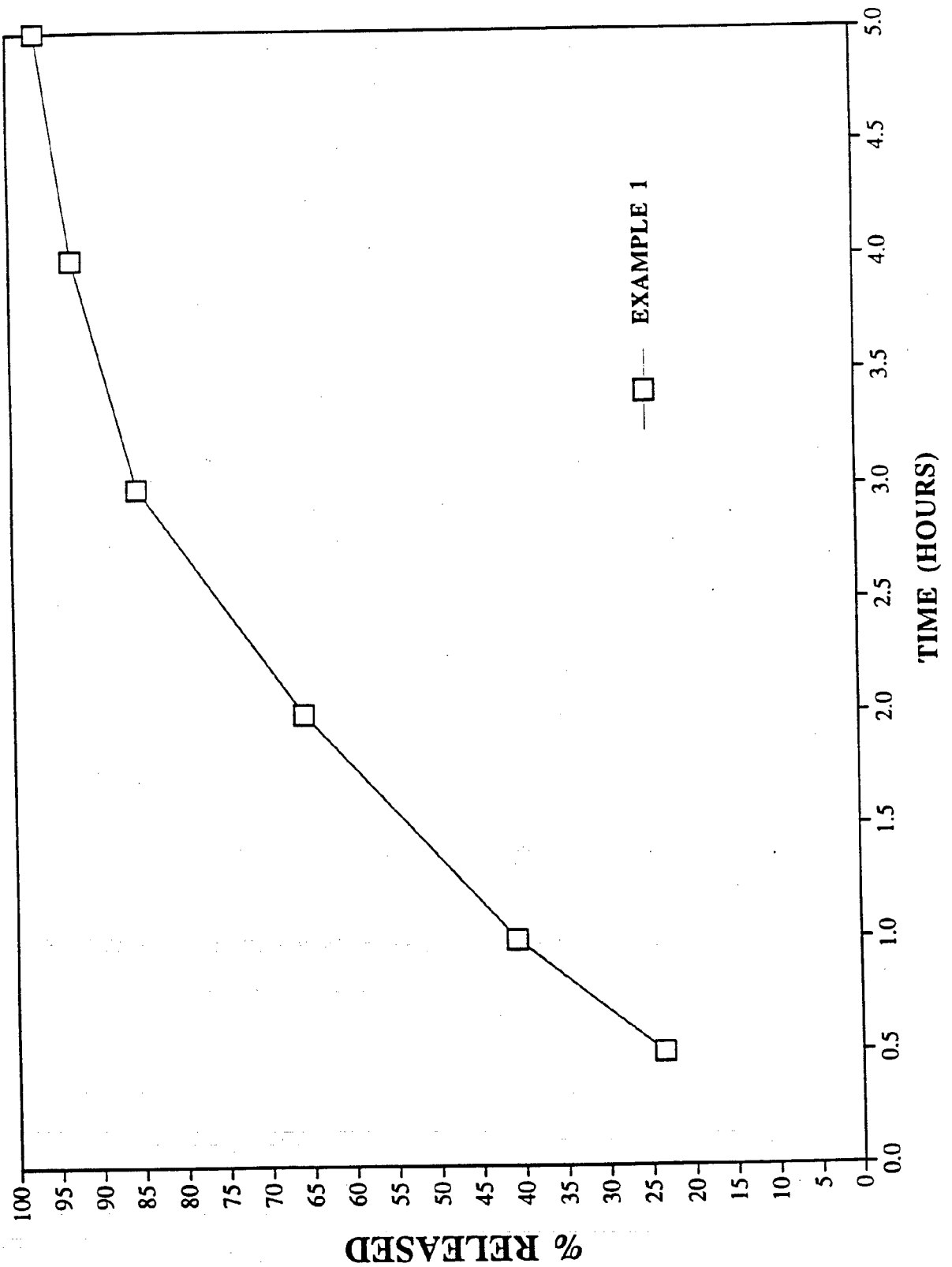


Figure 2

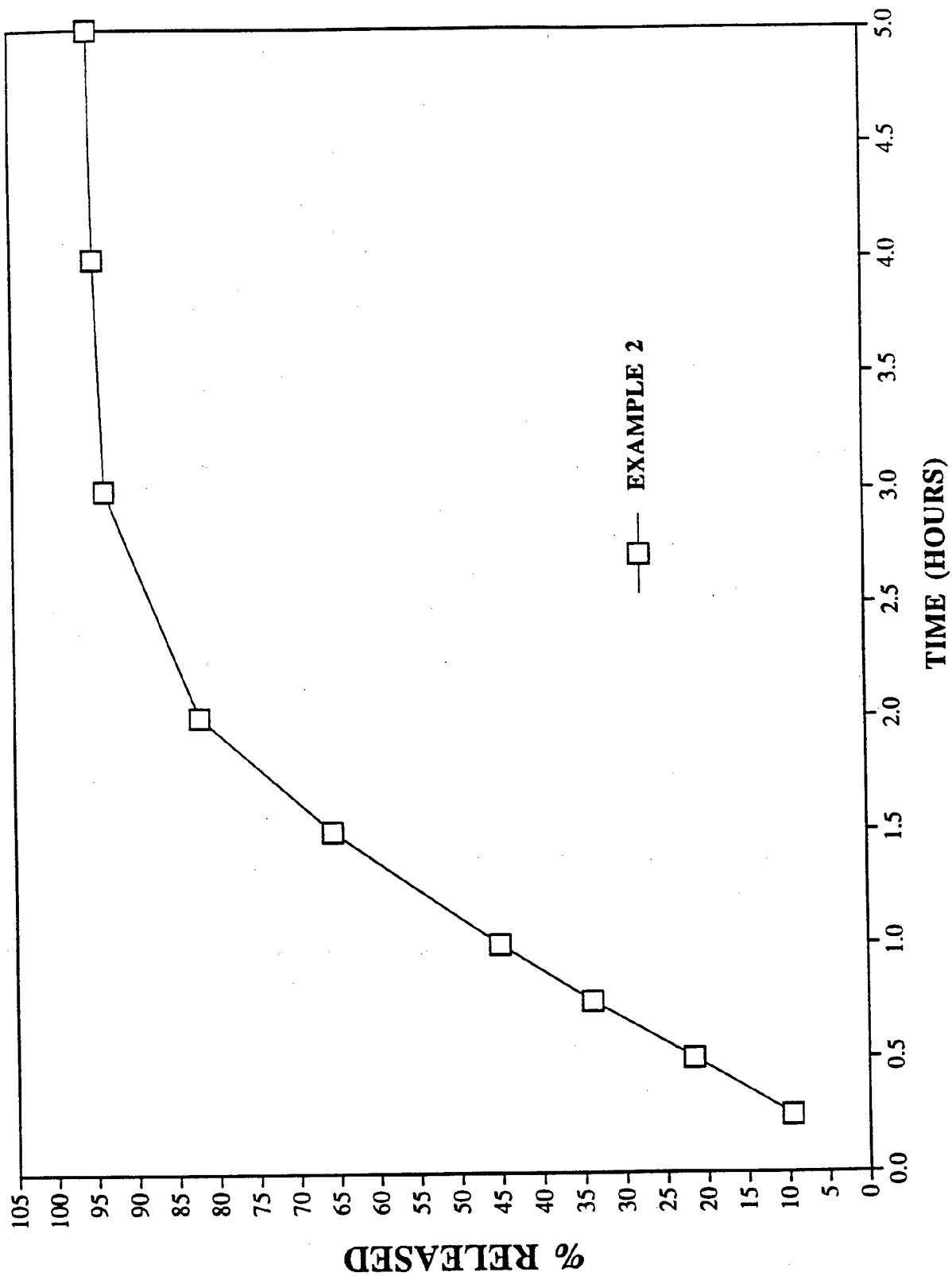


Figure 3

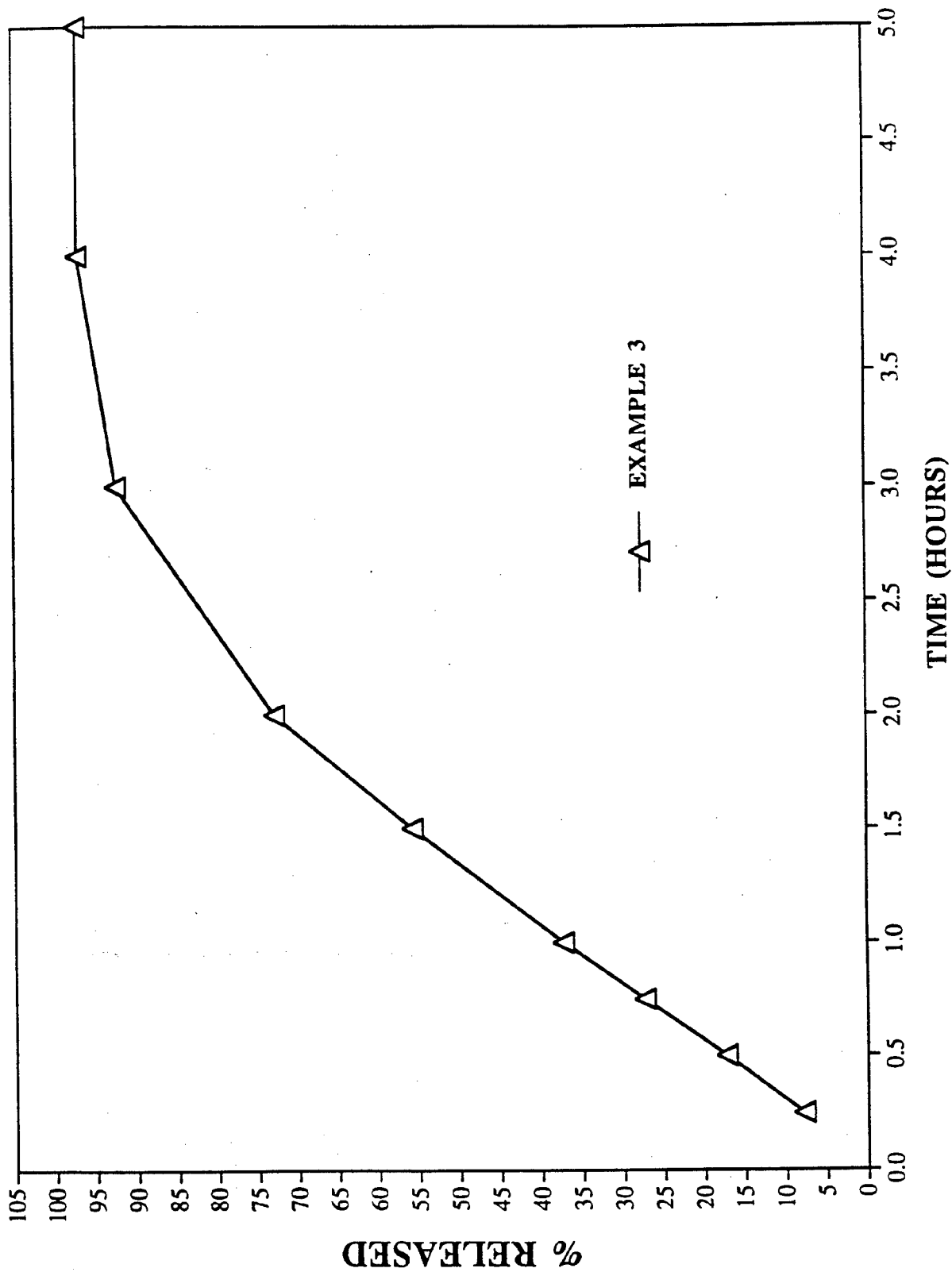




Figure 4

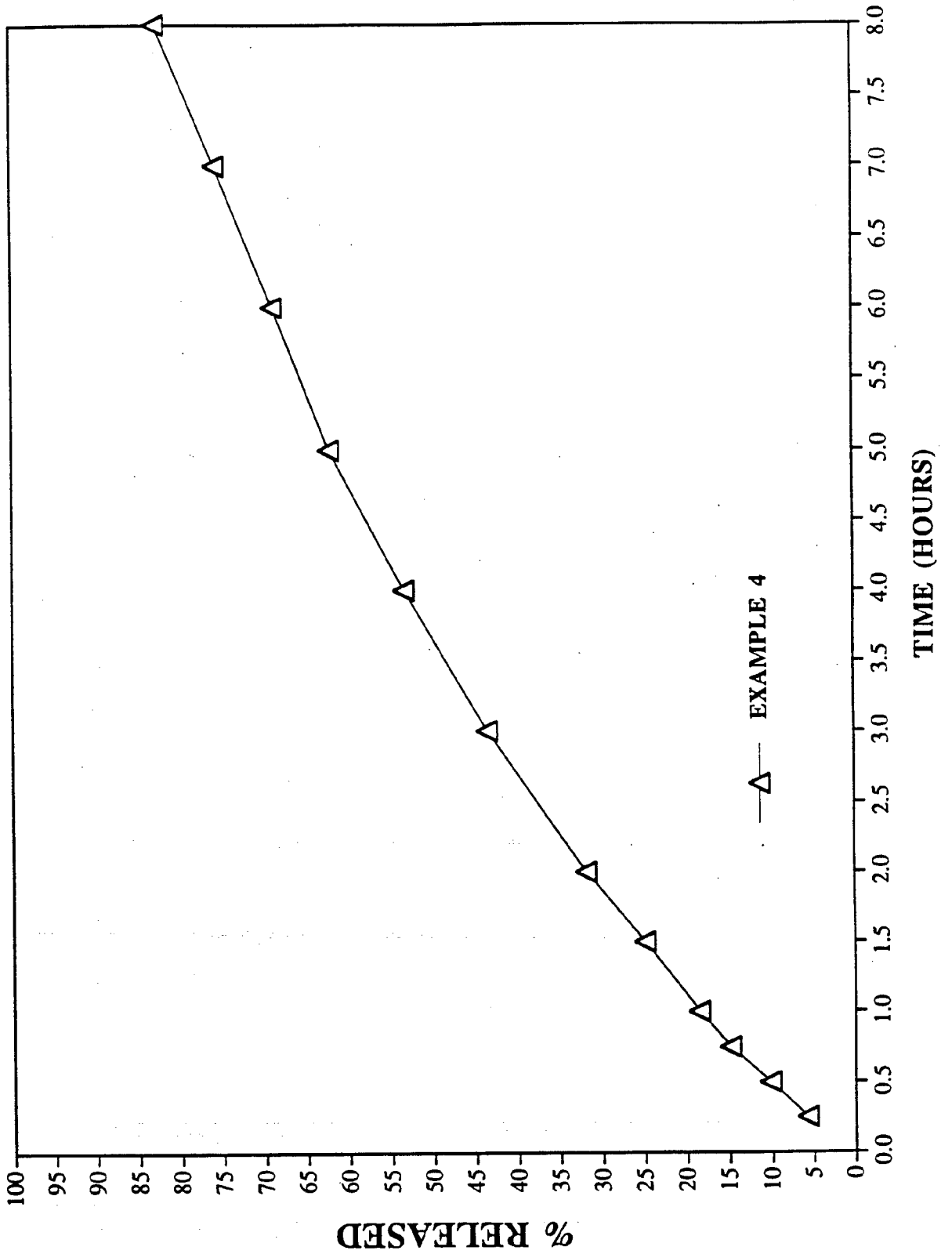


Figure 5

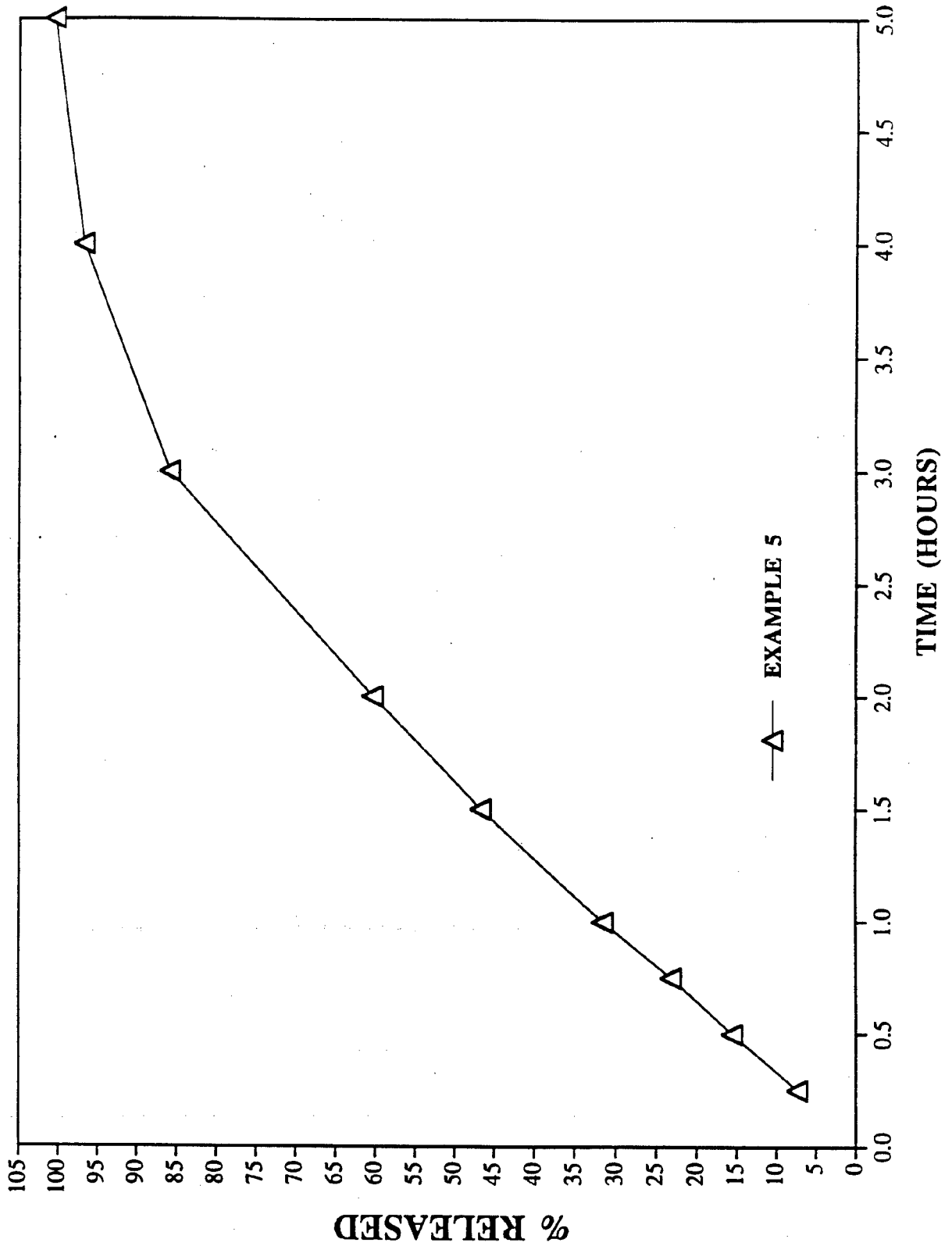


Figure 6

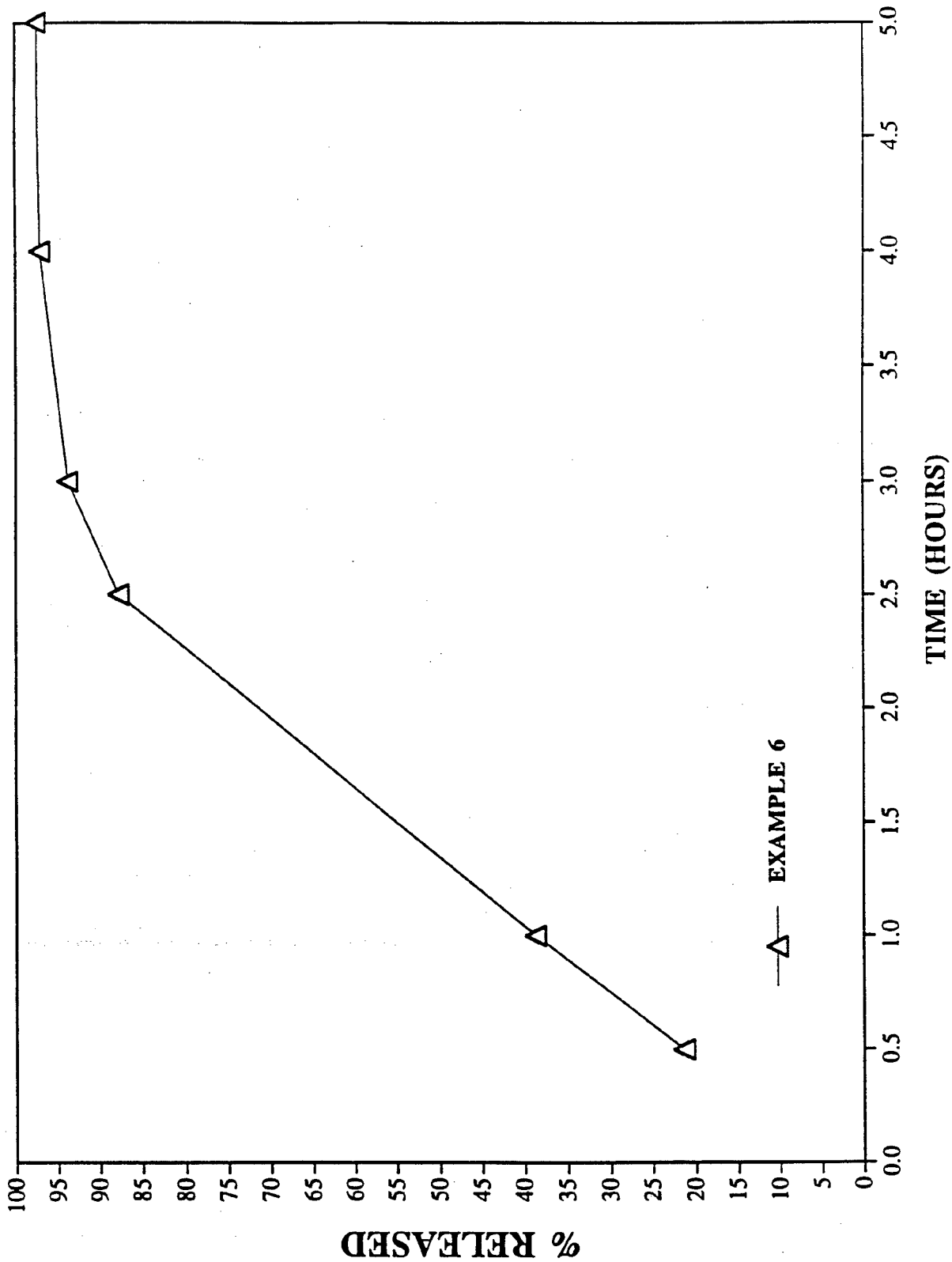
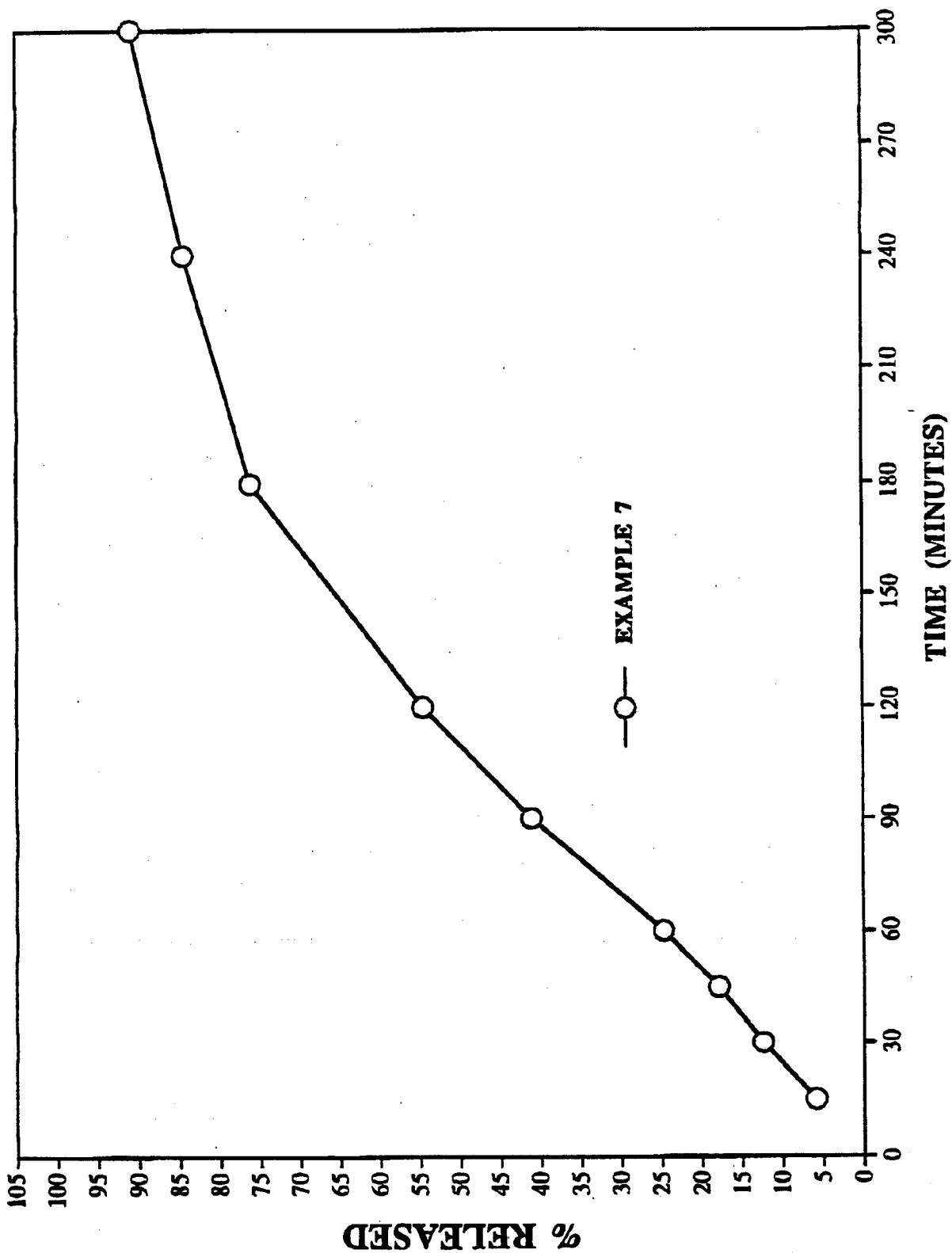
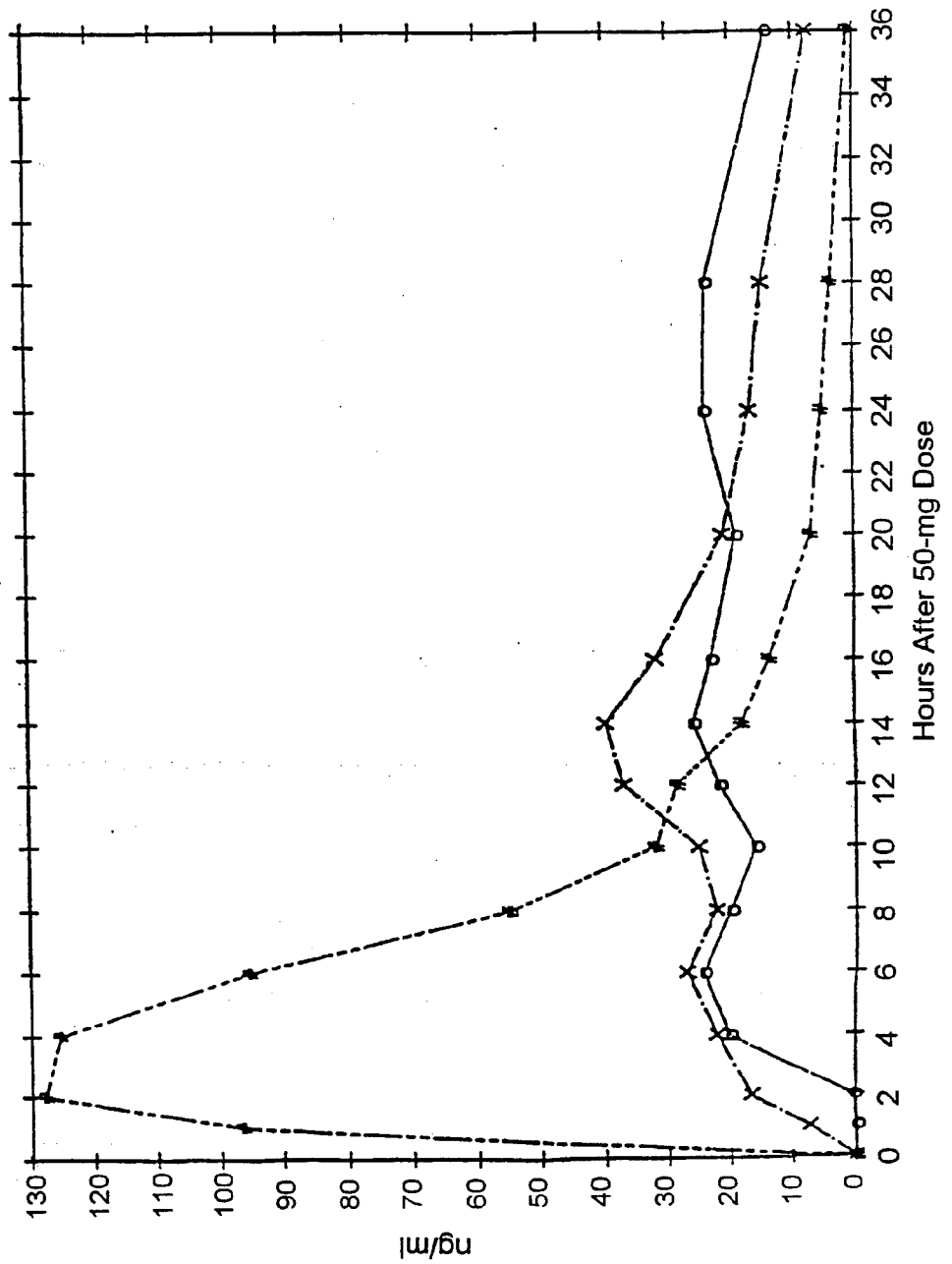


FIGURE 7



MEAN NIFEDIPINE CONCENTRATIONS Preliminary Data (N=9)



IN-VIVO DATA

- x— Example 6
- \*— Comparison A
- o— Comparison B

FIGURE 8

<b>A. CLASSIFICATION OF SUBJECT MATTER</b> Int. Cl. <sup>5</sup> A61K 9/16, 9/52, 9/22, 31/44  According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b>  Minimum documentation searched (classification system followed by classification symbols) IPC A61K 9/16, 9/52, 9/26, 9/22  Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched AU: IPC as above  Electronic data base consulted during the international search (name of data base, and where practicable, search terms used) DERWENT: low(solubil: and polymer::; nifedipine# and polymer# JAPIO: low(solubil: and polymer::; nifedipine# and polymer#		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to Claim No.
X	AU,B,49594/85 (588258) (PHARMATEC S.P.A.) 8 April 1986 (08.04.86) See entire document	1-6, 9, 10, 15, 20-23, 25-27, 30-32
X	WO,A,89/02738 (APS RESEARCH LTD.) 6 April 1989 (06.04.89) See entire document	1, 2, 5, 6, 10, 13, 23, 25, 27, 30, 31
P, X	WO,A,93/13773 (ETHICAL PHARMACEUTICALS LTD.) 22 July 1993 (22.07.93) See entire document	1, 2, 5, 6, 9, 10, 15, 23, 25, 27, 30, 31
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C.		
<input checked="" type="checkbox"/> See patent family annex.		
* Special categories of cited documents :		
"A"	document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E"	earlier document but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O"	document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P"	document published prior to the international filing date but later than the priority date claimed	
Date of the actual completion of the international search		Date of mailing of the international search report
23 DECEMBER 1993 (23.12.93)		24 DEC 1993 (24.12.93)
Name and mailing address of the ISA/AU		Authorized officer
AUSTRALIAN INDUSTRIAL PROPERTY ORGANISATION PO BOX 200 WODEN ACT 2606 AUSTRALIA  Facsimile No. 06 2853929		R.L. POOLEY Telephone No. (06) 2832260

Category*	Citation of document, with indication, where appropriate of the relevant passages	Relevant to Claim No.
X	EP,A,387782 (EGIS GYOYSZERGYAR) 19 September 1990 (19.09.90) See entire document	1-6, 10, 23, 25-27, 30-31
X	AU,B,68207/87 (592618) (ELAN CORPORACION P.L.C.) 14 July 1988 (14.07.88) See entire document	1-6, 10, 30-32
X	Patent Abstracts of Japan C-877, page 4, JP,A,3-169814 (NIPPON YAKUHI KOGYO K.K.) 23 July 1991 (23.07.91) Abstract	1, 2, 4, 5, 10, 23, 25, 29, 31
X	Patent Abstracts of Japan, C-353, page 35, JP,A,61-17510 (TOYO BOSEKI K.K.) 25 January 1986 (25.01.86) Abstract	1, 2, 5, 6, 10, 23, 25, 30
X	US,A,4740365 (TOYO BOSEKI KABUSHIKI KAISHA) 26 April 1988 (26.04.88) See entire document	1, 2, 5, 6, 10, 11, 30, 31
X	EP,A,220760 (EURAND ITALIA S.P.A.) 6 May 1987 (06.05.87) See entire document	1, 5, 6, 30, 31, 32
X	GB,A,1579818 (YAMANOUCHI PHARMACEUTICAL CO. LTD.) 26 November 1980 (26.11.80) See entire document	1, 5, 6, 23, 30, 31
X	AU,B,58284/86 (595801) (EUROCELTIQUE S.A.) 18 December 1986 (18.12.86) See entire document	1, 5, 6, 30, 31
X	Patent Abstracts of Japan, C-438, page 37, JP,A,62-48618 (ZERIA SHINYAKU KOGYO K.K.) 3 March 1987 (03.03.87) Abstract	1-3, 5-6, 30-31
x	DD,A,295550 (MARTIN-LUTHER UNIVERSITAT) 7 November 1991 (07.11.91) See entire document	1, 5, 6, 23, 25, 30-31

This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member					
AU	49594/85	CA	1253079	DE	3582251	DK	2221/86
		EP	226588	ES	547707	FI	871116
		IT	1178511	JP	4017932	NO	171887
		PT	81113	WO	8601717	YU	1439/85
		ZA	8506862				
AU	58284/86	CA	1277913	DK	2730/86	EP	205282
		ES	555899	FI	862479	JP	61286321
		KR	8902949	NO	172027	PT	82746
		US	4940587	ZA	8604105		
AU	68207/87	CA	1288049	CS	9104177	DE	3779414
		DK	528/87	EP	274176	JP	63174929
		NZ	219140				
US	4740365	DE	3580384	EP	159604	JP	60215622
WO	8902738	EP	386023				
WO	93/13773	AU	32636/93				
EP	220760	AU	63832/86	CA	1280976	DE	3680989
		DK	4811/86	FI	87424	JP	62167727
		NO	172168	NZ	217841	US	4880623
		ZA	8607767				
GB	1579818	DE	2822882	JP	54002316	US	4412986
EP	387782	CA	2012194	CH	680416	EP	387782
		FR	2644343	GB	2229095	JP	2279626
		US	5108757	YU	458/90		
END OF ANNEX							





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

<b>(51) International Patent Classification<sup>5</sup> :</b> <b>A61K 31/70, 37/26, 31/28</b>	<b>A1</b>	<b>(11) International Publication Number:</b> <b>WO 95/00151</b> <b>(43) International Publication Date:</b> 5 January 1995 (05.01.95)
<b>(21) International Application Number:</b> PCT/US94/07123 <b>(22) International Filing Date:</b> 23 June 1994 (23.06.94)  <b>(30) Priority Data:</b> 08/083,074              24 June 1993 (24.06.93)              US  <b>(71) Applicant:</b> UAB RESEARCH FOUNDATION [US/US]; Suite 1120G-AB, 701 South 20th Street, Birmingham, AL 35294- 0111 (US).  <b>(72) Inventors:</b> MEEZAN, Elias; 1202 Cheval Lane, Birmingham, AL 35216 (US). PILLION, Dennis, J.; 1100 Regent Drive, Birmingham, AL 35226 (US).  <b>(74) Agents:</b> NEEDLE, William, H. et al.; Needle & Rosenberg, Suite 1200, 127 Peachtree Street NE, Atlanta, GA 30303- 1811 (US).	<b>(81) Designated States:</b> AU, CA, JP, European patent (AT, BE, CH, DE, DK, ES, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE).  <b>Published</b> <i>With international search report.</i>	
<b>(54) Title:</b> ABSORPTION ENHANCERS FOR DRUG ADMINISTRATION		
<b>(57) Abstract</b>  <p>The present invention relates to a method of increasing the absorption of a compound via the ocular, nasal, nasolacrimal or inhalation route into the circulatory system of a patient. In particular, a method comprising administering with the compound an absorption enhancer comprising a nontoxic, nonionic alkyl glycoside is provided. Additionally provided are methods of raising or lowering the blood glucose level by administering glucagon or insulin, respectively, with such absorption enhancers. Finally, compositions for raising or lowering the blood glucose level are provided.</p>		

**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.

AT	Austria	GB	United Kingdom	MR	Mauritania
AU	Australia	GE	Georgia	MW	Malawi
BB	Barbados	GN	Guinea	NE	Niger
BE	Belgium	GR	Greece	NL	Netherlands
BF	Burkina Faso	HU	Hungary	NO	Norway
BG	Bulgaria	IE	Ireland	NZ	New Zealand
BJ	Benin	IT	Italy	PL	Poland
BR	Brazil	JP	Japan	PT	Portugal
BY	Belarus	KE	Kenya	RO	Romania
CA	Canada	KG	Kyrgyzstan	RU	Russian Federation
CF	Central African Republic	KP	Democratic People's Republic of Korea	SD	Sudan
CG	Congo	KR	Republic of Korea	SE	Sweden
CH	Switzerland	KZ	Kazakhstan	SI	Slovenia
CI	Côte d'Ivoire	LI	Liechtenstein	SK	Slovakia
CM	Cameroon	LU	Luxembourg	SN	Senegal
CN	China	LV	Latvia	TD	Chad
CS	Czechoslovakia	LU	Luxembourg	TG	Togo
CZ	Czech Republic	LV	Latvia	TJ	Tajikistan
DE	Germany	MC	Monaco	TT	Trinidad and Tobago
DK	Denmark	MD	Republic of Moldova	UA	Ukraine
ES	Spain	MG	Madagascar	US	United States of America
FI	Finland	ML	Mali	UZ	Uzbekistan
FR	France	MN	Mongolia	VN	Viet Nam
GA	Gabon				

# ABSORPTION ENHANCERS FOR DRUG ADMINISTRATION

## BACKGROUND OF THE INVENTION

5

### FIELD OF THE INVENTION

The present invention relates to a method of increasing the absorption of a compound via the ocular, nasal, nasolacrimal or inhalation route into the circulatory system of a patient. In particular, a method comprising administering with the compound an absorption enhancer comprising a nontoxic, nonionic alkyl glycoside is provided. Additionally provided are methods of raising or lowering the blood glucose level by administering glucagon or insulin, respectively, with such absorption enhancers. Finally, compositions for raising or lowering the blood glucose level are provided.

15

### BACKGROUND ART

The revolution in biotechnology has impacted on the pharmaceutical industry and on the practice of medicine by making available a variety of previously known and newly discovered proteins, e.g., insulin, growth hormone, interferons; peptides, e.g., cyclosporine, enkephalins and other synthetic peptides; as well as macromolecules, e.g., heparin and derivatives; drugs which open up an entirely new dimension to the treatment of disease. A serious limitation to the development and use of such agents, however, is the ability to deliver them safely and efficiently to their therapeutic site of action (Lee, V. H. L. et al., in "Peptide and Protein Drug Delivery," V.H.L. Lee ed. Marcel Dekker, New York, pp. 1-56 (1991)). Because these drugs are usually available in only small amounts, are expensive and are biologically fragile - subject to denaturation and degradation - a rapid and efficient route of delivery is an important requirement for their successful use in therapy. Unfortunately, for the most part, the practical delivery of such agents has been limited to injectable routes such as intravenous, intramuscular and subcutaneous administration. Insulin is the classic example of such an agent whose obligatory use in insulin-dependent diabetes mellitus requires administration via injection.

In the case of other established macromolecular drugs, such as heparin, the requirement for delivery by injection and the availability of alternative, but far from ideal agents, such as the oral anticoagulants, has restricted the use of the injectable agent to the clinic or hospital, thus denying its benefits to a large outpatient population. Although many attempts have been made to safely and efficiently administer insulin, heparin and other macromolecular drugs by non-injectable routes, none have proved successful, and it has become apparent that the success of such attempts depends on the discovery of a safe and efficient agent to enhance absorption of the macromolecules (*see Lee et al.*).

10

Buccal absorption of insulin is minimal in the absence of a surfactant agent, but it has been shown to be improved with penetration-enhancers such as glycocholate and Brij 35. However, the low bioavailability observed and the possible toxicity of the enhancing agents used previously have made this route impractical (Oh, C. K. et al, *Meth. Find. Exp. Clin. Pharmacol.*, 12:205-212 (1990)). Similar findings have been reported for insulin absorption across the rectal mucosa (Rytting, J. H. et al., (V.H.L. Lee, ed.) Marcel Dekker, New York pp. 579-594 (1991)). However, it has recently been reported that dodecylmaltoside was effective in promoting the absorption of high molecular weight sugar compounds, such as dextrans, and other molecules, such as carboxyfluorescein, across the rectal mucosa of rats without producing any apparent histological change to the tissue (Murakami, M. et al., *Int. J. Pharm.*, 79:159-169 (1992)). Hovgaard et al., (*J. Controlled Release*, 19:99-108 (1992)) reported the use of high concentrations of dodecyl maltoside to increase the absorption of insulin across the rectal mucosa in rats. High concentrations were found to be necessary for rectal absorption (3.2% -12.8% dodecyl maltoside). It was concluded by Hovgaard *et al.* that rectal absorption enhancers function at least in part because they render the insulin-enhancer complex more resistant to enzymatic degradation by intestinal digestive enzymes. The use of dodecyl maltoside in the reported concentrations would be too irritating and toxic to the much more sensitive ocular and nasal mucosa and thus unsuitable for ocular and nasal absorption enhancers.

30

A synthetic analogue of calcitonin, a hypocalcemic peptide has been shown to be effectively absorbed percutaneously in the rat by applying it in transdermal dosage form as a gel containing a combination of bile salts and the alkyl glycosides octylglucoside or octylthioglucoside (Ogiso, T. et al., *Chem. Pharm. Bull.*, 39:449-453 (1991)).

We had previously shown that systemic delivery of insulin via the ocular and nasal-lacrimal route in amounts sufficient to lower blood sugar in experimentally diabetic rats was made possible by including 1% saponin in the eye drops with the insulin (Pillion, D. J. et al., *Invest. Ophthalmol. Vis. Sci.*, 32:3021-3027 (1991)). However, saponins, which have also been used by others to promote ocular absorption of insulin (Chiou, G. C. Y. et al., *J. Pharm. Sci.*, 78:815-818 (1989); Chiou, C. Y. et al., *J. Ocular Pharmacol.* 5:81-91 (1989); U.S. Patent No. 5,182,258 (Chiou et al.), are a large and complex class of compounds, derived from plants, which are difficult to prepare in pure form and have deleterious properties such as being irritants (Price, K.R. et al., *CRC Crit. Rev. Food Sci. Nutr.*, 26:27-135 (1987)). Another surfactant, Tween 20, which has the same 12 carbon alkyl side chain as dodecylmaltoside, but which has a polyoxyethylene moiety in place of maltose, has been reported to be almost without effect in allowing absorption of insulin in rabbit eyes (Chiou, et al., *J. Pharm. Sci.*) Furthermore, saponin, fusidic acid, EDTA, polyoxyethylene-9-lauryl ether, glycocholate, taurocholate, deoxycholate and decamethonium as ocular absorption enhancers have met with limited success in promoting the ocular absorption of insulin (Pillion et al., Chiou et al., (*J. Pharm. Sci.*), Chiou et al. (*J. Ocular Pharmacol.*) and Yamamoto et al., *J. Pharmacol. Exptl. Ther.*, 249:249-255 (1989)), but the toxicity of these agents makes their therapeutic usage problematic.

Intranasal administration of insulin in the form of a nasal spray with bile salts or laureth-9 as absorption enhancers has been tested in clinical trials with normal and diabetic subjects, but also with only limited success (Moses, A. C. et al., *Diabetes*, 32:1040-1047 (1983); Gordon, G. S. et al., *Proc.*

*Natl. Acad. Sci. USA*, 82:7419-7423 (1985); Salzman, R. et al., *New Engl. J. Med.*, 312:1078-1084 (1985)). The major limiting factors which have prevented the practical development of this route for general use is the low efficiency of absorption across the nasal mucosa and the local and systemic toxicity of the penetration-enhancing agents used (Moses et al., Gordon et al., Salzman et al and Chadwick, U.S. et al., *Gut*, 17:10-17 (1976)). Aerosolized insulin has been absorbed via the respiratory route, but only at low efficiency, probably because no absorption enhancer was employed (Wigley, F. M. et al., *Diabetes*, 20:552-556 (1971).

10

Dodecylmaltoside and other alkyl glycosides can readily be obtained in pure form and have well defined, simple structures (Neugebauer, J., "A Guide to the Properties and Uses of Detergents in Biology and Biochemistry," Calbiochem Corporation (1988)). They are mild nonionic surfactants which have generally been shown to be nontoxic to several different cell types (DiCorleto, P. E. et al., *J. Immunol.*, 143:3666-3672 (1989) and LeGrue, S. J. et al., *J. Natl. Cancer Inst.*, 69:131-136 (1982)). Octylglucoside had no effect on the viability or morphology of monocytes or endothelial cells (DiCorleto et al.) and was non-cytolytic to intact mouse fibrosarcoma cells (LeGrue et al.) Orally administered alkyl glycosides, including octyl  $\beta$ -D-glucoside and dodecyl  $\beta$ -D-maltoside, have also been shown to be metabolized to nontoxic metabolites by cleavage to sugars and long chain alcohols which enter into the pathways of carbohydrate and lipid metabolism. It was suggested that these compounds would be suitable for use as food additives because of their lack of toxicity (Weber, N. et al., *J. Nutr.*, 114:247-254 (1984)). In contrast, other agents which have been shown to enhance the systemic absorption of insulin, such as bile salts or laureth-9, are known to be irritating to mucosal surfaces and are not metabolized to simple products in the body (Moses et al., Gordon et al., and Salzman et al.). In the case of bile salts, it is known that they are toxic to the gastrointestinal mucosa when administered orally and

30

that they cause ultrastructural abnormalities of the nasal mucosa when used to administer insulin by this route (Moses et al., Gordon et al., and Chadwick et al.).

5           Thus, many attempts have been unsuccessfully made to obtain a suitable, effective absorption enhancer for drugs, and there is a great need for such an enhancer. The ideal absorption or penetration enhancer would preserve the biological activity of the protein or other drug and thus should be nonreactive and non-denaturing. It should enhance the passage of the drug  
10 through membrane barriers without damaging the structural integrity and biological functions of the membrane. Most importantly, both it and its metabolites should be nonirritating and nontoxic, both at the site of application, and also systemically, since it is likely that any enhancer of drug absorption will itself be absorbed and have to be metabolized and/or cleared from the body.  
15 Such an absorption enhancer is provided herein.

#### SUMMARY OF THE INVENTION

20           The present invention relates to a method of increasing absorption of a compound into the circulatory system of a subject comprising administering via the ocular, nasal, nasolacrimal, or inhalation route the compound and an absorption increasing amount of a suitable nontoxic, nonionic glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide.

25           The present invention also relates to a method of lowering blood glucose level in a subject comprising administering via the ocular, nasal, nasolacrimal or inhalation route, a blood glucose-reducing amount of a composition comprising insulin and an absorption increasing amount of a suitable nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a  
30 linkage to a hydrophilic saccharide, thereby increasing the absorption of insulin and lowering the level of blood glucose.

The instant invention further relates to a method of raising blood glucose level in a subject comprising administering via the ocular, nasal, nasolacrimal or inhalation route a blood glucose-raising amount of a suitable composition comprising glucagon and an absorption increasing amount of a  
5 suitable nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, thereby increasing the absorption of glucagon and raising the level of blood glucose.

The present invention also relates to a composition comprising (a)  
10 a nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, in concentration in the range of 0.01% to 1.0%, capable of increasing absorption of a compound into the circulatory system of a patient and (b) an agent selected from the group consisting of insulin and glucagon.

15

Accordingly, it is an object of the present invention to provide a method of increasing the absorption of a compound into the circulatory system of a subject by utilizing the ocular, nasal and nasolacrimal or inhalation route.

20 Another object of the present invention is to provide compositions and methods for raising or lowering the blood glucose level in a subject utilizing the provided method for increasing absorption of compounds, and thus treating hypoglycemia or diabetes mellitus, respectively.

25 Finally, an object of the present invention is to provide compositions for raising and lowering blood glucose levels.

#### DETAILED DESCRIPTION OF THE INVENTION

30 The present invention may be understood more readily by reference to the following detailed description of specific embodiments and the Examples included therein.



The present invention provides a method of increasing absorption of a compound into the circulatory system of a subject comprising administering via the ocular, nasal, nasolacrimal, or inhalation route the compound and an absorption increasing amount of a suitable nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide. The compound and the alkyl glycoside can be mixed prior to administration, or they can be administered sequentially, in either order. It is preferred that they be mixed prior to administration.

10 As used in the claims, "a" can mean one or more.

As used herein, "hypoglycemia" includes a hypoglycemic crisis.

"Nontoxic," as used herein, means that the alkyl glycoside molecule has a sufficiently low toxicity to be suitable for human administration. Preferred alkyl glycosides are nonirritating to the tissues to which they are applied. Any alkyl glycoside should be of minimal or nontoxicity to the cell, such as not to cause damage to the cell. Toxicity for any given alkyl glycoside may vary with the concentration of alkyl glycoside used. It is also beneficial if the alkyl glycoside chosen is metabolized or eliminated by the body and if this metabolism or elimination is done in a manner that will not be harmfully toxic.

As used herein, "alkyl glycoside" refers to any sugar joined by a linkage to any hydrophobic alkyl, as is known in the art. The hydrophobic alkyl can be chosen of any desired size, depending on the hydrophobicity desired and the hydrophilicity of the saccharide moiety. A preferred range of alkyl chains is from 9 to 24 carbon atoms. An even more preferred range is from 9 to 14 carbon atoms.

30 As used herein, "saccharide" is inclusive of monosaccharides, oligosaccharides or polysaccharides in straight chain or ring forms. Oligosaccharides are saccharides having two or more monosaccharide residues.

As used herein, a "suitable" alkyl glycoside means one that fulfills the limiting characteristics of the invention, i.e., that the alkyl glycoside be nontoxic and nonionic, and that it increases the absorption of a compound when it is administered with the compound via the ocular, nasal, nasolacrimal or  
5 inhalation route. Suitable compounds can be determined using the methods set forth in the examples.

Also as used herein, "hydrophile-lipophile balance number" (HLB) is a characteristic of individual surfactants that can be either calculated or  
10 determined empirically, as previously described (Schick, M.J. *Nonionic Surfactants*, p. 607 (NY: Marcel Dekker, Inc. (1967))). HLB can be calculated by the formula:  $20 \times \text{MW hydrophilic component} / (\text{MW hydrophobic component} + \text{MW hydrophilic component})$ , where MW = molecular weight (Rosen, M.J., *Surfactants and Interfacial Phenomena*, pp. 242-245, John Wiley, New York  
15 (1978)). The HLB is a direct expression of the hydrophilic character of the surfactant, i.e., the larger the HLB, the more hydrophilic the compound. A preferred surfactant has an HLB of from 10 to 20 and an even more preferred range of from 11 to 15.

20 Compounds whose absorption can be increased by the method of this invention include any compounds now known or later discovered, in particular drugs that are difficult to administer by other methods, for example, drugs that are degraded in the gastrointestinal (GI) tract or that are not absorbed well from the GI tract, or drugs that subjects could administer to  
25 themselves more readily via the ocular, nasal, nasolacrimal or inhalation route than by traditional self-administration methods such as injection. Some specific examples include peptides, polypeptides, proteins and other macromolecules, for example, peptide hormones, such as insulin and calcitonin, enkephalins, glucagon and hypoglycemic agents, such as tolbutamide and glyburide, and agents which  
30 are poorly absorbed by enteral routes, such as griseofulvin, an antifungal agent.

The saccharide can be chosen, for example, from any currently commercially available saccharide species or can be synthesized. The saccharide can be a monosaccharide, a disaccharide, an oligosaccharide or a polysaccharide, or a combination thereof to form a saccharide chain. Some examples of the many possible saccharides to use include glucose, maltose, maltotriose, maltotetraose, sucrose and trehalose. Preferable saccharides include maltose, sucrose and glucose.

Additionally, various oxygen atoms within the compounds can be substituted for by sulfur in order to decrease susceptibility to hydrolytic cleavage by glycohydrolases in the body (Defaye, J. and Gelas, J. in *Studies in Natural Product Chemistry* (Atta-ur-Rahman, ed.) Vol. 8, pp. 315-357, Elsevier, Amsterdam, 1991). For example, the heteroatom of the sugar ring can be either oxygen or sulfur, or the linkage between monosaccharides in an oligosaccharide can be oxygen or sulfur (Horton, D. and Wander, J.D., "Thio Sugars and Derivatives," *The Carbohydrates: Chemistry and Biochemistry*, 2d. Ed. Vol. IB, (W. Reyman and D. Horton eds.), pp. 799-842, (Academic Press, N.Y.), (1972)). Oligosaccharides can have either  $\alpha$  (alpha) or  $\beta$  (beta) anomeric configuration (see Pacsu, E., et al. in *Methods in Carbohydrate Chemistry* (R.L. Whistler, et al., eds.) Vol. 2, pp. 376-385, Academic Press, New York 1963).

Many alkyl glycosides can be synthesized by known procedures, i.e., chemically, as described, e.g., in Rosevear et al., *Biochemistry* 19:4108-4115 (1980) or Koeltzow and Urfer, *J. Am. Oil Chem. Soc.*, 61: 1651-1655 (1984), U.S. Patent No. 3,219,656 and U.S. Patent No. 3,839,318 or enzymatically, as described, e.g., in Li et al., *J. Biol. Chem.*, 266:10723-10726 (1991) or Gopalan et al., *J. Biol. Chem.* 267:9629-9638 (1992).

The linkage between the hydrophobic alkyl and the hydrophilic saccharide can include, among other possibilities, a glycosidic, thioglycosidic (Horton), amide (*Carbohydrates as Organic Raw Materials*, F.W. Lichtenthaler ed., VCH Publishers, New York, 1991), ureide (Austrian Pat. 386,414 (1988);

Chem. Abstr. 110:137536p (1989); see Gruber, H. and Greber, G., "Reactive Sucrose Derivatives" in *Carbohydrates as Organic Raw Materials*, pp. 95-116) or ester linkage (*Sugar Esters: Preparation and Application*, J.C. Colbert ed., (Noyes Data Corp., New Jersey), (1974)).

5

Examples from which useful alkyl glycosides can be chosen for the therapeutic composition include: alkyl glycosides, such as octyl-, nonyl-, decyl-, undecyl-, dodecyl-, tridecyl-, tetradecyl-, pentadecyl-, and octadecyl  $\alpha$ - or  $\beta$ -D-maltoside, -glucoside or -sucroside (synthesized according to *Koeltzow and Urfer*; 10 *Anatrace Inc.*, Maumee, Ohio; *Calbiochem*, San Diego, California; *Fluka Chemie*, Switzerland); alkyl thiomaltosides, such as heptyl, octyl, dodecyl-, tridecyl-, and tetradecyl- $\beta$ -D-thiomaltoside (synthesized according to Defaye, J. and Pederson, C., "Hydrogen Fluoride, Solvent and Reagent for Carbohydrate Conversion Technology" in *Carbohydrates as Organic Raw Materials*, 247-265 (F. 15 *W. Lichtenthaler*, ed.) *VCH Publishers*, New York (1991); *Ferenci, T., J. Bacteriol.*, 144:7-11 (1980)); alkyl thioglucosides, such as heptyl- or octyl 1-thio  $\alpha$ - or  $\beta$ -D-glucopyranoside (*Anatrace, Inc.*, Maumee, Ohio; see *Saito, S. and Tsuchiya, T. Chem. Pharm. Bull.* 33:503-508 (1985)); alkyl thiosucroses (synthesized according to, for example, *Binder, T.P. and Robyt, J.F., Carbohydr. 20 Res.* 140:9-20 (1985)); alkyl maltotriosides (synthesized according to *Koeltzow and Urfer*); long chain aliphatic carbonic acid amides of sucrose  $\beta$ -amino-alkyl ethers; (synthesized according to *Austrian Patent 382,381* (1987); *Chem. Abstr.*, 108:114719 (1988) and *Gruber and Greber* pp. 95-116); derivatives of palatinose and isomaltamine linked by amide linkage to an alkyl chain (synthesized 25 according to *Kunz, M.*, "Sucrose-based Hydrophilic Building Blocks as Intermediates for the Synthesis of Surfactants and Polymers" in *Carbohydrates as Organic Raw Materials*, 127-153); derivatives of isomaltamine linked by urea to an alkyl chain (synthesized according to *Kunz*); long chain aliphatic carbonic acid ureides of sucrose  $\beta$ -amino-alkyl ethers (synthesized according to *Gruber and 30 Greber*, pp. 95-116); and long chain aliphatic carbonic acid amides of sucrose  $\beta$ -amino-alkyl ethers (synthesized according to *Austrian Patent 382,381* (1987), *Chem. Abstr.*, 108:114719 (1988) and *Gruber and Greber*, pp. 95-116).

Some preferred glycosides include maltose, sucrose, and glucose linked by glycosidic linkage to an alkyl chain of 9, 10, 12 or 14 carbon atoms, i.e., nonyl-, decyl-, dodecyl- and tetradecyl sucroside, glucoside, and maltoside. These compositions are nontoxic, since they are degraded to an alcohol and an oligosaccharide, and amphipathic.

The above examples are illustrative of the types of glycosides to be used in the methods claimed herein; the list is not exhaustive. Derivatives of the above compounds which fit the criteria of the claims should also be considered when choosing a glycoside. All of the compounds can be screened for efficacy following the methods taught in the examples.

Preferred concentrations of alkyl glycosides are those within the range of 0.01-1%, as such low concentrations reduce any potential irritability or damage to the tissues while still increasing absorption. Even more preferred are concentrations within the range of 0.125-0.5%. From a medical standpoint, the less absorption enhancer used, that is still as effective as desired, the better for the subject.

The method of this invention can also include the administration, along with the alkyl glycoside and a protein or peptide, a protease or peptidase inhibitor, such as aprotinin, bestatin, alpha<sub>1</sub> proteinase inhibitor, recombinant secretory leucocyte protease inhibitor, captopril and other angiotensin converting enzyme (ACE) inhibitors and thiorphan, to aid the protein or peptide in reaching its site of activity in the body in an active state (i.e., with degradation minimal enough that the protein is still able to function properly). The protease or peptidase inhibitor can be mixed with the alkyl glycoside and compound and then administered, or it can be administered separately, either prior to or after administration of the glycoside and compound.

30

The amount of compound administered will, of course, be dependent on the subject being treated, the subject's weight, the severity of symptoms and the judgment of the prescribing physician. Generally, however, dosage will approximate that which is typical for known methods of administration of the specific compound. For example, for intranasal administration of insulin, an approximate dosage would be about 0.5 unit/kg regular porcine insulin (Moses *et al.*). Dosage for compounds affecting blood glucose levels optimally would be that required to achieve proper glucose levels, for example, to a normal range of about 5–6.7 mM. Additionally, an appropriate amount may be determined by one of ordinary skill in the art using only routine testing given the teachings herein (see Examples).

The compound can be administered in a format selected from the group consisting of a drop, a spray, an aerosol and a sustained release format. The spray and the aerosol can be achieved through use of the appropriate dispenser. The sustained release format can be an ocular insert, erodible microparticulates, swelling mucoadhesive particulates, pH sensitive microparticulates, nanoparticles/latex systems, ion-exchange resins and other polymeric gels and implants (Ocusert, Alza Corp., California; Joshi, A., S. Ping and K. J. Himmelstein, Patent Application WO 91/19481). These systems maintain prolonged drug contact with the absorptive surface preventing washout and nonproductive drug loss.

Also provided is a method of lowering blood glucose level in a subject comprising administering via the ocular, nasal, nasolacrimal or inhalation route, a blood glucose-reducing amount of a composition comprising insulin and an absorption increasing amount of a suitable nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, thereby increasing the absorption of insulin and lowering the level of blood glucose. A "blood glucose-reducing amount" of such a composition is that amount capable of producing the effect of reducing blood glucose levels, as taught herein. Preferred is an amount that decreases blood glucose to

normoglycemic or near normoglycemic range. Also preferred is an amount that causes a sustained reduction in blood glucose levels. Even more preferred is an amount sufficient to treat diabetes mellitus by lowering blood glucose level.

Thus, the instant method can be used to treat diabetes mellitus. Preferred alkyl glycosides are the same as those described above and exemplified in the Examples.

Also provided is a method of raising blood glucose level in a subject comprising administering via the ocular, nasal, nasolacrimal or inhalation route a blood glucose-raising amount of a suitable composition comprising glucagon and an absorption increasing amount of a suitable nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, thereby increasing the absorption of glucagon and raising the level of blood glucose. A "blood glucose-raising amount" of such a composition is that amount capable of producing the effect of raising blood glucose levels. Preferred is an amount that increases blood glucose to normoglycemic or near-normoglycemic range. Also preferred is an amount that causes a sustained raising of blood glucose levels. Even more preferred is an amount sufficient to treat hypoglycemia by raising blood glucose level. Thus this method can be used to treat hypoglycemia. Preferred alkyl glycosides are the same as those described above and exemplified in the Examples.

Also provided is a composition comprising (a) a nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, in concentration in the range of 0.01% to 1.0%, capable of increasing absorption of a compound into the circulatory system of a patient and (b) an agent selected from the group consisting of insulin and glucagon. When this composition includes insulin, it can be used to cause the known effect of insulin in the bloodstream, i.e., lower the blood glucose levels in a subject, by administering it by, for example, the administration means of this invention, i.e.,

via the ocular, nasal, nasolacrimal or inhalation route. Such administration can be used to treat diabetes mellitus, using the concentrations of insulin known to those of skill in the art to properly lower blood glucose.

5                    Similarly, when this composition includes glucagon, it can be used to cause the known effect of glucagon in the bloodstream, i.e., to raise the blood glucose levels in a subject. Such administration can therefore be used to treat hypoglycemia, including hypoglycemic crisis.

10                   The present invention is more particularly described in the following examples which are intended as illustrative only since numerous modifications and variations therein will be apparent to those skilled in the art.

#### EXAMPLES

15

##### Hypoglycemic Effects of Insulin Delivered by the Ocular Route

All of the experimental results described were obtained in normal rats in which blood glucose values have been elevated as a consequence of anesthesia produced by xylazine/ketamine. This mimics the hyperglycemic state  
20                   seen in diabetic animals and humans. The elevated levels of D-glucose that occur in response to anesthesia provide an optimal system in which to measure any systemic hypoglycemic action of insulin-containing eye drops. Hence, anesthetized rats given eye drops containing insulin can be compared to anesthetized animals given eye drops without insulin, and the differential  
25                   systemic responses should accurately reflect the effect of insulin absorbed via the ocular route of administration.

Adult male Sprague-Dawley rats (250–350g) were fed ad libitum, and experiments were conducted between 10:00 a.m. and 3:00 p.m. Rats were  
30                   anesthetized with a mixture of xylazine (7.5 mg/kg) and ketamine (50 mg/kg) given intraperitoneally (IP) and allowed to stabilize for 50–90 min before the administration of eye drops. Anesthesia of a normal rat with xylazine/ketamine



produces an elevation in blood glucose values which provides an optimal state to determine the systemic hypoglycemic action of insulin-containing eye drops.

Blood D-glucose values were measured by collecting a drop of blood from the tail vein at 5-10 min intervals throughout the experiment and applying the blood  
5 to glucometer strips (Chemstrip bG) according to directions provided with the instrument (Accu-Chek II, Boehringer Mannheim Diagnostics; Indianapolis, IN). Blood D-glucose values ranged from 200 to 400 mg/dl in anesthetized nondiabetic rats.

10 At time 0, after a 50-90 min stabilization period, rats were given 20  $\mu$ l of eye drops composed of phosphate-buffered saline with or without 0.2% regular porcine insulin and 0.125-0.5% of the absorption enhancer to be tested. Eye drops were instilled at time 0 using a plastic disposable pipette tip with the eyes held open, and the rat was kept in a horizontal position on a warming pad  
15 (37°C) throughout the protocol. The rats were given additional anesthesia if they showed signs of awakening. Rats received in each eye 20  $\mu$ l of 0.125-0.5% absorption enhancer in phosphate buffered saline, pH 7.4 with (experimental) or without (control) 0.2% (50 U/ml) regular porcine insulin (Squibb-Novoo, Inc.) for a total of 2 U per animal. Octyl  $\beta$ -D-maltoside, decyl- $\beta$ -D-maltoside, dodecyl- $\beta$ -  
20 D-maltoside, tridecyl- $\beta$ -D-maltoside and tetradecyl- $\beta$ -D-maltoside were obtained from Anatrace, Inc. (Maumee, Ohio). Hexylglucopyranoside, heptylglucopyranoside, nonylglucopyranoside, decylsucrose and dodecylsucrose were obtained from Calbiochem, Inc. (San Diego, California); Saponin, BL-9 and Brij 78 were obtained from Sigma Chemical Co. (St. Louis, Missouri).

25 When rats received eye drops containing saline only, 0.2% regular porcine insulin in saline only, or absorption enhancer only, the level of D-glucose in the blood remained elevated. However, when rats received eye drops containing 0.2% regular porcine insulin and several alkylmaltoside or  
30 alkylsucrose compounds, a pronounced decrease in blood D-glucose values occurred and was maintained for up to two hours. Insulin administered ocularly with 0.5% dodecyl- $\beta$ -D-maltoside (see Table 1) or 0.5% decyl- $\beta$ -D-maltoside

(see Table 3) results in a prompt and sustained fall in blood glucose levels which are maintained in the normoglycemic (80–120 mg/dl) or near-normoglycemic (120–160 mg/dl) range for the two hour duration of the experiment. Therefore, two alkylmaltosides are effective in achieving sufficient absorption of insulin  
5 delivered via the ocular route to produce a prompt and sustained fall in blood glucose levels in experimentally hyperglycemic animals. These agents, therefore, can be useful to achieve systemic absorption of insulin and other peptide, protein, e.g., glucagon and macromolecular drugs, e.g., heparin delivered via the ocular route in the form of eye drops.

10

Several other alkylmaltosides also proved effective as absorption enhancers for ocular administration of insulin including 0.5% tridecylmaltoside (see Table 3) and 0.125% (Table 2) and 0.5% tetradecyl maltoside. Based on these studies it appears that alkylmaltosides with the longer alkyl chains, i.e.,  
15 dodecyl-, tridecyl- and tetradecyl- $\beta$ -D-maltosides, and hence, with the greater hydrophobic/hydrophilic structural balance are more effective as absorption enhancers than those with shorter alkyl chains which produce less, e.g., decylmaltoside, or no, e.g., octylmaltoside, activity. It should be noted that the most effective alkylmaltosides produce effects comparable to or greater than  
20 those seen with other absorption enhancers such as saponin, with the added advantage that they can be metabolized to nontoxic products following systemic absorption.

The effects of the alkylmaltosides as absorption enhancers are  
25 dose-dependent, as can be seen by examining the effects of different concentrations ranging from 0.125–0.5% in producing a hypoglycemic effect when combined with insulin. Whereas, 0.5% and 0.375% dodecylmaltoside appear equally effective in achieving systemic absorption of insulin and reduction of blood glucose levels, 0.25% has a smaller and more transient effect and  
30 0.125% is ineffective (Table 1). Similarly, tridecylmaltoside also shows a dose-dependent effect in lowering blood glucose concentrations when combined with insulin, but the effect achieved with even 0.25% of the enhancer is sustained for

the two hour time course of the experiment. The dose-dependent effects of the alkylmaltosides suggest that they achieve enhancement of protein absorption via the ocular route in a graded fashion proportional to the concentration of the agent.

5

TABLE 1

Effect of Eye Drops Containing Insulin Plus Various Concentrations of Dodecyl Maltoside on Blood Glucose Values (in mg/dl) in Rat

10

Time (min)	Dodecyl Maltoside Concentration			
	.125%	.25%	.375%	.50%
	Blood Glucose Concentrations (mg/dl)			
-20	305 ± 60	271 ± 38	305 ± 51	375 ± 9
-10	333 ± 58	295 ± 32	308 ± 27	366 ± 12
0	338 ± 67	323 ± 62	309 ± 32	379 ± 4
30	349 ± 64	250 ± 48	212 ± 18	297 ± 18
60	318 ± 38	168 ± 22	134 ± 4	188 ± 25
90	325 ± 57	188 ± 55	125 ± 12	141 ± 13
120	342 ± 78	206 ± 63	119 ± 19	123 ± 5

15

20

The absorption enhancing effects of the alkyl saccharides are not confined to the alkylmaltosides alone since dodecylsucrose (0.125%, 0.25%, 0.375%) also shows a dose-dependent effect in producing ocular absorption of insulin and hence a reduction in blood glucose levels, even at 0.125% (from 335 mg/dl ± 26 mg/dl at time 0 min. to 150 mg/dl ± 44 mg/dl at time 120 min.). 0.5% decylsucrose was also effective in reducing blood glucose levels, but as shown for the alkylmaltosides, a reduction in the length of the alkyl chain, and hence the hydrophobic properties of the molecule, appears to reduce the potency of the alkylsucrose compounds. However, a significant and sustained reduction in blood glucose levels is achieved with 0.5% decylsucrose (from 313 mg/dl ± 15 mg/dl at time 0 min. to 164 mg/dl ± 51 mg/dl at time 120 min.).

25

30

The absorption enhancing abilities of alkylsaccharides with two distinct disaccharide moieties suggests that it is the physicochemical properties of the compounds which are crucial to their activity and that other alkylsaccharides, e.g., dodecylactose, have the right balance of properties to be equally or more effective as absorption enhancers while retaining the metabolic and nontoxic properties of the alkylsaccharide enhancing agents.

Studies with alkylglucosides were also conducted; 0.5% hexylglucoside and 0.5% heptylglucoside were ineffective at promoting insulin absorption from the eye, but 0.5% nonylglucoside effectively stimulated insulin absorption and reduced blood glucose levels (from 297 mg/dl to 150 mg/dl). This result once again showed that the alkyl chain length, as well as the carbohydrate moiety, play critical roles in effectively enhancing insulin absorption.

It should be noted that no damaging effects to the ocular surface were observed with any of the alkylmaltoside or alkylsucrose agents employed in these studies. Furthermore, the prompt and sustained hypoglycemic effects produced by these agents in combination with insulin suggest that these absorption enhancers do not adversely affect the biological activity of the hormone, in keeping with their nondenaturing, mild surfactant properties. Finally, since we have observed previously with other absorption enhancers that insulin administration via eye drops results in significant absorption of the hormone via the nasolacrimal drainage system, therapeutically effective administration of insulin with alkylmaltosides, alkylsucrose and like agents by intranasal administration was tested.

#### Hypoglycemic Effects of Insulin Delivered Intranasally

Tetradecylmaltoside in combination with insulin also produced a drop in blood D-glucose levels when administered in the form of a drop intranasally as well as via a drop by the ocular route. A rat administered eyedrops containing 0.2% regular porcine insulin with 0.125%

tetradecylmaltoside produced a prompt and prominent drop in blood glucose levels which were then further decreased by administration of a nose drop containing the same concentration of insulin with 0.5% tetradecylmaltoside (Table 2). The protocol of the experiment was the same as described for ocular administration.

TABLE 2

Effect of Insulin Eye Drops Containing 0.125% Tetradecyl Maltoside and Nose Drops Containing 0.5% Tetradecyl Maltoside on Blood Glucose Values in Rats

Time (min)	Blood Glucose (mg/dl)
-20	319
-10	311
<b>Eye drops added</b>	
0	322
15	335
30	276
45	221
60	212
75	167
90	174
105	167
120	208
<b>Nose Drops added</b>	
135	129
150	74
165	76
180	68

Hyperglycemic Effects of Glucagon Delivered by the Ocular Route

Our previous studies demonstrated that insulin absorption from the eye was stimulated by saponin, BL-9 and Brij-78; the latter two reagents were ineffective at stimulating the absorption of glucagon from the eye, whereas saponin was effective. Glucagon absorption from the eye was measured in rats given eye drops containing various surfactants plus glucagon (30 $\mu$ g) (Eli Lilly, Indianapolis, Indiana) by monitoring an elevation in blood D-glucose levels. In these experiments, rats were anesthetized with sodium pentobarbital rather than xylazine/ketamine; this modification of the procedure resulted in basal blood glucose levels in the normoglycemic range and made it possible to readily monitor the hyperglycemic action of any glucagon absorbed from the eye. Once again, paired animals that received eye drops containing the surfactant agents only, or glucagon only, could be compared to animals receiving eye drops with surfactant agents and glucagon. When eyedrops containing 0.5% saponin plus glucagon were administered to rats, the level of D-glucose in blood rose significantly, but no such effect was observed with eye drops containing 0.5% BL-9 or 0.5% Brij-78 plus glucagon. Interestingly, when eye drops containing dodecylsucrose, decylmaltose or tridecylmaltose plus glucagon were administered to rats which had previously been treated with eyedrops containing these surfactant agents plus insulin, the glucagon was absorbed and blood D-glucose values were significantly increased (Table 3). This result confirms that certain alkylsaccharides can stimulate glucagon absorption from the eye, just as they stimulate insulin absorption. Additionally, the use of glucagon eyedrops to treat a hypoglycemic crisis is now possible provided that an appropriate surfactant agent is included in the eye drop formulation.

TABLE 3

Effect of Eye Drops Containing Insulin or Glucagon and 0.5% Decyl Maltoside,  
0.5% Dodecyl Sucrose, or 0.5% Tridecyl Maltoside  
on Blood Glucose Values in Rats

5

	Surfactant Agent		
	Dodecyl Sucrose	Decyl Maltoside	Tridecyl Maltoside
Time (min)	Blood Glucose Concentration (mg/dl)		
-20	266	249	255
-10	305	287	307
<b>Insulin eye drops added</b>			
0	351	337	323
10	347	304	309
20	252	292	217
30	161	221	131
40	120	164	100
50	105	138	87
60	114	114	107
70	113	104	115
80	104	110	79
90	86	120	85
100	113	92	76
110	107	81	74
120	112	87	75
<b>Glucagon eye drops added</b>			
130	111	95	82
140	143	99	121
150	202	132	148
160	247	157	173
170	242	171	162
180	234	180	162
190	211	189	156

10

15

20

25

30

Throughout this application, various publications are referenced. The disclosures of these publications in their entireties are hereby incorporated by reference into this application in order to more fully describe the state of the art to which this invention pertains.

5

Although the present process has been described with reference to specific details of certain embodiments thereof, it is not intended that such details should be regarded as limitations upon the scope of the invention except as and to the extent that they are included in the accompanying claims.

10



What is claimed is:

1. A method of increasing absorption of a compound into the circulatory system of a subject comprising administering via the ocular, nasal, nasolacrimal, or inhalation route the compound and an absorption increasing amount of a suitable nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide.
2. The method of Claim 1, wherein the alkyl glycoside has a concentration in the range of about 0.01% to 1.0%.
3. The method of Claim 1, wherein the alkyl has from 9 to 24 carbons.
4. The method of Claim 1, wherein the alkyl glycoside further has a hydrophile-lipophile balance number in the range of about 10 to 20.
5. The method of Claim 1, wherein the linkage is selected from the group consisting of a glycosidic linkage, a thioglycosidic linkage, an amide linkage, a ureide linkage and an ester linkage.
6. The method of Claim 1, wherein the saccharide has a ring structure containing at least one sulfur atom.
7. The method of Claim 1, wherein the monosaccharide residues of the saccharide are linked by a sulfur atom.
8. The method of Claim 3, wherein the alkyl has from 9 to 14 carbon atoms.
9. The method of Claim 8, wherein the saccharide is selected from the group consisting of maltose, sucrose and glucose.
10. The method of Claim 1, wherein the compound is a protein or a peptide.

11. The method of Claim 10, wherein the protein or peptide drug is selected from the group consisting of insulin and glucagon.
12. The method of Claim 10, and further comprising administering a protease or peptidase inhibitor.
13. The method of Claim 1, wherein the compound is administered in a format selected from the group consisting of a drop, a spray, an aerosol and a sustained-release format.
14. A method of lowering blood glucose level in a subject comprising administering via the ocular, nasal, nasolacrimal or inhalation route, a blood glucose-reducing amount of a composition comprising insulin and an absorption increasing amount of a suitable nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, thereby increasing the absorption of insulin and lowering the level of blood glucose.
15. The method of Claim 14, wherein the alkyl glycoside has a concentration in the range of about 0.01% to 1.0%.
16. The method of Claim 14, wherein the alkyl has from 9 to 24 carbons.
17. The method of Claim 16, wherein the saccharide is selected from the group consisting of maltose, sucrose and glucose.
18. The method of Claim 14, wherein the lowering of the blood glucose level is sufficient to treat diabetes mellitus.
19. A method of raising blood glucose level in a subject comprising administering via the ocular, nasal, nasolacrimal or inhalation route a blood glucose-raising amount of a suitable composition comprising glucagon and an absorption increasing amount of a suitable nontoxic, nonionic alkyl glycoside

having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, thereby increasing the absorption of glucagon and raising the level of blood glucose.

20. The method of Claim 19, wherein the alkyl glycoside has a concentration in the range of 0.01% and 1.0%.

21. The method of Claim 19, wherein the alkyl has from 9 to 24 carbons.

22. The method of Claim 21, wherein the saccharide is selected from the group consisting of maltose, sucrose and glucose.

23. The method of Claim 19, wherein the raising of blood glucose level is sufficient to treat hypoglycemia.

24. A composition comprising (a) a nontoxic, nonionic alkyl glycoside having a hydrophobic alkyl joined by a linkage to a hydrophilic saccharide, in concentration in the range of 0.01% to 1.0%, capable of increasing absorption of a compound into the circulatory system of a patient and (b) an agent selected from the group consisting of insulin and glucagon.

INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US94/07123

<b>A. CLASSIFICATION OF SUBJECT MATTER</b>		
IPC(5) :A61K 31/70, 37/26, 31/28 US CL :514/2, 4, 8, 25 According to International Patent Classification (IPC) or to both national classification and IPC		
<b>B. FIELDS SEARCHED</b>		
Minimum documentation searched (classification system followed by classification symbols) U.S. : 514/2, 4, 8, 25		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) APS		
<b>C. DOCUMENTS CONSIDERED TO BE RELEVANT</b>		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	INTERNATIONAL JOURNAL OF PHARMACEUTICS, Volume 79, issued 1992, Murakami et al, "Assessment of Enhancing Ability of Medium-Chain Alkyl Saccharides as new Absorption Enhancers in Rat Rectum", pages 159-169.	1-24
X	JOURNAL OF CONTROLLED RELEASE, Volume 19, issued 1992, Hovgaard et al, "Insulin Stabilization and GI Absorption", pages 99-108.	1-24
X	CHEMICAL PHARMACOLOGICAL BULLETIN, Volume 39, No. 2, issued 1991, Ogiso et al, "Percutaneous Absorption of Elcatonin and Hypocalcemic Effect in Rat", pages 449-453.	1-24
<input type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.		
*A*	Special categories of cited documents: document defining the general state of the art which is not considered to be of particular relevance	*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
*E*	earlier document published on or after the international filing date	*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
*L*	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
*O*	document referring to an oral disclosure, use, exhibition or other means	*Z* document member of the same patent family
*P*	document published prior to the international filing date but later than the priority date claimed	
Date of the actual completion of the international search 15 SEPTEMBER 1994	Date of mailing of the international search report 28 SEP 1994	
Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer EVERETT WHITE Telephone No. (703) 308-0196	<i>D. Kuyza for</i>



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

<p>(51) International Patent Classification <sup>7</sup> : <b>A61K 31/52, 9/06, 9/107, 47/26</b></p>	<p><b>A1</b></p>	<p>(11) International Publication Number: <b>WO 00/01390</b>  (43) International Publication Date: 13 January 2000 (13.01.00)</p>
<p>(21) International Application Number: PCT/EP99/04606 (22) International Filing Date: 2 July 1999 (02.07.99)  (30) Priority Data: MI98A001528 3 July 1998 (03.07.98) IT  (71) Applicant (for all designated States except US): RECORDATI S.A. CHEMICAL AND PHARMACEUTICAL COMPANY [CH/CH]; Piazza Boffalora, 4, CH-6830 Chiasso (CH).  (72) Inventors; and (75) Inventors/Applicants (for US only): SANTUS, Giancarlo [IT/IT]; Via Zuara, 8, I-20146 Milan (IT). MARCELLONI, Luciano [IT/IT]; Via Albino, 12, I-20147 Milan (IT). GOLZI, Roberto [IT/IT]; Via E. Toti, 26, I-26100 Cremona (IT).  (74) Agent: GERVASI, Gemma; Notarbartolo &amp; Gervasi S.p.A., Corso di Porta Vittoria, 9, I-20122 Milan (IT).</p>		<p>(81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).</p> <p><b>Published</b> <i>With international search report.</i></p>
<p>(54) Title: TOPICAL ACICLOVIR FORMULATIONS</p>		
<p>(57) Abstract</p>		
<p>Described are topical formulations for the administration of aciclovir. These formulations can be used in the preventive and therapeutic treatment of infections from <i>Herpes virus</i> and are characterised by the presence of sucrose esters as promoters of active ingredient absorption.</p>		

*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.

AL	Albania	ES	Spain	LS	Lesotho	SI	Slovenia
AM	Armenia	FI	Finland	LT	Lithuania	SK	Slovakia
AT	Austria	FR	France	LU	Luxembourg	SN	Senegal
AU	Australia	GA	Gabon	LV	Latvia	SZ	Swaziland
AZ	Azerbaijan	GB	United Kingdom	MC	Monaco	TD	Chad
BA	Bosnia and Herzegovina	GE	Georgia	MD	Republic of Moldova	TG	Togo
BB	Barbados	GH	Ghana	MG	Madagascar	TJ	Tajikistan
BE	Belgium	GN	Guinea	MK	The former Yugoslav Republic of Macedonia	TM	Turkmenistan
BF	Burkina Faso	GR	Greece	ML	Mali	TR	Turkey
BG	Bulgaria	HU	Hungary	MN	Mongolia	TT	Trinidad and Tobago
BJ	Benin	IE	Ireland	MR	Mauritania	UA	Ukraine
BR	Brazil	IL	Israel	MW	Malawi	UG	Uganda
BY	Belarus	IS	Iceland	MX	Mexico	US	United States of America
CA	Canada	IT	Italy	NE	Niger	UZ	Uzbekistan
CF	Central African Republic	JP	Japan	NL	Netherlands	VN	Viet Nam
CG	Congo	KE	Kenya	NO	Norway	YU	Yugoslavia
CH	Switzerland	KG	Kyrgyzstan	NZ	New Zealand	ZW	Zimbabwe
CI	Côte d'Ivoire	KP	Democratic People's Republic of Korea	PL	Poland		
CM	Cameroon	KR	Republic of Korea	PT	Portugal		
CN	China	KZ	Kazakistan	RO	Romania		
CU	Cuba	LC	Saint Lucia	RU	Russian Federation		
CZ	Czech Republic	LI	Liechtenstein	SD	Sudan		
DE	Germany	LK	Sri Lanka	SE	Sweden		
DK	Denmark	LR	Liberia	SG	Singapore		
EE	Estonia						

## TOPICAL ACICLOVIR FORMULATIONS

**Field of invention**

Object of the present invention are topical formulations useful in the treatment of viral infections of the skin and mucous membranes, which contain the active ingredient 9-(2-hydroxymethoxymethyl)guanine, known as aciclovir, and are characterised by the inclusion of sucrose esters as absorption promoters.

**Previous art**

Aciclovir, its salts and the esters derived from it, have long been known for their antiviral action, as extensively described in the British patent GB 1,523,865. Several topical formulations containing aciclovir have been described in the previous art. In particular, patent EP 44,543 describes formulations of aciclovir in oil/water mixtures which contain at least 30% of a polyvalent alcohol miscible with water, and patent application WO 97/34,607 describes topical oil-in-water formulations containing at least 10% diethylene glycol monoethylether known by the commercial name Transcutol®.

The present invention relates to topical formulations for the administration of aciclovir, which contain a sucroester as an element promoting absorption of the active ingredient through the skin.

The sucroesters are sucrose esters obtained by reaction of sucrose with one or more fatty acids having a linear chain with an even number of carbon atoms ranging from 12 to 18, are widely used and have many applications in the pharmaceutical and food fields. These esters are commercially known by the name SUCROESTER® (Gattefossé S.A. - Saint Priest - France) or CRODESTA® (Croda Surfactants Ltd. - Goole - UK).

Sucroesters belong to the class of non-ionic surfactants, are endowed with good stability and do not undergo - after preparation of the finished products - any hydrolytic processes of a chemical or enzymatic nature. Being made up of a sugar with fatty acids, they are absolutely harmless compounds and not at all aggressive against the skin, thus being an excipient capable of meeting all of the cosmetic requirements of a topical preparation.

**Description of invention**

It has now been found, and it is an object of the present invention, that, when a sucrose ester is added to the ingredients of topical formulations for the administration of aciclovir via emulsified mixtures of lipids in water, these formulations become particularly effective in improving absorption and tolerance of aciclovir compared to both the commercial formulations and those described in the previous art.

The topical formulations which are an object of the invention comprise: from 0.1% to 10% w/w of aciclovir or any of its salts or any of its esters; from 0.1% to 40% w/w of a sucrose ester; from 20% to 40% w/w of water, incorporated in a mixture with an oily phase.

The lipidic component of the emulsion is made up of known materials and is emulsified with the aqueous component in accordance with processes known in the art. One or more emulsifying agents can be added to the ingredient of the lipidic phase, which can be a fat or an oil, to make the emulsion stable in time.

The ingredients of the oily phase are chosen predominantly on the basis of the cosmetic characteristics desired in the finished products since the solubility of aciclovir in oils and fats is confined to a limited range.

Example of the lipidic materials which can be used are linear or branched mono- or dialkylesters of esters of fatty acids such as, for example, isopropylmyristate and isopropylpalmitate, mixtures of cetyl and stearyl alcohol known by the commercial name Crodamol<sup>®</sup>, high-molecular-weight lipids such as white paraffin or liquid paraffin and other mineral oils.

Examples of emulsifiers and emulsion stabilising agents include cetyl alcohol, sodium lauryl sulphate, stearyl alcohol, polyoxyethylene alkylesters such as Brij<sup>®</sup> 72 and 721 and polyoxystearyl esters such as Steareth<sup>®</sup> 2 and 21.

In addition to water, the aqueous phase of the emulsion can also contain other ingredients such as glycerine and glycol. However, the amount of these ingredients is preferably lower than 30%.

Based on what described in the previous art (EP 044 543), an amount higher than 30% of polyalcohols such as glycerine and glycol is normally added to the



aqueous phase to be used for the emulsion in order to increase aciclovir solubility in the phase.

However, the presence of an amount of propylene glycol in amounts higher than 30% can cause poor-skin-tolerance reactions due to the dehydrating action peculiar to this glycol. This is particularly important when the topical preparation is to be applied onto areas of skin which is no longer sound, as is the case of lesions caused by *Herpes labialis*.

It has now been found, and it is an object of the invention, that the addition of esters of sucrose to the formulation ingredients allows these amounts of glycol in the formulation to be reduced far below 30%, at the same time increasing the therapeutic and cosmetic efficacy of the formulation thanks to the ability of sucroesters to act as promoters of the absorption of the active ingredient through the skin.

The sucroesters being substances which result from the combination of sucrose with normal food fats and, in particular, myristic acid, oleic acid, palmitic acid or stearic acid, they have a molecular structure with amphiphilic characteristics, both lipophilic and hydrophilic. These amphiphilic characteristics can be appropriately modulated using the sucroester most suitable for the various absorption requirements. In fact, the higher the number of sugar hydroxyls substituted by fatty acids, the more the lipophilic characteristics of sucroesters increase, and vice versa.

Thanks to the contemporary presence of hydrophilic and lipophilic groups in the molecule and the resulting ability of distribution in the skin layers with lipophilic characteristics (the horny layer) and the layers with hydrophilic characteristics (the dermis), the sucroesters are thus capable of acting as absorption promoters, helping permeation of substances which would otherwise be poorly absorbed.

Among the various types of sucroesters, the monoesters are particularly useful in helping formation of oil-in-water emulsions. The sucrose monoesters are scarcely soluble in cold water, while they are soluble in hot water, ethyl alcohol and acetone. Their amphiphilic characteristics are represented by HLB (Hydrophilic Lipophilic Balance) values which can range from 7 to 14. For example: sucrose

monopalmitate (HLB 14), sucrose mono/distearate (HLB 11), sucrose distearate (HLB 7).

For a typical implementation of the present invention, sucrose monopalmitate is preferred among the monoesters for its high HLB value which, in addition to  
5 helping formation of an oil-in-water emulsion, contributes to stabilising it.

The preferred composition ratios (w/w) for a formulation suitable for the administration of aciclovir according to the present invention include: sucrose monopalmitate 15%, aciclovir 5%, cetostearyl alcohol 3-10%, propylene glycol 5-30%, mineral oil 5-15%, Steareth® 21 2-5%, sodium lauryl sulphate 0.1-1%,  
10 purified water as needed to reach 100%.

Optionally, although it has been found that the addition of these preservatives is not strictly necessary for storage in time of the topical formulations described in the present invention, one or more preservatives such as, for example, p-oxybenzoates, sodium benzoate, benzalkonium chloride and the like, can be  
15 added to these formulations as a precautionary complement in case of long-term storage.

A process to prepare the above topical formulations, too, is an integrant part of the invention. This process consists in stirring aciclovir or any of its salts or esters, a sucrose ester, the active ingredients, the excipients making up the oily phase and  
20 those making up the aqueous phase in a suitable emulsifier, up to formation of an oil/water emulsion.

The method of formulating the emulsion can vary depending on the amount and nature of the ingredients and follows the processes known in emulsion formation described, for example, in A. R. Gennaro: "Remington: The Science and Practice  
25 of Pharmacy", 19th Ed., Ch. 21, 282-291, Mack Publ. Co. (1995).

The preferred method is that of hot(70°C)-suspending aciclovir in the aqueous phase together with the sucrose esters, sodium lauryl sulphate, propylene glycol and to finally add this mixture to the ingredients of the fatty phase kept in a melted state at a temperature of about 60 to 70°C. The emulsion forms after the addition  
30 of the aqueous phase to the vigorously-stirred oily phase.

The preferred apparatus for formation of the emulsion is a turboemulsifier, which

allows vigorous stirring under vacuum, thus avoiding incorporation of air and the consequent formation of bubbles in the final cream.

The topical formulation prepared in accordance with the invention can be used for the treatment or prevention of viral infections caused by *Herpes zoster*, *Herpes varicella* and type-1 or 2 *Herpes simplex*. In particular, it was found to be useful in cases of *Herpes labialis*. The formulation should be applied to the skin 1 to 6 times daily, preferably from 3 to 5 times.

It is also obvious that the formulations referred to in the present invention, even though they are conceived in particular for the administration of aciclovir and its derivatives, can easily adapt to the topical administration of other antiviral analogues of aciclovir such as, for example, famciclovir, penciclovir, valaciclovir and the like, or their synergetic combinations with other antiviral agents such as derivatives of guanine, vidarabine, citarabine and the like.

Provided below are some examples which are only meant to better describe the subject invention and show its advantages and applicability, but without being a limitation of same.

#### EXAMPLE 1

Aciclovir	5 %
Sucrose	15%
monopalmitate	
Cetostearyl alcohol	6.75%
Propylene glycol	20%
Sodium lauryl sulphate	0.75%
Poloxamer 407	1%
Mineral oil	5%
Stringy petrolatum	12.5%
Water	34%

An oily phase was prepared by melting a mixture made up of stringy petrolatum, mineral oil and cetostearyl alcohol at 60°C. An aqueous solution made up of sodium lauryl sulphate, Poloxamer<sup>®</sup> 407, propylene glycol, sucrose monopalmitate

and water in which micronised aciclovir had been hot(60°C)-dispersed was slowly added to the hot-stirred oily phase, and allowed to cool to ambient temperature. The cream which formed was filled into 10-gram aluminium tubes internally coated with epoxy resin.

5 EXAMPLE 2

Micronised aciclovir	5 %
Sucrose distearate	20%
Cetostearyl alcohol	6.75%
Propylene glycol	20%
Sodium lauryl sulphate	0.75%
Poloxamer <sup>®</sup> 407	1%
Mineral oil	5%
Stringy petrolatum	12.5%
Water q.s. to	100%

An oily phase was prepared by melting at 60°C made up of stringy petrolatum, mineral oil and cetostearyl alcohol. An aqueous phase made up of sodium lauryl sulphate, Poloxamer<sup>®</sup> 407, propylene glycol, sucrose distearate and water in  
10 which micronised aciclovir had been hot(70°C)-suspended, was added to the oily phase. Addition was slow with continuous hot-stirring, and cooling to ambient temperature was allowed. The cream which formed was filled into 5-gram aluminium tubes internally coated with epoxy resin.

EXAMPLE 3

Aciclovir	5%
Sucrose	15%
mono/distearate	
Stearyl alcohol	5%
Cetyl alcohol	5%
Propylene glycol	15%
Brij® 721	2,5%
Brij® 72	2,5%
Mineral oil	5%
Stringy petrolatum	12.5%
Water q.s. to	100%

An oily phase made up of stringy petrolatum, mineral oil, cetyl and stearyl alcohol was prepared by melting at 60°C. An aqueous solution made up of Brij® 721 and  
5 Brij® 72, propylene glycol, sucrose mono/distearate and water in which micronised aciclovir had been hot(60°C)-suspended, was added to the oily phase. Addition was slow with continuous hot-stirring, and cooling to ambient temperature was allowed.

EXAMPLE 4

A formulation having the following composition was prepared:

Micronised aciclovir	263 g
Sucroester® WE 15*	750 g
Cetostearyl alcohol	338 g
Propylene glycol	1000 g
Sodium lauryl sulphate	37 g
Poloxamer® 407**	50 g
Mineral oil	250 g
Stringy petrolatum	625 g
Water	1700 g

\* Sucrose monopalmitate

\*\* Copolymer of polyoxyethylene-polyoxypropylene

5

The ingredients of a fatty phase made up of stringy petrolatum, mineral oil and cetostearyl alcohol, were transferred into a Pressindustria-5L turboemulsifier. The temperature was brought to 60°C and the ingredients were allowed to melt for about 30 minutes. Water, sodium lauryl sulphate, Poloxamer® 407 were  
10 separately added into a 5-L dissolution tank and the mixture was heated to 70°C. After complete dissolution of the mixture, propylene glycol and sucrose monopalmitate were added and stirred for about 30 minutes at a temperature of 70°C. After achieving again complete dissolution, micronised aciclovir was added and suspended with stirring using an UltraTurrax® homogeniser, and a constant  
15 temperature was maintained. A 70 mmHg vacuum was created in the turboemulsifier and the turbine was started at 2800 rpm, stirring at 45 rpm. The homogeneous suspension made up of the aqueous phase at 65°C was slowly added to the stirred oily phase contained in the turboemulsifier, maintaining the temperature at 60°C, vacuum at 70 mmHg and stirring constant for 20 minutes. In  
20 the end cooling to ambient temperature was allowed for about 2 hours. The cream, with a homogeneous appearance, pH 7.1 and a viscosity of 12,000 cps, was filled into 5- or 10-gram tubes.

**EXAMPLE 5**

A sample of cream containing 5% aciclovir marketed by Glaxo-Wellcome with the name Zovirax<sup>®</sup> Cream and having the following per-cent w/w composition:

Aciclovir	5%
Cetostearyl alcohol	6.75%
Propylene glycol	40%
Sodium lauryl sulphate	0.75%
Poloxamer 407	1%
Mineral oil	5%
Stringy petrolatum	12.5%
Water	29.0%

5 was used as a reference standard for permeation studies.

The cream described in Example 1 was compared with the above commercial cream Zovirax<sup>®</sup> using a percutaneous absorption apparatus (Crown Glass Company, New Jersey, USA) which uses continuous-flow Bronaugh cells to measure permeation through the skin of Guinea pigs (R. Bronaugh et al., Journal  
10 Pharmaceutical Sciences, 74, 64-67 (1985)).

The skin of Guinea pigs was mounted on Bronaugh cells having a surface of 0.3 sq.cm. to which an amount of cream equal to 200-250 mg was applied. A solution of phosphate buffer pH 7.4 was circulated for 48 hours and the various fractions were collected every 8 hours. The collected fractions were analysed by a reverse-  
15 phase HPLC method using a Waters-625 apparatus with a C18 $\mu$  Bondapack column, injecting 20  $\mu$ l, eluting with the mobile phase water:methanol:acetic-acid (840/160/1) at a rate of 1 ml/minute, determining absorption with a UV detector at 254 nm. The results of the permeation test are shown in Table 1 below:

TABLE 1

Formulation	Cumulative amount permeated in 48 hours
Cream Example 1	370.7 $\mu\text{g}/\text{sq.cm.}$
Zovirax <sup>®</sup> 5% Cream	274.8 $\mu\text{g}/\text{sq.cm.}$

It is obvious that the formulation in Example 1 could permeate through the skin layer in 48 hours an amount of aciclovir higher by at least 25% than the amount which was permeated by the commercial reference formulation Zovirax<sup>®</sup> 5% Cream. Based on this, the formulation which is an object of the invention allows improved drug permeation through the skin and induces improved drug absorption and, as a result, improved therapeutic efficacy.



**CLAIMS**

- 1 1. A pharmaceutical composition for the topical treatment of viral infections,  
2 comprising aciclovir, or any of its salts or esters, and a mixture of lipid ingredients  
3 in water, such composition containing from 0.1% to 40% w/w of a sucrose ester.
- 1 2. A pharmaceutical composition in accordance with claim 1, characterised by the  
2 fact that the mixture is an emulsion made up of a lipid phase, an aqueous phase,  
3 emulsifiers and emulsion-stabilising agents.
- 1 3. A pharmaceutical composition in accordance with claim 2, characterised by the  
2 fact that the ingredients of the lipid phase are chosen from a group made up of  
3 linear or branched mono- or dialkylesters of fatty acid esters, mixtures of cetyl and  
4 stearyl alcohol and high-molecular-weight lipids.
- 1 4. A pharmaceutical composition in accordance with claim 2, characterised by the  
2 fact that the ingredients of the aqueous phase include a total amount of glycerine  
3 and propylene glycol lower than 30% w/w.
- 1 5. A pharmaceutical composition in accordance with claim 2, characterised by the  
2 fact that the emulsifiers and emulsion-stabilising agents are chosen from a group  
3 made up of cetyl alcohol, sodium lauryl sulphate, stearyl alcohol, cetostearyl  
4 alcohol, polyoxyethylene alkylethers and polyoxy stearylethers.
- 1 6. A pharmaceutical composition in accordance with claim 1, characterised by the  
2 fact that the sucrose ester is a monoester of a fatty acid having an even number of  
3 carbon atoms.
- 1 7. A pharmaceutical composition in accordance with claim 6, characterised by the  
2 fact that the esterifying fatty acid is chosen from a group made up of myristic acid,  
3 oleic acid, palmitic acid and stearic acid.
- 1 8. A pharmaceutical composition in accordance with any preceding claim,  
2 comprising the following per-cent w/w ratios referred to the total weight of the  
3 composition: aciclovir, or any of its salts or any of its esters: from 0.1% to 10%;  
4 sucrose ester: from 0.1% to 40%; water in admixture with a phase of oily  
5 ingredients: from 20% to 40%.
- 1 9. A pharmaceutical composition in accordance with claim 1, comprising the  
2 following percent w/w ratios referred to the total weight of the composition:

3 aciclovir (5%), sucrose monopalmitate (15%), cetostearyl alcohol (6.75%),  
4 propylene glycol (20%), sodium lauryl sulphate (0.75%), Poloxamer ® 407 (1%),  
5 mineral oil (5%), stringy pertolatum (12.5%), water (34%).

1 10. A process for the preparation of the pharmaceutical composition described in  
2 claims 1-9, characterised by stirring: aciclovir or any of its salts or esters, a  
3 sucrose ester, the excipients making up the lipid phase and the excipients making  
4 up the aqueous phase in a turboemulsifier until a stable emulsion is obtained.

1 11. The use of a pharmaceutical composition in accordance with any preceding  
2 claim in preparing a medication useful in the treatment or prevention of viral  
3 infections caused by *Herpes zoster*, *Herpes varicella* and type-1 or 2 *Herpes*  
4 *simplex*.

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 99/04606

**A. CLASSIFICATION OF SUBJECT MATTER**

IPC 7 A61K31/52 A61K9/06 A61K9/107 A61K47/26

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5 447 729 A (G.W.BELENDUIK ET AL.) 5 September 1995 (1995-09-05) claims 1,4-9,12,16 examples column 2, line 15 - line 43 ---	1-11
Y	WO 95 26715 A (DUMEX) 12 October 1995 (1995-10-12) claims 1,6,9,14,20,26,46 page 5, line 11 - line 14 page 8, line 23 - line 24 page 10, line 1 - line 4 page 19, line 6 ---	1-11
Y	WO 96 40144 A (PHARMAVENE) 19 December 1996 (1996-12-19) claims 1-9,14-22 ---	1-11
	-/--	

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

20 October 1999

Date of mailing of the international search report

26/10/1999

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Scarponi, U

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 99/04606

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 044 543 A (WELLCOME) 27 January 1982 (1982-01-27) cited in the application the whole document ----	1-11
A	WO 97 34607 A (GLAXO) 25 September 1997 (1997-09-25) cited in the application the whole document ----	1-11
A	WO 97 09978 A (M.WEIDNER) 20 March 1997 (1997-03-20) claims 1-5,30 page 6, line 6 - line 12 page 13, line 5 page 15, line 7 - line 11 ----	1-11
A	WO 95 16434 A (LIDAK) 22 June 1995 (1995-06-22) the whole document ----	1-11
A	WO 94 20072 A (PHARMACIA) 15 September 1994 (1994-09-15) claims 1,7,8,25,31,32 -----	1-11

# INTERNATIONAL SEARCH REPORT

information on patent family members

International Application No

PCT/EP 99/04606

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5447729 A	05-09-1995	AU 695053 B	06-08-1998
		AU 2276095 A	30-10-1995
		CA 2187202 A	19-10-1995
		EP 0754031 A	22-01-1997
		JP 9511744 T	25-11-1997
		WO 9527479 A	19-10-1995
WO 9526715 A	12-10-1995	AT 180971 T	15-06-1999
		AU 685262 B	15-01-1998
		AU 2255095 A	23-10-1995
		CA 2186750 A	12-10-1995
		DE 69510190 D	15-07-1999
		EP 0752855 A	15-01-1997
		FI 963867 A	27-11-1996
		JP 9510980 T	04-11-1997
		NO 964113 A	27-11-1996
		WO 9640144 A	19-12-1996
AU 702377 B	18-02-1999		
AU 5968996 A	30-12-1996		
CA 2224230 A	19-12-1996		
EP 0840611 A	13-05-1998		
JP 11506759 T	15-06-1999		
EP 44543 A	27-01-1982	GB 2080106 A, B	03-02-1982
		AR 225680 A	15-04-1982
		AT 381025 B	11-08-1986
		AT 318081 A	15-01-1986
		AU 547391 B	17-10-1985
		AU 7307381 A	21-01-1982
		BG 60450 B	28-04-1995
		CA 1172169 A	07-08-1984
		CS 229674 B	18-06-1984
		CY 1309 A	06-12-1985
		DD 203464 A	26-10-1983
		DK 321681 A, B,	19-01-1982
		ES 504046 A	01-04-1983
		FI 812257 A, B,	19-01-1982
		GR 75104 A	13-07-1984
		HK 95485 A	06-12-1985
		IE 51120 B	01-10-1986
		IL 63351 A	31-10-1983
		IT 1171399 B	10-06-1987
		JP 1048885 B	20-10-1989
		JP 1563405 C	12-06-1990
		JP 57042615 A	10-03-1982
		KE 3561 A	01-11-1985
		LT 2117 R	15-08-1993
		LV 5174 A	10-10-1993
		MC 1408 A	16-07-1982
		MY 38986 A	31-12-1986
NZ 197744 A	10-05-1983		
PH 16308 A	05-09-1983		
PT 73391 A, B	01-08-1981		
RO 82678 A	23-05-1984		
SG 72085 G	02-05-1986		
SU 1375113 A	15-02-1988		
US 4963555 A	16-10-1990		

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No  
PCT/EP 99/04606

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 44543 A		ZA 8104925 A ZW 17181 A	23-02-1983 23-02-1983
WO 9734607 A	25-09-1997	AU 2036297 A	10-10-1997
WO 9709978 A	20-03-1997	AU 6869996 A	01-04-1997
WO 9516434 A	22-06-1995	AU 693476 B AU 7719294 A CA 2156063 A CN 1142764 A EP 0738141 A JP 9506612 T SG 43833 A US 5534554 A	02-07-1998 03-07-1995 22-06-1995 12-02-1997 23-10-1996 30-06-1997 14-11-1997 09-07-1996
WO 9420072 A	15-09-1994	CA 2091152 A AU 676279 B AU 6225394 A EP 0687172 A FI 954143 A JP 8507515 T NO 953461 A NZ 262541 A US 5785976 A US 5885486 A	06-09-1994 06-03-1997 26-09-1994 20-12-1995 19-10-1995 13-08-1996 06-11-1995 24-04-1997 28-07-1994 23-03-1999

(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
3 March 2005 (03.03.2005)

PCT

(10) International Publication Number  
WO 2005/018565 A2

(51) International Patent Classification<sup>7</sup>: A61K  
(21) International Application Number: PCT/US2004/027156  
(22) International Filing Date: 18 August 2004 (18.08.2004)  
(25) Filing Language: English  
(26) Publication Language: English  
(30) Priority Data:  
60/560,748 21 August 2003 (21.08.2003) US  
60/598,672 3 August 2004 (03.08.2004) US  
(71) Applicant (for all designated States except US): TRANSORAL PHARMACEUTICALS, INC. [US/US]; 300 Tamal Plaza, Suite 220, Corte Madera, CA 94925 (US).

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

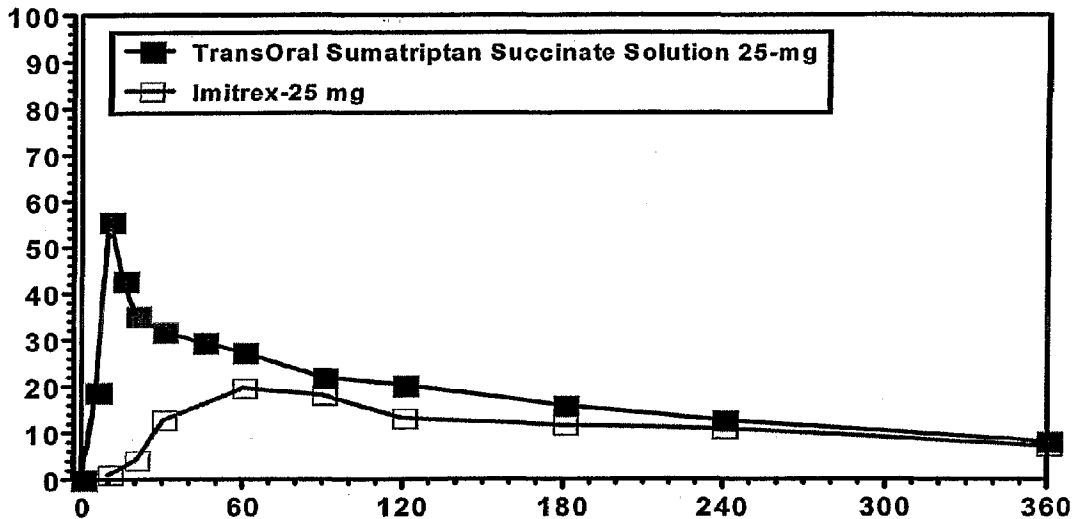
(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(72) Inventor; and  
(75) Inventor/Applicant (for US only): SINGH, Nikhilesh, N. [US/US]; 1220 Shelter Bay Avenue, Mill Valley, CA 94941 (US).  
(74) Agents: KEZER, William, B. et al.; Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834 (US).

Published: — without international search report and to be republished upon receipt of that report

[Continued on next page]

(54) Title: COMPOSITIONS FOR DELIVERING 5-HT AGONISTS ACROSS THE ORAL MUCOSA AND METHODS OF USE THEREOF



(57) Abstract: The present invention provides novel compositions for the delivery of a 5-hydroxytryptamine (5-HT) agonist across the oral mucosa. In particular, the buffer system in the compositions of the present invention raises the pH of saliva to a pH greater than about 9.9, thereby facilitating the substantially complete conversion of the 5-HT agonist from its ionized to its un-ionized form. As a result, the dose of 5-HT agonist is rapidly and efficiently absorbed by the oral mucosa. Furthermore, delivery of the 5-HT agonist across the oral mucosa advantageously bypasses hepatic first pass metabolism of the drug and avoids enzymatic degradation of the drug within the gastrointestinal tract. Methods for using the compositions of the present invention for treating migraines are also provided.

WO 2005/018565 A2



---

*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*



**COMPOSITIONS FOR DELIVERING 5-HT AGONISTS ACROSS THE  
ORAL MUCOSA AND METHODS OF USE THEREOF**

**CROSS-REFERENCES TO RELATED APPLICATIONS**

5 [0001] This application claims priority to each of USSN 10/646,659, filed August 21, 2003 and USSN 60/598,672 filed August 3, 2004 (Atty Docket No. 022205-000310US), the disclosures of each being incorporated herein by reference.

**STATEMENT AS TO RIGHTS TO INVENTIONS MADE UNDER  
FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT**

10

[0002] NOT APPLICABLE

**REFERENCE TO A "SEQUENCE LISTING," A TABLE, OR A COMPUTER  
PROGRAM LISTING APPENDIX SUBMITTED ON A COMPACT DISK**

15

[0003] NOT APPLICABLE

**BACKGROUND OF THE INVENTION**

[0004] While there are various types of dosage forms, solid dosage forms for oral administration are perhaps among the most preferred by patients, and among the most  
20 prevalently used. These dosage forms are typically medicaments formulated as tablets, capsules, or liquids, which are swallowed. Oral administration, however, has several disadvantages, such as drug losses during hepatic first pass metabolism, during enzymatic degradation within the GI tract, and during absorption. These drug losses not only increase the variability in drug response, but also often require that the medicament be given in greater  
25 initial doses. In addition, because the drug has to pass through the gastrointestinal system in order to enter the blood stream, the time to reach a therapeutic effect may be quite long, typically around forty-five minutes or longer.

[0005] Accordingly, other routes of drug administration have been investigated, including those involving transport across the mucous membranes. Of the various mucous membranes  
30 (*e.g.*, oral, rectal, vaginal, ocular, nasal, etc.), drug delivery via the mucous membranes in the

oral cavity seems to be the most easily tolerated by patients. In addition to avoiding the problems with traditional oral administration, drug delivery via the mucous membranes of the oral cavity has certain other advantages, due to the properties of the oral mucosa itself. For example, the mucous membranes of the oral cavity are highly vascularized and well supplied with lymphatic drainage sites.

[0006] In general, the mucous membranes of the oral cavity can be divided into five main regions: the floor of the mouth (sublingual), the cheeks (buccal), the gums (gingival), the roof of the mouth (palatal), and the lining of the lips. These regions differ from each other with respect to their anatomy, drug permeability, and physiological response to drugs. For example, in terms of permeability, sublingual is more permeable than buccal, which is more permeable than palatal. This permeability is generally based on the relative thickness and degree of keratinization of these membranes, with the sublingual mucosa being relatively thin and non-keratinized, the buccal mucosa being thicker and non-keratinized, and the palatal mucosa being intermediate in thickness, but keratinized.

[0007] In addition to the differences in permeability of the various mucous membranes, the extent of drug delivery is also affected by the properties of the drug to be delivered. The ability of a molecule to pass through any mucous membrane is dependent upon its size, its lipid solubility, and the extent to which it is ionized, among other factors.

[0008] The extent to which a drug is ionized has further been investigated with respect to drug delivery across the mucous membranes. Ionization is dependant on the dissociation constant, or pKa of the molecule, and the pH of the molecule's surrounding environment. In its un-ionized form, a drug is sufficiently lipophilic to traverse a membrane via passive diffusion. In fact, according to the pH partition hypothesis, only un-ionized, non-polar drugs will penetrate a lipid membrane.

[0009] At equilibrium, the concentrations of the un-ionized form of the drug are equal on both sides of the membrane. As the concentration gradient drives passive diffusion, an increase in the percentage of the un-ionized form of a drug correspondingly increases the transmucosal absorption of the drug. Maximum absorption across the membrane is thought to occur when a drug is 100% in its un-ionized form. Similarly, absorption across the membrane decreases as the extent of ionization increases. Therefore, one may influence the extent of drug absorption across the mucous membranes of the oral cavity by altering the salivary pH.

[0010] Some of the known transmucosal dosage forms include the use of a single buffering agent in order to change the pH of the saliva and tissues surrounding the buccal mucosa. However, these single buffering agents typically react with an acid or a base to create a final pH that is dependent upon the initial pH of the saliva of the user. A buffering agent used to attain a final pH that is dependent upon the initial pH of the user results in great variability. The extent of ionization, and hence the extent of absorption across the mucous membranes cannot be predicted with any sort of accuracy. This may pose significant problems when calculating precise doses, minimizing variability in patient response, and proving consistency in drug loading to the regulatory authorities. In addition, a single buffering agent is typically not capable of sustaining a given pH over a period of time for optimal absorption. While others in the art have disclosed the use of more than one buffering agent, these aforementioned problems are not easily cured by the nonchalant addition of an extra buffering agent, which may be unsafe and cause irreversible damage to the mucous membranes of the oral cavity. As such, a buffering system capable of achieving and sustaining a final pH independent of the initial pH in order to increase transmucosal absorption has not heretofore been demonstrated.

[0011] Similarly, a buffer system that facilitates substantially complete conversion of the ionized form of a drug to the un-ionized form in the shortest period of time, which is critical for producing rapid delivery of practically an entire drug dose across the oral mucosa, has not heretofore been demonstrated. Previous dosage forms resulted in great variability in drug delivery, due to the variability in the rates in which a drug was released from its carrier. That is, the rates of drug release in previously described chewing gums or lozenges are largely dependent upon the rate of chewing or sucking of the user. The variability in these rates from user to user further exacerbates the ability to predict the final amount of drug that will enter systemic circulation. In addition, the rate of drug release from chewing gums is further dependent upon the ability of the drug to be released from the gum base. Often times, the gum base strongly adheres to the drug, making portions of the drug unavailable for absorption.

[0012] Accordingly, there is a need in the art for compositions for delivering therapeutic agents across the oral mucosa having buffer systems that facilitate absorption of the agents in a safe and stable manner. Similarly, there is a need in the art for compositions for delivering therapeutic agents across the oral mucosa having a buffer system that produces a final pH, independent of the initial pH, and sustains that final pH for a given period of time. In

addition, there is a need in the art for compositions capable of rapidly facilitating substantially complete conversion of a therapeutic agent from its ionized to its un-ionized form. The present invention satisfies these and other needs.

5

### BRIEF SUMMARY OF THE INVENTION

[0013] The present invention provides novel compositions for the delivery of a 5-hydroxytryptamine (5-HT) agonist across the oral mucosa. In particular, the buffer system in the compositions of the present invention raises the pH of saliva to a pH greater than about 9.9, thereby facilitating the substantially complete conversion of the 5-HT agonist from its ionized to its un-ionized form. As a result, the dose of 5-HT agonist is rapidly and efficiently absorbed by the oral mucosa. Furthermore, delivery of the 5-HT agonist across the oral mucosa advantageously bypasses hepatic first pass metabolism of the drug and avoids enzymatic degradation of the drug within the gastrointestinal tract. Methods for using the compositions of the present invention for treating migraines are also provided.

10 [0014] As such, in one aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a metal oxide,

20

wherein the ternary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0015] In another aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- 25 (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a citrate, phosphate, or borate salt,

wherein the ternary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

30

[0016] In yet another aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a buffer system comprising a carbonate salt or a bicarbonate salt and two or more buffering agents selected from the group consisting of a metal oxide, a citrate salt, a phosphate salt, and a borate salt,

5 wherein the buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

**[0017]** In still yet another aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- 10 (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a binary buffer system comprising a carbonate salt or a bicarbonate salt and a metal oxide,

15 wherein the binary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

**[0018]** In a further aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- 20 (c) a binary buffer system comprising a carbonate salt or a bicarbonate salt and a citrate, phosphate, or borate salt,

wherein the binary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

**[0019]** In another aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a binary buffer system comprising a metal oxide and a citrate, phosphate, or borate salt,

30 wherein the binary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0020] In yet another aspect, the present invention provides a method for treating a migraine in a subject in need thereof, the method comprising:

administering to the subject a composition comprising a therapeutically effective amount of a 5-HT agonist or a pharmaceutically acceptable salt thereof, a carrier, and a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a metal oxide, wherein the ternary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0021] Other objects, features, and advantages of the present invention will be apparent to one of skill in the art from the following detailed description and figures.

10

### BRIEF DESCRIPTION OF THE DRAWINGS

[0022] Figure 1 shows the mean plasma concentration over time for Formulation A (25 mg buccal sumatriptan succinate solution) and Formulation B (25 mg Imitrex® oral tablet).

[0023] Figure 2 shows the pH stability of a 9 mg and a 12.5 mg sublingual sumatriptan composition of the present invention.

15

### DETAILED DESCRIPTION OF THE INVENTION

#### I. Definitions

[0024] As used herein, the following terms have the meanings ascribed to them unless specified otherwise.

20

[0025] The term "migraine" refers to an intense, throbbing, typically unilateral headache characterized by sharp pain and often accompanied by symptoms such as nausea, vomiting, sensitivity to light and/or sound, stuffy or runny nose, watery eyes, dizziness, mood changes, allodynia, and visual disturbances. Migraines are typically recurring headaches, and most migraine sufferers (*i.e.*, subjects) experience at least one migraine attack a month. Migraines can happen at any time and, if left untreated, can last from about 4 hours to about 3 days. One skilled in the art will appreciate that migraine symptoms can not only vary between subjects, but can also vary between migraine attacks in a given subject. The pain from a migraine is moderate to severe in intensity and can affect one of both sides of the head as well as other areas such as the back of the neck, the face, the eyes, and the sinuses. Types of migraine suitable for treatment with the compositions of the present invention include,

25  
30

without limitation, migraine without aura and migraine with aura. The term "migraine without aura" refers to the most common type of migraine and includes an intense, throbbing headache that is typically accompanied by sensitivity to light and/or sound. The term "migraine with aura" refers to a type of migraine that is preceded by aura.

5 [0026] As used herein, the term "aura" refers to the visual disturbances that some migraine sufferers have before a migraine attack. Aura typically develops gradually immediately preceding a migraine and lasts less than about an hour. Generally, about 3 out of every 10 subjects who suffer from migraines experience aura before a migraine attack. Aura is accompanied by symptoms including, without limitation, visual changes such as tunnel  
10 vision, blind spots, blurred vision, seeing flashing lights, seeing jagged lines, seeing spots, and difficulty in focusing; sensory or motor changes such as numbness or tingling of the lips, face, or hands on one or both sides and weakness in the arms and/or legs on one or both sides; and speech or language changes such as the inability to understand words, loss of speech, and the inability to speak normally.

15 [0027] The terms "therapeutic agent" and "drug" are used interchangeably herein to refer to a substance having a pharmaceutical, pharmacological, psychosomatic, or therapeutic effect. Preferably, the therapeutic agent or drug is a 5-hydroxytryptamine (5-HT) agonist. Suitable 5-HT agonists for use in the present invention include, without limitation, sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan, zolmitriptan, frovatriptan, F 11356,  
20 pharmaceutically acceptable salts thereof, and combinations thereof. In a particularly preferred embodiment, the 5-HT agonist is sumatriptan, in all suitable forms. In other embodiments of the present invention, the therapeutic agent or drug is a combination of a 5-HT agonist and a 5-HT antagonist. Suitable 5-HT antagonists for use in the present invention include, without limitation, ondansetron, palonosetron, tropisetron, lerisetron, alosetron,  
25 granisetron, dolasetron, bernesetron, ramosetron, azasetron, itasetron, zacopride, cilasetron, and any other 5-HT antagonist containing an imidazole, oxazole, thiazole, pyrazole, 3-pyrroline, or pyrrolidine group. In still other embodiments of the present invention, the therapeutic agent or drug is a combination of a 5-HT agonist and a non-steroidal anti-inflammatory drug (NSAID). Suitable NSAIDs for use in the present invention include,  
30 without limitation, traditional NSAIDs such as aspirin (*i.e.*, acetylsalicylic acid), ibuprofen, flurbiprofen, acetaminophen, diclofenac, diflunisal, etodolac, indomethacin, ketoprofen, ketorolac, naproxen, nabumetone, oxaprozin, piroxicam, sulindac, and tolmetin; selective

cyclooxygenase inhibitors such as celecoxib, rofecoxib, and valdecoxib; and combinations thereof.

[0028] The term "therapeutically effective amount" refers to the amount of a 5-HT agonist that is capable of achieving a therapeutic effect in a subject in need thereof. For example, a therapeutically effective amount of a 5-HT agonist can be the amount that is capable of preventing or relieving one or more symptoms associated with a migraine or a cluster headache.

[0029] The term "bioavailability" refers to the rate and/or extent to which a drug is absorbed or becomes available to the treatment site in the body.

[0030] As used herein, the phrase "substantially complete conversion of the 5-HT agonist from its ionized to its un-ionized form" refers to greater than about 50% conversion of the 5-HT agonist from its ionized form into its un-ionized form. For example, the buffer system may favor at least about 50%, 55%, 60%, 65%, 70%, 75%, 80%, 85%, 90%, 95%, or 99% conversion of the 5-HT agonist from its ionized form into its un-ionized form. In some embodiments, the conversion occurs within about 10 minutes following administration.

[0031] The term "administering" refers to administration of the compositions of the present invention to the mucous membranes of the oral cavity (*i.e.*, oral mucosa). Examples of suitable sites of administration within the oral mucosa include, without limitation, the mucous membranes of the floor of the mouth (sublingual mucosa), the cheeks (buccal mucosa), the gums (gingival mucosa), the roof of the mouth (palatal mucosa), the lining of the lips, and combinations thereof. Preferably, the compositions of the present invention are administered to the sublingual mucosa, buccal mucosa, or a combination thereof.

## II. General

[0032] The present invention provides novel compositions for the delivery of a 5-HT agonist across the oral mucosa. In particular, the buffer system in the compositions of the present invention raises the pH of saliva to a pH greater than about 9.9, thereby facilitating the substantially complete conversion of the 5-HT agonist from its ionized to its un-ionized form. Furthermore, delivery of the 5-HT agonist across the oral mucosa advantageously bypasses hepatic first pass metabolism of the drug and avoids enzymatic degradation of the drug within the gastrointestinal tract. As a result, the 5-HT agonist reaches the systemic circulation in a substantially shorter period of time and at a substantially higher concentration



than with traditional oral (*e.g.*, tablet) administration. Methods for using the compositions of the present invention for treating migraines are also provided.

[0033] The present invention is based upon the surprising discovery that the addition of an oxide component such as magnesium oxide to the buffer system is extremely beneficial for

- 5 (a) raising the pH of saliva to a pH of about 9.9 or more, irrespective of starting pH; (b) reducing the corrosivity of the carbonate component present in the buffer system; (c) serving as a secondary binding agent thereby eliminating the need for stearic acid; and (d) lowering the amount of the carbonate component needed to produce the desired pH. Without intending to be bound by any particular theory, it is believed that the oxide component (*e.g.*,  
10 magnesium oxide and aluminum oxide) acts as a cytoprotective agent, protecting cells against the high pH of carbonate and bicarbonate components present in the buffered compositions.

### III. Description of the Embodiments

[0034] The present invention provides, in one aspect, a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- 15 (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;  
(b) a carrier; and  
(c) a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a metal oxide,

wherein the ternary buffer system raises the pH of saliva to a pH greater than about 9.9  
20 irrespective of the starting pH of saliva.

[0035] In one embodiment, the ternary buffer system raises the pH of saliva to a pH of from about 9.9 to about 11, *e.g.*, about 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, irrespective of the starting pH of saliva. In another embodiment, the 5-HT agonist is selected from the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan,  
25 almotriptan, zolmitriptan, frovatriptan, and combinations thereof. In some embodiments, sumatriptan is the preferred 5-HT agonist. In certain instances, the composition further comprises a 5-HT antagonist. In certain other instances, the composition further comprises a non-steroidal anti-inflammatory drug (NSAID). In another embodiment, the carbonate salt is selected from the group consisting of sodium carbonate, potassium carbonate, calcium  
30 carbonate, ammonium carbonate, and magnesium carbonate. In yet another embodiment, the bicarbonate salt is selected from the group consisting of sodium bicarbonate, potassium bicarbonate, calcium bicarbonate, ammonium bicarbonate, and magnesium bicarbonate. In

still yet another embodiment, the metal oxide is amorphous magnesium oxide or aluminum oxide. In a preferred embodiment, the ternary buffer system comprises sodium carbonate, sodium bicarbonate, and amorphous magnesium oxide. In another preferred embodiment, the sodium bicarbonate is desiccant-coated sodium bicarbonate.

5 [0036] In another embodiment, the compositions of the present invention are in a dosage form selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a dissolving tablet such as a slow-dissolving tablet or a quick-dissolving tablet. Preferably, the composition is a lozenge or a dissolving tablet. A description of lozenge, chewing gum, and quick-dissolving tablet compositions containing a 5-HT agonist is provided in the  
10 Examples below.

[0037] In a preferred embodiment, the 5-HT agonist is delivered across an oral mucosa selected from the group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof. Preferably, the composition is administered sublingually so that the 5-HT agonist is delivered across the sublingual mucosa.

15 [0038] In another embodiment, the carrier is typically a solid, semi-solid, or liquid such as a binder, a gum base, or combinations thereof. Suitable binders for use in the compositions of the present invention include, without limitation, sugar alcohols such as mannitol, sorbitol, and xylitol; sugars such as lactose, dextrose, sucrose, glucose, and powdered sugar; other substances such as inositol, molasses, maltodextrin, starch, cellulose, microcrystalline  
20 cellulose, polyvinylpyrrolidone, acacia gum, guar gum, tragacanth gum, alginate, extract of Irish moss, panwar gum, ghatti gum, mucilage of isapol husks, Veegum<sup>®</sup>, larch arabogalactan, gelatin, methylcellulose, ethylcellulose, carboxymethylcellulose, hydroxypropylmethylcellulose, polyacrylic acid (*e.g.*, Carbopol), calcium silicate, calcium phosphate, dicalcium phosphate, calcium sulfate, kaolin, sodium chloride, polyethylene  
25 glycol; and combinations thereof. Suitable gum bases for use in the compositions of the present invention include, for example, materials selected from among the many water-insoluble and saliva-insoluble gum base materials known in the art. In certain instances, the gum base comprises at least one hydrophobic polymer and at least one hydrophilic polymer. Non-limiting examples of suitable hydrophobic and hydrophilic polymers for gum bases  
30 include both natural and synthetic polymers such as elastomers, rubbers, and combinations thereof. Examples of suitable natural polymers include, without limitation, substances of plant origin such as chicle, jelutong, gutta percha, crown gum, and combinations thereof.

Examples of suitable synthetic polymers include elastomers such as butadiene-styrene copolymers, isobutylene and isoprene copolymers (*e.g.*, "butyl rubber"), polyethylene, polyisobutylene, polyvinylester (*e.g.*, polyvinyl acetate and polyvinyl acetate phthalate), and combinations thereof. In other instances, the gum base comprises a mixture of butyl rubber  
5 (*i.e.*, isobutylene and isoprene copolymer), polyisobutylene, and optionally, polyvinylacetate (*e.g.*, having a molecular weight of approximately 12,000).

[0039] In yet another embodiment, the compositions of the present invention can further comprise a sweetening agent, a flavoring agent, a protecting agent, a plasticizer, a wax, an elastomeric solvent, a filler material, a preservative, or combinations thereof. In still yet  
10 another embodiment, the compositions of the present invention can further comprise a lubricating agent, a wetting agent, an emulsifying agent, a solubilizing agent, a suspending agent, a coloring agent, a disintegrating agent, or combinations thereof. In a preferred embodiment, the average particle size of the drug in the compositions described herein is about 20 microns, as compared to a typical average drug particle size of from about 75 to  
15 about 100 microns. In another preferred embodiment, the average particle size of the drug in the compositions described herein is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).

[0040] In preferred embodiments of the present invention, the 5-HT agonist is sumatriptan and the ternary buffer system comprises sodium carbonate, sodium bicarbonate, and  
20 amorphous magnesium oxide. Such compositions are preferably formulated in the form of a lozenge, candy, or dissolving tablet for sublingual administration. As a result, upon sublingual administration, sumatriptan is delivered across the sublingual mucosa. Preferably, the sodium bicarbonate is desiccant-coated sodium bicarbonate. In certain instances, a weight percent of amorphous magnesium oxide greater than or equal to the combined or individual  
25 weight percent of sodium carbonate and sodium bicarbonate is preferred. In certain other instances, a weight percent of amorphous magnesium oxide less than the combined or individual weight percent of sodium carbonate and sodium bicarbonate is used, *e.g.*, from about 0.1% to about 10%.

[0041] In certain instances, the composition comprises from about 2.5 to about 4.5 weight  
30 percent sumatriptan; from about 4.0 to about 7.0 weight percent sodium carbonate; from about 8.0 to about 12.0 weight percent desiccant-coated sodium bicarbonate; and from about 20 to about 30 weight percent amorphous magnesium oxide. In a preferred embodiment, the

composition comprises about 3.5 weight percent sumatriptan; about 5.5 weight percent sodium carbonate; about 9.0 weight percent dessicant-coated sodium bicarbonate; and about 25 weight percent amorphous magnesium oxide.

[0042] In another aspect, the present invention provides a composition for delivery of a 5-

5 HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a citrate, phosphate, or borate salt,

10 wherein the ternary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0043] In one embodiment, the ternary buffer system raises the pH of saliva to a pH of from about 9.9 to about 11, irrespective of the starting pH of saliva. Suitable 5-HT agonists for use in the present invention are described above. Suitable carbonate salts and bicarbonate  
15 salts for use in the ternary buffer systems of the present invention are also described above. In certain instances, the composition further comprises a 5-HT antagonist. In certain other instances, the composition further comprises an NSAID.

[0044] Suitable citrate, phosphate, and borate salts include, without limitation, any salt of citric acid, phosphoric acid, or boric acid known in the art. For example, in some  
20 embodiments, the citrate salt is selected from the group consisting of sodium citrate, potassium citrate, calcium citrate, magnesium citrate, and ammonium citrate. In other embodiments, the phosphate salt is selected from the group consisting of monobasic sodium phosphate, dibasic sodium phosphate, monobasic potassium phosphate, dibasic potassium phosphate, monobasic calcium phosphate, dibasic calcium phosphate, monobasic magnesium  
25 phosphate, dibasic magnesium phosphate, monobasic ammonium phosphate, and dibasic ammonium phosphate. In yet other embodiments, the borate salt is selected from the group consisting of sodium borate, potassium borate, calcium borate, magnesium borate, and ammonium borate. In certain instances, the ternary buffer system comprises a carbonate salt, a bicarbonate salt, and a citrate salt. In certain other instances, the ternary buffer system  
30 comprises a carbonate salt, a bicarbonate salt, and a phosphate salt. In further instances, the ternary buffer system comprises a carbonate salt, a bicarbonate salt, and a borate salt.

[0045] In another embodiment, the compositions of the present invention are in any of the dosage forms described above. Preferably, the 5-HT agonist is delivered across an oral mucosa as described above. In yet another embodiment, the carrier is selected from the group consisting of a binder, a gum base, and combinations thereof. Suitable binders and gum bases for use in the compositions of the present invention are described above.

[0046] In still yet another embodiment, the compositions of the present invention can further comprise one or more of the additional agents described above. In preferred embodiments, the average particle size of the drug in the compositions described herein is about 20 microns and/or is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).

[0047] In preferred embodiments of the present invention, the 5-HT agonist is sumatriptan and the ternary buffer system comprises sodium carbonate, sodium bicarbonate, and a citrate, phosphate, or borate salt. Such compositions are preferably formulated in the form of a lozenge, candy, or dissolving tablet for sublingual administration.

[0048] In yet another aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a buffer system comprising a carbonate salt or a bicarbonate salt and two or more buffering agents selected from the group consisting of a metal oxide, a citrate salt, a phosphate salt, and a borate salt,

wherein the buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0049] In one embodiment, the buffer system raises the pH of saliva to a pH of from about 9.9 to about 11, irrespective of the starting pH of saliva. Suitable 5-HT agonists for use in the present invention are described above. Suitable carbonate salts and bicarbonate salts for use in the buffer systems of the present invention are also described above. In certain instances, the composition further comprises a 5-HT antagonist. In certain other instances, the composition further comprises an NSAID.

[0050] In another embodiment, the metal oxide is magnesium oxide or aluminum oxide. Preferably, the magnesium oxide is amorphous magnesium oxide. Suitable citrate, phosphate, and borate salts include, without limitation, any salt of citric acid, phosphoric

acid, or boric acid known in the art such as those described above. In certain instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a metal oxide, and a citrate, phosphate, or borate salt. In certain other instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a citrate salt, and a phosphate salt. In certain instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a citrate salt, and a borate salt. In certain other instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a phosphate salt, and a borate salt.

[0051] In yet another embodiment, the compositions of the present invention are in any of the dosage forms described above. Preferably, the 5-HT agonist is delivered across an oral mucosa as described above. In still yet another embodiment, the carrier is selected from the group consisting of a binder, a gum base, and combinations thereof. Suitable binders and gum bases for use in the compositions of the present invention are described above.

[0052] In a further embodiment, the compositions of the present invention can further comprise one or more of the additional agents described above. In preferred embodiments, the average particle size of the drug in the compositions described herein is about 20 microns and/or is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).

[0053] In preferred embodiments of the present invention, the 5-HT agonist is sumatriptan and the buffer system comprises sodium carbonate or sodium bicarbonate and two or more buffering agents selected from the group consisting of a metal oxide, a citrate salt, a phosphate salt, and a borate salt. Such compositions are preferably formulated in the form of a lozenge, candy, or dissolving tablet for sublingual administration.

[0054] In still yet another aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a binary buffer system comprising a carbonate salt or a bicarbonate salt and a metal oxide,

wherein the binary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0055] In one embodiment, the binary buffer system raises the pH of saliva to a pH of from about 9.9 to about 11, irrespective of the starting pH of saliva. Suitable 5-HT agonists for use

in the present invention are described above. Suitable carbonate salts, bicarbonate salts, and metal oxides for use in the binary buffer systems of the present invention are also described above. In certain instances, the composition further comprises a 5-HT antagonist. In certain other instances, the composition further comprises an NSAID.

5 [0056] In another embodiment, the compositions of the present invention are in any of the dosage forms described above. Preferably, the 5-HT agonist is delivered across an oral mucosa as described above. In yet another embodiment, the carrier is selected from the group consisting of a binder, a gum base, and combinations thereof. Suitable binders and gum bases for use in the compositions of the present invention are described above.

10 [0057] In still yet another embodiment, the compositions of the present invention can further comprise one or more of the additional agents described above. In preferred embodiments, the average particle size of the drug in the compositions described herein is about 20 microns and/or is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).

15 [0058] In preferred embodiments of the present invention, the 5-HT agonist is sumatriptan and the binary buffer system comprises sodium carbonate or sodium bicarbonate and amorphous magnesium oxide. Such compositions are preferably formulated in the form of a lozenge, candy, or dissolving tablet for sublingual administration. In certain instances, a weight percent of amorphous magnesium oxide greater than or equal to the weight percent of  
20 sodium carbonate or sodium bicarbonate is preferred. In certain other instances, a weight percent of amorphous magnesium oxide less than the weight percent of sodium carbonate or sodium bicarbonate is used, *e.g.*, from about 0.1% to about 10%.

[0059] In a further aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- 25 (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;  
(b) a carrier; and  
(c) a binary buffer system comprising a carbonate salt or a bicarbonate salt and a citrate, phosphate, or borate salt,

wherein the binary buffer system raises the pH of saliva to a pH greater than about 9.9  
30 irrespective of the starting pH of saliva.

[0060] In one embodiment, the binary buffer system raises the pH of saliva to a pH of from about 9.9 to about 11, irrespective of the starting pH of saliva. Suitable 5-HT agonists for use

in the present invention are described above. Suitable carbonate salts, bicarbonate salts, and citrate, phosphate, and borate salts for use in the binary buffer systems of the present invention are also described above. In certain instances, the composition further comprises a 5-HT antagonist. In certain other instances, the composition further comprises an NSAID.

5 [0061] In another embodiment, the compositions of the present invention are in any of the dosage forms described above. Preferably, the 5-HT agonist is delivered across an oral mucosa as described above. In yet another embodiment, the carrier is selected from the group consisting of a binder, a gum base, and combinations thereof. Suitable binders and gum bases for use in the compositions of the present invention are described above.

10 [0062] In still yet another embodiment, the compositions of the present invention can further comprise one or more of the additional agents described above. In preferred embodiments, the average particle size of the drug in the compositions described herein is about 20 microns and/or is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).

15 [0063] In preferred embodiments of the present invention, the 5-HT agonist is sumatriptan and the binary buffer system comprises sodium carbonate or sodium bicarbonate and a citrate, phosphate, or borate salt. Such compositions are preferably formulated in the form of a lozenge, candy, or dissolving tablet for sublingual administration.

[0064] In another aspect, the present invention provides a composition for delivery of a 5-HT agonist across the oral mucosa, the composition comprising:

- (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;
- (b) a carrier; and
- (c) a binary buffer system comprising a metal oxide and a citrate, phosphate, or borate salt,

25 wherein the binary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0065] In one embodiment, the binary buffer system raises the pH of saliva to a pH of from about 9.9 to about 11, irrespective of the starting pH of saliva. Suitable 5-HT agonists for use in the present invention are described above. Suitable metal oxides and citrate, phosphate, and borate salts for use in the binary buffer systems of the present invention are also described above. In certain instances, the composition further comprises a 5-HT antagonist. In certain other instances, the composition further comprises an NSAID.



[0066] In another embodiment, the compositions of the present invention are in any of the dosage forms described above. Preferably, the 5-HT agonist is delivered across an oral mucosa as described above. In yet another embodiment, the carrier is selected from the group consisting of a binder, a gum base, and combinations thereof. Suitable binders and gum bases for use in the compositions of the present invention are described above.

[0067] In still yet another embodiment, the compositions of the present invention can further comprise one or more of the additional agents described above. In preferred embodiments, the average particle size of the drug in the compositions described herein is about 20 microns and/or is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).

[0068] In preferred embodiments of the present invention, the 5-HT agonist is sumatriptan and the binary buffer system comprises amorphous magnesium oxide and a citrate, phosphate, or borate salt. Such compositions are preferably formulated in the form of a lozenge, candy, or dissolving tablet for sublingual administration.

[0069] In yet another aspect, the present invention provides a method for treating a migraine in a subject in need thereof, the method comprising:  
administering to the subject a composition comprising a therapeutically effective amount of a 5-HT agonist or a pharmaceutically acceptable salt thereof, a carrier, and a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a metal oxide, wherein the ternary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva.

[0070] In a preferred embodiment, the composition delivers the 5-HT agonist across the oral mucosa such as, for example, the sublingual mucosa, the buccal mucosa, or a combination thereof. Preferably, the composition is administered sublingually so that the 5-HT agonist is delivered across the sublingual mucosa. Suitable migraines that can be treated with the compositions of the present invention include, without limitation, a migraine without aura and a migraine with aura.

[0071] In one embodiment, the ternary buffer system raises the pH of saliva to a pH of from about 9.9 to about 11, irrespective of the starting pH of saliva. Suitable 5-HT agonists for use in the present invention are described above. Suitable carbonate salts, bicarbonate salts, and metal oxides for use in the ternary buffer systems of the present invention are also

described above. In certain instances, the composition further comprises a 5-HT antagonist. In certain other instances, the composition further comprises an NSAID.

[0072] In addition to a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a metal oxide, other buffer systems are suitable for use in the compositions of the present invention. For example, in an alternative embodiment, the ternary buffer system comprises a carbonate salt, a bicarbonate salt, and a citrate, phosphate, or borate salt. In another alternative embodiment, the buffer system comprises a carbonate salt or a bicarbonate salt and two or more buffering agents selected from the group consisting of a metal oxide, a citrate salt, a phosphate salt, and a borate salt. In yet another alternative embodiment, the buffer system is a binary buffer system comprising a carbonate salt or a bicarbonate salt and a metal oxide. In still yet another alternative embodiment, the buffer system is a binary buffer system comprising a carbonate salt or a bicarbonate salt and a citrate, phosphate, or borate salt. In a further alternative embodiment, the buffer system is a binary buffer system comprising a metal oxide and a citrate, phosphate, or borate salt. In still yet another alternative embodiment, the buffer system is a binary buffer system comprising a carbonate salt and a bicarbonate salt, preferably sodium carbonate and sodium bicarbonate.

[0073] In another embodiment, the compositions of the present invention are in any of the dosage forms described above. In yet another embodiment, the carrier is selected from the group consisting of a binder, a gum base, and combinations thereof. Suitable binders and gum bases for use in the compositions of the present invention are described above.

[0074] In still yet another embodiment, the compositions of the present invention can further comprise one or more of the additional agents described above. In preferred embodiments, the average particle size of the drug in the compositions described herein is about 20 microns and/or is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).

[0075] In preferred embodiments of the present invention, the 5-HT agonist is sumatriptan and the ternary buffer system comprises sodium carbonate, sodium bicarbonate, and amorphous magnesium oxide. Such compositions are preferably formulated in the form of a lozenge, candy, or dissolving tablet for sublingual administration. In certain instances, a weight percent of amorphous magnesium oxide greater than or equal to the combined or individual weight percent of sodium carbonate and sodium bicarbonate is preferred. In certain other instances, a weight percent of amorphous magnesium oxide less than the

combined or individual weight percent of sodium carbonate and sodium bicarbonate is used, *e.g.*, from about 0.1% to about 10%.

#### A. 5-HT Agonists

5 [0076] The 5-hydroxytryptamine (5-HT) agonists of the present invention are preferably selected from sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan, zolmitriptan, frovatriptan, F 11356, pharmaceutically acceptable salts thereof, and combinations thereof. More preferably, the 5-HT agonist is sumatriptan, in all suitable forms. The 5-HT agonists described herein are basic compounds with selective or non-selective vasoactivity on blood vessels.

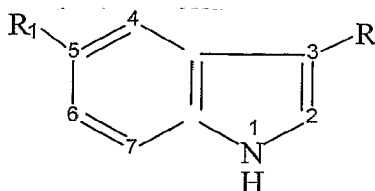
10 [0077] In general, the 5-HT agonists of the present invention have an ionized form and an un-ionized form. In certain instances, the 5-HT agonist is initially present at least partly in an ionized form. In certain other instances, the 5-HT agonist is initially present in an un-ionized form. As described in more detail below, the buffer system of the compositions described herein helps to convert substantially all of the 5-HT agonist from its ionized form to its un-  
15 ionized form. Alternatively, the buffer system helps ensure that the 5-HT agonist, initially in an un-ionized form, remains in an un-ionized form.

[0078] As used herein, the term "5-HT agonist" includes all pharmaceutically acceptable forms of the 5-HT agonist being described. For example, the 5-HT agonist can be in a racemic or isomeric mixture, a solid complex bound to an ion exchange resin, or the like. In  
20 addition, the 5-HT agonist can be in a solvated form. The term "5-HT agonist" is also intended to include all pharmaceutically acceptable salts, derivatives, and analogs of the 5-HT agonist being described, as well as combinations thereof. For example, the pharmaceutically acceptable salts of the 5-HT agonist include, without limitation, the succinate, tartarate, bitartarate, dihydrochloride, salicylate, hemisuccinate, citrate, maleate,  
25 hydrochloride, carbamate, sulfate, nitrate, and benzoate salt forms thereof, as well as combinations thereof and the like.

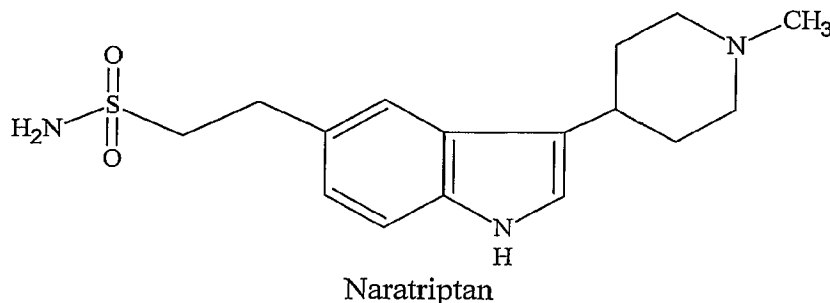
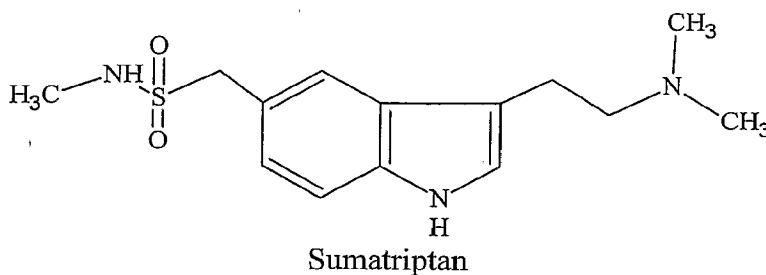
[0079] Conversion of the ionized form to the un-ionized form for the 5-HT agonist is related to pH according to the formula:  $\text{pH} = \text{pKa} + \text{Log}_{10} (\text{un-ionized concentration/ionized concentration})$ . When the pH is the same as the pKa, equimolar concentrations of the un-  
30 ionized form and ionized form exist. For basic compounds such as the 5-HT agonists described herein, when the pH is one unit higher than the pKa, the ratio of the un-ionized form to the ionized form is 91:9. Similarly, when the pH is two units higher than the pKa, the

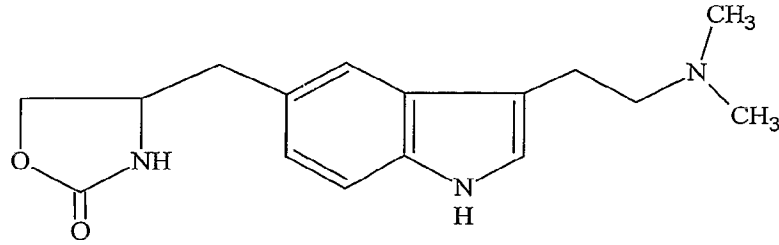
ratio of un-ionized form to the ionized form is 100:1. As noted above, the un-ionized form is lipophilic and, therefore, more capable of passing through mucous membranes such as the oral mucosa than the ionized form, which is lipophobic in nature. Accordingly, increasing the pH of the saliva favors conversion of the ionized form into the un-ionized form for basic compounds such as the 5-HT agonists described herein, and the final pH can be determined by making use of the above formula.

[0080] The 5-HT agonists of the present invention are indole derivatives useful in the treatment of conditions such as migraines, having the following basic indole nucleus:

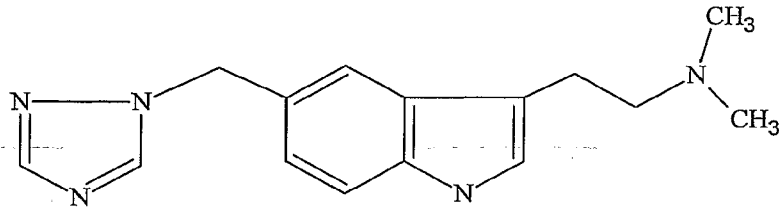


wherein R is typically an alkyl, alkenyl, cycloalkyl, or cycloalkenyl group and R<sub>1</sub> is typically a sulfonamide, an oxazolidinone, a triazole, or a sulfonyl group, any of which may be optionally substituted. More particularly, the 5-HT agonists of the present invention are preferably selected from the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan, zolmitriptan, frovatriptan, and F 11356, having the following structures:



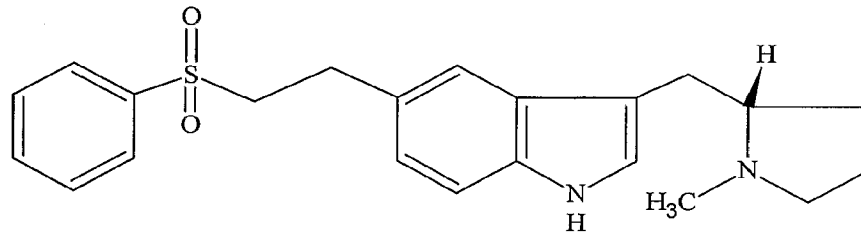


Zolmitriptan



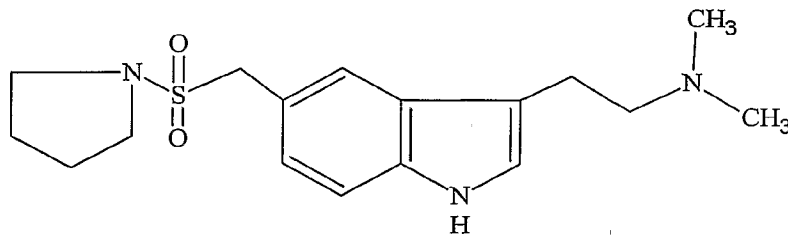
5

Rizatriptan

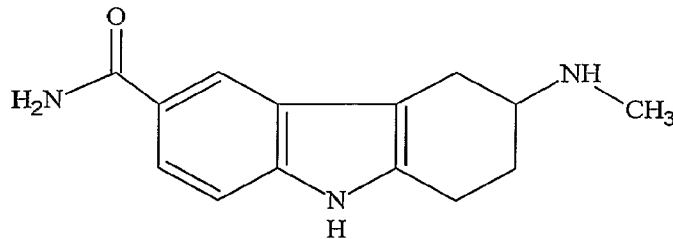


10

Eletriptan

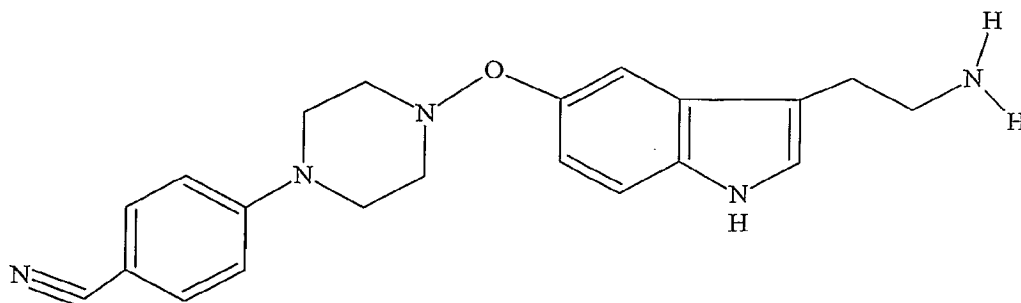


Almotriptan



15

Frovatriptan

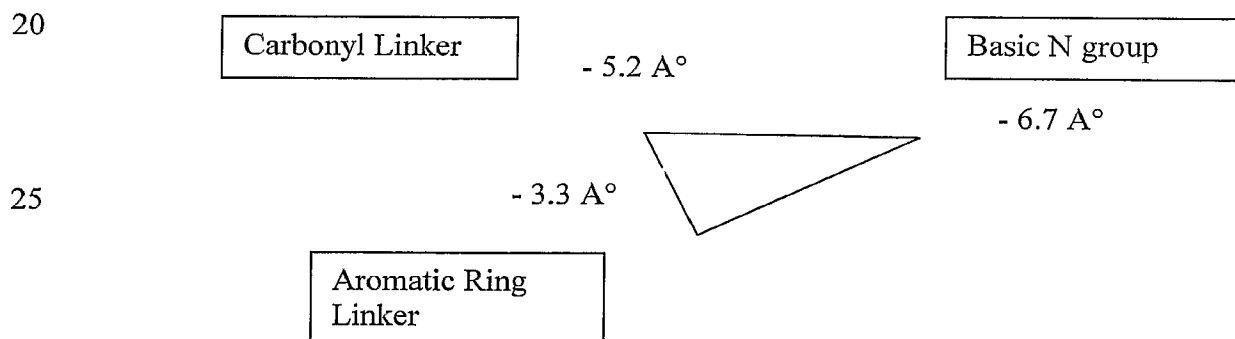


F 11356

[0081] For the above-described 5-HT agonists, the primary, secondary, or tertiary amines  
5 typically control the extent of ionization of the compound.

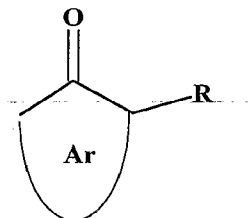
[0082] The 5-HT agonists of the present invention bind with high affinity to one or more 5-HT<sub>1</sub> receptor subtypes. Without being bound to any particular theory, the therapeutic activity of the 5-HT agonists of the present invention in treating migraines is attributed to one or more of the following mechanisms: (1) activation of 5-HT<sub>1</sub> receptors located on intracranial blood  
10 vessels (*e.g.*, arteriovenous anastomoses) by 5-HT agonists to stimulate vasoconstriction; and (2) activation of 5-HT<sub>1</sub> receptors located on sensory nerve endings in the trigeminal system to inhibit pro-inflammatory neuropeptide (*e.g.*, vasoactive intestinal peptide, substance P, calcitonin gene-related peptide) release.

[0083] In other embodiments of the present invention, a 5-HT antagonist and/or a non-steroidal anti-inflammatory drug (NSAID) is delivered in combination with a 5-HT agonist.  
15 5-HT antagonists typically consist of three main components: (1) an aromatic structure; (2) a carbonyl-containing linking moiety; and (3) an out-of-plane basic nitrogen containing heterocyclic group. These groups have the specific spatial arrangement shown below:



[0084] Suitable 5-HT antagonists for use in the present invention include, without limitation, 5-HT antagonists wherein the carbonyl linker is incorporated within the fused ring of the aromatic group (*see*, Table 1) and 5-HT antagonists wherein the carbonyl linker is directly attached (*i.e.*, as a spacer unit) to the aromatic ring and the basic nitrogen group (*see*, Table 2).

Table 1. 5-HT antagonists wherein the carbonyl linker is incorporated within the fused aromatic ring.



5-HT Antagonist	Ar	R
Ondansetron		
Cilasetron		
Alosetron		

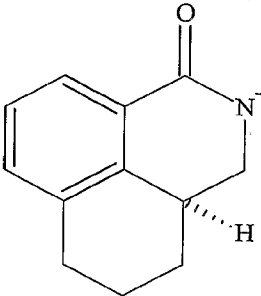
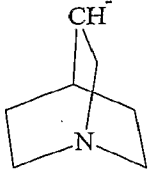
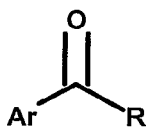
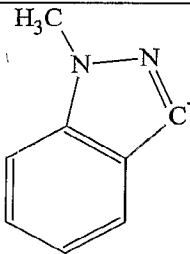
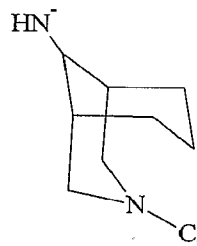
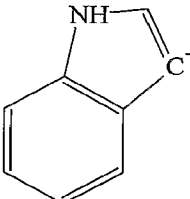
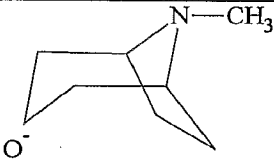
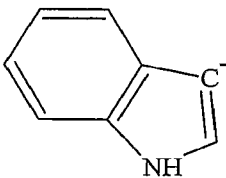
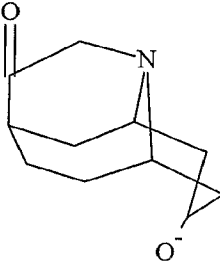
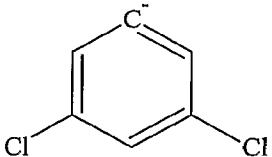
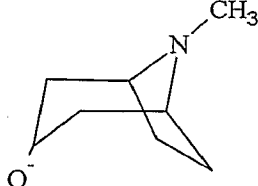
5-HT Antagonist	Ar	R
Palonosetron		

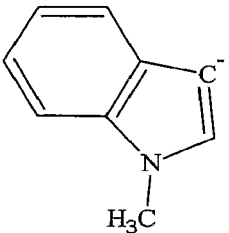
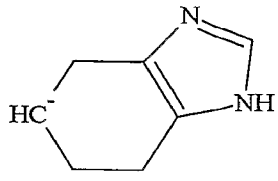
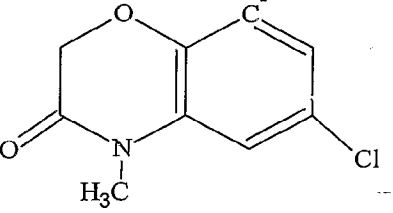
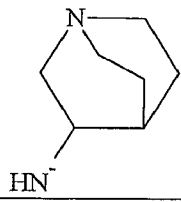
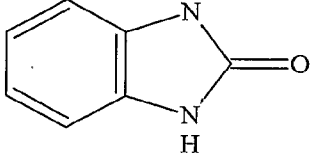
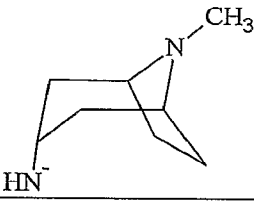
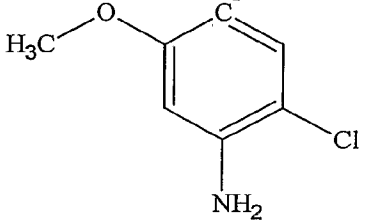
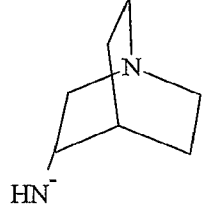
Table 2. 5-HT antagonists wherein the carbonyl linker is attached to the aromatic ring and the basic nitrogen group as a spacer.



5

5-HT Antagonist	Ar	R
Granisetron		
Tropisetron		
Dolasetron		
Bernesetron		



5-HT Antagonist	Ar	R
Ramosetron		
Azasetron		
Itasetron		
Zacopride		

[0085] As shown in Tables 1 and 2, the constant feature among the 5-HT antagonists is the basic nitrogen group. The basic nitrogen group can be classified generally as an imidazole group or as a nitrogen-containing heterobicyclic derivative.

- 5 [0086] Using the above formula, the overall lipophilicity and ionization of the 5-HT antagonists can be controlled and modulated by regulating the pH of the medium containing the 5-HT antagonist relative to the pKa of the basic nitrogen group. For example, 5-HT antagonists that contain nitrogen in an imidazole group have a pKa in the region of about 7.4, and can thus be substantially converted to their un-ionized, lipophilic form at a pH greater than about 8.4. Similarly, 5-HT antagonists that contain nitrogen in a bicyclic ring have a pKa of about 8.8, and can thus be substantially converted to their un-ionized, lipophilic form at a pH greater than about 9.8. Specific examples of suitable 5-HT antagonists for use in the present invention include, without limitation, ondansetron, palonosetron, tropisetron, 10 lerisetron, alosetron, granisetron, dolasetron, bernesetron, ramosetron, azasetron, itasetron,

zacopride, cilasetron, and any other 5-HT antagonist containing an imidazole, oxazole, thiazole, pyrazole, 3-pyrroline, or pyrrolidine group.

[0087] Suitable NSAIDs for use in the present invention include, without limitation, traditional NSAIDs such as aspirin (*i.e.*, acetylsalicylic acid), ibuprofen, flurbiprofen, acetaminophen, diclofenac, diflunisal, etodolac, indomethacin, ketoprofen, ketorolac, naproxen, nabumetone, oxaprozin, piroxicam, sulindac, and tolmetin; selective cyclooxygenase inhibitors such as celecoxib, rofecoxib, and valdecoxib; and combinations thereof.

### B. Buffer Systems

[0088] Although a binary composition of sodium carbonate and sodium bicarbonate can generally raise the pH of saliva to a level of about 8.0-9.8, the carbonate component must be present in an amount substantially higher than the bicarbonate component when a pH of about 9.0-9.8 is desired. However, with higher levels of carbonate, a corrosive effect on the oral mucosa and other oral tissues generally develops. As such, binary compositions containing only sodium carbonate and sodium bicarbonate have reduced utility for delivering the therapeutic agents of the present invention across the oral mucosa.

[0089] The present invention overcomes such limitations by providing, in one embodiment, ternary buffer systems comprising a carbonate salt, a bicarbonate salt, and an oxide component such as, for example, magnesium oxide or aluminum oxide. Although basic buffering agents are typically used in the buffer systems of the present invention, one skilled in the art will appreciate that acidic agents can also be used to adjust the pH of the buffer system as long as the buffer system as a whole raises the pH of saliva to a pH greater than about 9.9 (*e.g.*, about 9.9-11).

[0090] The concentration of each buffer system component is tailored such that the final salivary pH is achieved and sustained for a period of time, *e.g.*, for at least about 2 minutes, at least about 5 minutes, at least about 10 minutes, at least about 20 minutes, or at least about 60 minutes. This typically involves a sensory and safety procedure involving adjusting the amounts of each buffer system component and measuring the final pH over time. In this way, selection of an appropriate weight ratio for each buffer system component can be easily determined in just a few trials. For example, the weight ratio of carbonate salt to bicarbonate salt for a ternary buffer system can be from about 1:10 to about 10:1, preferably from about

1:5 to about 5:1, more preferably from about 1:3 to about 3:1, and still more preferably from about 1:2 to about 2:1.

[0091] The carbonate salt is generally selected from sodium carbonate, potassium carbonate, calcium carbonate, ammonium carbonate, and magnesium carbonate. Preferably, the carbonate salt is sodium carbonate or potassium carbonate. Most preferably, the carbonate salt is sodium carbonate. Similarly, the bicarbonate salt is generally selected from sodium bicarbonate, potassium bicarbonate, calcium bicarbonate, ammonium bicarbonate, and magnesium bicarbonate. Preferably, the bicarbonate salt is sodium bicarbonate or potassium bicarbonate. Most preferably, the bicarbonate salt is sodium bicarbonate. In some embodiments, a desiccant-coated sodium bicarbonate is preferred. The amount of carbonate salt and bicarbonate salt used in the ternary buffer system is an amount that is sufficient, when used with the metal oxide, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, *e.g.*, about 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, irrespective of the starting pH.

[0092] In certain instances, the amount of bicarbonate salt in the ternary buffer system is greater than or equal to the amount of carbonate salt. For example, the weight ratio of bicarbonate salt to carbonate salt can be from about 1:1 to about 10:1, preferably from about 1:1 to about 5:1, and more preferably from about 1:1 to about 3:1. In a particularly preferred embodiment, the weight ratio of bicarbonate salt to carbonate salt is from about 1.5:1 to about 2:1. In certain other instances, the amount of bicarbonate salt in the ternary buffer system is less than the amount of carbonate salt.

[0093] Quite surprisingly, the addition of an oxide component such as magnesium oxide as a third component of the ternary buffer system has now been found to be extremely beneficial for (a) raising the pH of saliva to a pH of about 9.9 or more, irrespective of starting pH; (b) reducing the corrosivity of the carbonate component; (c) serving as a secondary binding agent thereby eliminating the need for stearic acid; and (d) lowering the amount of the carbonate component needed to produce the desired pH. Without intending to be bound by any particular theory, it is believed that the oxide component (*e.g.*, magnesium oxide and aluminum oxide) acts as a cytoprotective agent, protecting cells against the high pH of carbonate and bicarbonate in the buffered compositions.

[0094] The amount of the oxide component used in the ternary buffer systems of the present compositions is an amount that is sufficient, when used with the remaining

components, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH. In some embodiments, amorphous magnesium oxide is preferred. In certain instances, the weight percent of the oxide component is greater than or equal to the combined weight percent of the carbonate salt and the bicarbonate salt. For example, the weight ratio of the oxide component to the carbonate salt and the bicarbonate salt can be from about 1:1 to about 10:1, preferably from about 1:1 to about 5:1, and more preferably from about 1:1 to about 3:1, and most preferably from about 1.5:1 to about 2:1. In certain other instances, the weight percent of the oxide component is greater than or equal to the weight percent of either the carbonate salt or the bicarbonate salt. In still other instances, the weight percent of the oxide component is less than the combined or individual weight percent of the carbonate salt and the bicarbonate salt, yet sufficient to provide an optimum pH of saliva as described above as well as good mouth feel properties.

[0095] In view of the above, the buffer systems of the present invention, in some of the most preferred embodiments, are ternary buffer systems containing sodium carbonate, sodium bicarbonate, and amorphous magnesium oxide.

[0096] Alternatively, in another embodiment, the buffer systems of the present invention are ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a third buffering agent such as a citrate, phosphate, or borate salt. The concentration of each buffer system component is tailored such that the final salivary pH is achieved and sustained for a period of time, *e.g.*, for at least about 2 minutes, at least about 5 minutes, at least about 10 minutes, at least about 20 minutes, or at least about 60 minutes.

[0097] Suitable carbonate salts and bicarbonate salts are described above. The amount of carbonate salt and bicarbonate salt used in the ternary buffer system is an amount that is sufficient, when used with the third buffering agent, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH.

[0098] The third buffering agent is generally selected from a citrate salt such as sodium citrate, potassium citrate, calcium citrate, magnesium citrate, and ammonium citrate; a phosphate salt such as monobasic sodium phosphate, dibasic sodium phosphate, monobasic potassium phosphate, dibasic potassium phosphate, monobasic calcium phosphate, dibasic calcium phosphate, monobasic magnesium phosphate, dibasic magnesium phosphate,

monobasic ammonium phosphate, and dibasic ammonium phosphate; a borate salt such as sodium borate, potassium borate, calcium borate, magnesium borate, and ammonium borate; an ascorbate salt such as potassium ascorbate or sodium ascorbate; an acetate salt such as potassium acetate or sodium acetate; and alkaline starch. However, one skilled in the art will appreciate that essentially any salt of citric acid, phosphoric acid, boric acid, ascorbic acid, or acetic acid is suitable for use in the buffer systems of the present invention. The amount of the third buffering agent used in the ternary buffer system is an amount that is sufficient, when used with the remaining components, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH.

[0099] In certain instances, the amount of the carbonate salt or bicarbonate salt in the ternary buffer system is greater than or equal to the amount of the third buffering agent. For example, the weight ratio of the carbonate salt or bicarbonate salt to the third buffering agent can be from about 1:1 to about 10:1, preferably from about 1:1 to about 5:1, and more preferably from about 1:1 to about 3:1. In certain other instances, the amount of the carbonate salt or bicarbonate salt in the ternary buffer system is less than or equal to the amount of the third buffering agent. For example, the weight ratio of the carbonate salt or bicarbonate salt to the third buffering agent can be from about 1:1 to about 1:10, preferably from about 1:1 to about 1:5, and more preferably from about 1:1 to about 1:3.

[0100] Alternatively, in yet another embodiment, the buffer systems of the present invention are buffer systems comprising a carbonate salt or a bicarbonate salt and two or more buffering agents selected from the group consisting of a metal oxide, a citrate salt, a phosphate salt, and a borate salt. The concentration of each buffer system component is tailored such that the final salivary pH is achieved and sustained for a period of time, *e.g.*, for at least about 2 minutes, at least about 5 minutes, at least about 10 minutes, at least about 20 minutes, or at least about 60 minutes.

[0101] Suitable carbonate salts and bicarbonate salts are described above. The amount of carbonate salt or bicarbonate salt used in the buffer system is an amount that is sufficient, when used with the remaining components, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH.

**[0102]** The two or more buffering agents are generally selected from a metal oxide, a citrate salt, a phosphate salt, a borate salt, an ascorbate salt, an acetate salt, and alkaline starch. Suitable metal oxides include, without limitation, magnesium oxide and aluminum oxide. Suitable citrate, phosphate, borate, ascorbate, and acetate salts include, without  
5 limitation, essentially any salt of citric acid, phosphoric acid, boric acid, ascorbic acid, or acetic acid known in the art such as those described above. The amount of the additional buffering agents used in the buffer system is an amount that is sufficient, when used with the carbonate salt or bicarbonate salt, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH.

**[0103]** In certain instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a metal oxide, and a citrate, phosphate, or borate salt. Preferably, the metal oxide is amorphous magnesium oxide. In certain other instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a citrate salt, and a phosphate salt. In certain instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a citrate salt, and a borate  
15 salt. In certain other instances, the buffer system comprises a carbonate salt or a bicarbonate salt, a phosphate salt, and a borate salt.

**[0104]** In certain instances, the amount of the carbonate salt or bicarbonate salt in the buffer system is greater than or equal to the amount of the metal oxide or the citrate, phosphate, or borate salt. For example, the weight ratio of the carbonate salt or bicarbonate salt to the  
20 metal oxide or the citrate, phosphate, or borate salt can be from about 1:1 to about 10:1, preferably from about 1:1 to about 5:1, and more preferably from about 1:1 to about 3:1. In certain other instances, the amount of the carbonate salt or bicarbonate salt in the buffer system is less than or equal to the amount of the metal oxide or the citrate, phosphate, or borate salt. For example, the weight ratio of the carbonate salt or bicarbonate salt to the  
25 metal oxide or the citrate, phosphate, or borate salt can be from about 1:1 to about 1:10, preferably from about 1:1 to about 1:5, and more preferably from about 1:1 to about 1:3.

**[0105]** Alternatively, in still yet another embodiment, the buffer systems of the present invention are binary buffer systems comprising a carbonate salt or a bicarbonate salt and a metal oxide. The concentration of each buffer system component is tailored such that the  
30 final salivary pH is achieved and sustained for a period of time, *e.g.*, for at least about 2 minutes, at least about 5 minutes, at least about 10 minutes, at least about 20 minutes, or at least about 60 minutes.

[0106] Suitable carbonate salts, bicarbonate salts, and metal oxides are described above. The amount of carbonate salt or bicarbonate salt used in the binary buffer system is an amount that is sufficient, when used with the oxide component, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, 5 irrespective of the starting pH. In certain instances, the amount of the oxide component in the binary buffer system is greater than or equal to the amount of either the carbonate salt or bicarbonate salt. For example, the weight ratio of the oxide component to the carbonate salt or bicarbonate salt can be from about 1:1 to about 10:1, preferably from about 1:1 to about 5:1, and more preferably from about 1:1 to about 3:1. In certain other instances, the amount 10 of the oxide component in the binary buffer system is less than the amount of either the carbonate salt or bicarbonate salt.

[0107] Alternatively, in a further embodiment, the buffer systems of the present invention are binary buffer systems comprising a carbonate salt or a bicarbonate salt and a second buffering agent such as a citrate, phosphate, or borate salt. The concentration of each buffer 15 system component is tailored such that the final salivary pH is achieved and sustained for a period of time, *e.g.*, for at least about 2 minutes, at least about 5 minutes, at least about 10 minutes, at least about 20 minutes, or at least about 60 minutes.

[0108] Suitable carbonate salts and bicarbonate salts are described above. The amount of carbonate salt or bicarbonate salt used in the binary buffer system is an amount that is 20 sufficient, when used with the second buffering agent, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH. In certain instances, the amount of the second buffering agent in the binary buffer system is greater than or equal to the amount of either the carbonate salt or bicarbonate salt. For example, the weight ratio of the second buffering agent to the 25 carbonate salt or bicarbonate salt can be from about 1:1 to about 10:1, preferably from about 1:1 to about 5:1, and more preferably from about 1:1 to about 3:1. In certain other instances, the amount of the second buffering agent in the binary buffer system is less than or equal to the amount of either the carbonate salt or bicarbonate salt. For example, the weight ratio of the second buffering agent to the carbonate salt or bicarbonate salt can be from about 1:1 to 30 about 1:10, preferably from about 1:1 to about 1:5, and more preferably from about 1:1 to about 1:3.

[0109] The second buffering agent is generally selected from a citrate salt, a phosphate salt, a borate salt, an ascorbate salt, an acetate salt, and alkaline starch as described above. The amount of the second buffering agent used in the binary buffer system is an amount that is sufficient, when used with the carbonate salt or bicarbonate salt, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH.

[0110] Alternatively, in another embodiment, the buffer systems of the present invention are binary buffer systems comprising a metal oxide and a citrate, phosphate, or borate salt. The concentration of each buffer system component is tailored such that the final salivary pH is achieved and sustained for a period of time, *e.g.*, for at least about 2 minutes, at least about 5 minutes, at least about 10 minutes, at least about 20 minutes, or at least about 60 minutes.

[0111] The metal oxide is typically magnesium oxide or aluminum oxide. Preferably, the magnesium oxide is amorphous magnesium oxide. Suitable citrate, phosphate, and borate salts include, without limitation, essentially any salt of citric acid, phosphoric acid, or boric acid known in the art such as those described above. The amount of the metal oxide used in the binary buffer system is an amount that is sufficient, when used with the citrate, phosphate, or borate salt, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH. Similarly, the amount of the citrate, phosphate, or borate salt used in the binary buffer system is an amount that is sufficient, when used with the metal oxide, to raise salivary pH to a pH of about 9.5, preferably about 9.9 or more, and more preferably from about 9.9 to about 11, irrespective of the starting pH.

[0112] In certain instances, the amount of the metal oxide in the binary buffer system is greater than or equal to the amount of the citrate, phosphate, or borate salt. For example, the weight ratio of the metal oxide to the citrate, phosphate, or borate salt can be from about 1:1 to about 10:1, preferably from about 1:1 to about 5:1, and more preferably from about 1:1 to about 3:1. In certain other instances, the amount of the metal oxide in the binary buffer system is less than or equal to the amount of the citrate, phosphate, or borate salt. For example, the weight ratio of the metal oxide to the citrate, phosphate, or borate salt can be from about 1:1 to about 1:10, preferably from about 1:1 to about 1:5, and more preferably from about 1:1 to about 1:3.



[0113] While the foregoing discussion has focused on the ability of the buffer system to alter salivary pH to favor substantial conversion to the un-ionized form of a therapeutic agent, the buffer system may also have subsidiary beneficial effects on the extent of absorption across the oral mucosa. For example, the buffer system can create a final salivary pH that in turn affects the molecular configuration of the therapeutic agent in a way in which absorption across the oral mucosa is increased. It is to be understood that these subsidiary beneficial effects of the buffer system are still further advantages of the present invention and are within the general scope of the buffer system and compositions herein described.

### C. Dosage Forms

[0114] The compositions of the present invention may take the form of solid, semi-solid, lyophilized powder, or liquid dosage forms, such as, for example, tablets (*e.g.*, chewable, slow-dissolving, quick-dissolving), pills, capsules, lozenges, candies, gums, powders, solutions, suspensions, emulsions, aerosols, or the like. Preferably, the dosage form is a chewing gum, quick-dissolving tablet, candy, or lozenge.

[0115] While each subject or patient possesses unique factors that may affect the rate and extent of absorption of the therapeutic agents described herein, dosage forms such as chewing gums, quick-dissolving tablets, or lozenges offer advantages over the traditional dosage forms for oral administration. For example, each of these dosage forms avoids hepatic first pass metabolism, degradation within the gastrointestinal tract, and drug loss during absorption. Consequently, the amount of therapeutic agent required per dose is less than that which would be required if formulated, for example, in a pill or tablet for oral administration. Similarly, with each of these dosage forms, the bioavailability of the therapeutic agent is increased, thereby reducing the time to onset of therapeutic activity.

[0116] As used herein, the term "dosage form" refers to physically discrete units suitable as unitary dosages for human subjects and other mammals, each unit containing a predetermined quantity of therapeutic agent calculated to produce the desired onset, tolerability, and therapeutic effects, in association with one or more suitable pharmaceutical excipients such as carriers. Methods for preparing such dosage forms are known or will be apparent to those skilled in the art. For example, in some embodiments, a chewing gum dosage form of the present invention can be prepared according to the procedures set forth in U.S. Pat. No. 4,405,647. In other embodiments, a tablet, lozenge, or candy dosage form of the present invention can be prepared according to the procedures set forth in, for example, *Remington*:

*The Science and Practice of Pharmacy*, 20<sup>th</sup> Ed., Lippincott, Williams & Wilkins (2003); *Pharmaceutical Dosage Forms, Volume 1: Tablets*, 2<sup>nd</sup> Ed., Marcel Dekker, Inc., New York, N.Y. (1989); and similar publications. The dosage form to be administered will, in any event, contain a quantity of the therapeutic agent in a therapeutically effective amount for relief of the condition being treated when administered in accordance with the teachings of this invention.

[0117] As used herein, the term "carrier" refers to a typically inert substance used as a diluent or vehicle for a drug such as a therapeutic agent. The term also encompasses a typically inert substance that imparts cohesive qualities to the composition. Suitable carriers for use in the compositions of the present invention include, without limitation, a solid, semi-solid, or liquid such as a binder or a gum base. Non-limiting examples of binders include mannitol, sorbitol, xylitol, maltodextrin, lactose, dextrose, sucrose, glucose, inositol, powdered sugar, molasses, starch, cellulose, microcrystalline cellulose, polyvinylpyrrolidone, acacia gum, guar gum, tragacanth gum, alginate, extract of Irish moss, panwar gum, ghatti gum, mucilage of isapol husks, Veegum<sup>®</sup>, larch arabogalactan, gelatin, methylcellulose, ethylcellulose, carboxymethylcellulose, hydroxypropylmethylcellulose, polyacrylic acid (*e.g.*, Carbopol), calcium silicate, calcium phosphate, dicalcium phosphate, calcium sulfate, kaolin, sodium chloride, polyethylene glycol, and combinations thereof. These binders can be pre-processed to improve their flowability and taste by methods known in the art such as freeze drying (*see, e.g.*, *Fundamentals of Freeze-Drying, Pharm. Biotechnol.*, 14:281-360 (2002); *Lyophilization of Unit Dose Pharmaceutical Dosage Forms, Drug. Dev. Ind. Pharm.*, 29:595-602 (2003)); solid-solution preparation (*see, e.g.*, U.S. Pat. No. 6,264,987); and lubricant dusting and wet-granulation preparation with a suitable lubricating agent (*see, e.g., Remington: The Science and Practice of Pharmacy, supra*). For example, Mannogem<sup>®</sup> and Sorbogem<sup>®</sup>, sold by SPI Pharma Group (New Castle, DE), are freeze-dried processed forms of mannitol and sorbitol, respectively. Typically, the compositions of the present invention comprise from about 25% to about 90% by weight of the binder, and preferably from about 50% to about 80%. However, one skilled in the art will appreciate that the compositions of the present invention can be made without any binders, *e.g.*, to produce a highly friable dosage form.

[0118] Non-limiting examples of gum bases include materials selected from among the many water-insoluble and saliva-insoluble gum base materials known in the art. For example, in some instances, the gum base comprises at least one hydrophobic polymer and at

least one hydrophilic polymer. Non-limiting examples of suitable hydrophobic and hydrophilic polymers for gum bases include both natural and synthetic polymers such as elastomers, rubbers, and combinations thereof. Examples of suitable natural polymers include, without limitation, substances of plant origin such as chicle, jelutong, gutta percha, crown gum, and combinations thereof. Examples of suitable synthetic polymers include elastomers such as butadiene-styrene copolymers, isobutylene and isoprene copolymers (*e.g.*, "butyl rubber"), polyethylene, polyisobutylene, polyvinylester (*e.g.*, polyvinyl acetate and polyvinyl acetate phthalate), and combinations thereof. In other instances, the gum base comprises a mixture of butyl rubber (*i.e.*, isobutylene and isoprene copolymer), polyisobutylene, and optionally, polyvinylacetate (*e.g.*, having a molecular weight of approximately 12,000). Typically, the gum base comprises from about 25% to about 75% by weight of these polymers, and preferably from about 30% to about 60%.

**[0119]** The compositions of the present invention can additionally include lubricating agents; wetting agents; emulsifying agents; solubilizing agents; suspending agents; preserving agents such as methyl-, ethyl-, and propyl-hydroxy-benzoates, butylated hydroxytoluene, and butylated hydroxyanisole; sweetening agents; flavoring agents; coloring agents; and disintegrating agents (*i.e.*, dissolving agents) such as croscopovidone as well as croscarmellose sodium and other cross-linked cellulose polymers.

**[0120]** Lubricating agents can be used to prevent adhesion of the dosage form to the surface of the dies and punches, and to reduce inter-particle friction. Lubricating agents may also facilitate ejection of the dosage form from the die cavity and improve the rate of granulation flow during processing. Examples of suitable lubricating agents include, without limitation, magnesium stearate, calcium stearate, zinc stearate, stearic acid, simethicone, silicon dioxide, talc, hydrogenated vegetable oil, polyethylene glycol, mineral oil, and combinations thereof. The compositions of the present invention can comprise from about 0% to about 10% by weight of the lubricating agent, and preferably from about 1% to about 5%.

**[0121]** Sweetening agents can be used to improve the palatability of the composition by masking any unpleasant tastes it may have. Examples of suitable sweetening agents include, without limitation, compounds selected from the saccharide family such as the mono-, di-, tri-, poly-, and oligosaccharides; sugars such as sucrose, glucose (corn syrup), dextrose, invert sugar, fructose, maltodextrin, and polydextrose; saccharin and salts thereof such as

sodium and calcium salts; cyclamic acid and salts thereof; dipeptide sweeteners; chlorinated sugar derivatives such as sucralose and dihydrochalcone; sugar alcohols such as sorbitol, sorbitol syrup, mannitol, xylitol, hexa-resorcinol, and the like, and combinations thereof.

Hydrogenated starch hydrolysate, and the potassium, calcium, and sodium salts of 3,6-dihydro-6-methyl-1,2,3-oxathiazin-4-one-2,2-dioxide may also be used. Of the foregoing, sorbitol, mannitol, and xylitol, either alone or in combination, are preferred sweetening agents. The compositions of the present invention can comprise from about 0% to about 80% by weight of the sweetening agent, preferably from about 5% to about 75%, and more preferably from about 25% to about 50%.

10 [0122] Flavoring agents can also be used to improve the palatability of the composition. Examples of suitable flavoring agents include, without limitation, natural and/or synthetic (*i.e.*, artificial) compounds such as peppermint, spearmint, wintergreen, cinnamon, menthol, cherry, strawberry, watermelon, grape, banana, peach, pineapple, apricot, pear, raspberry, lemon, grapefruit, orange, plum, apple, fruit punch, passion fruit, chocolate (*e.g.*, white, milk, 15 dark), vanilla, caramel, coffee, hazelnut, combinations thereof, and the like. Coloring agents can be used to color code the composition, for example, to indicate the type and dosage of the therapeutic agent therein. Suitable coloring agents include, without limitation, natural and/or artificial compounds such as FD & C coloring agents, natural juice concentrates, pigments such as titanium oxide, silicon dioxide, and zinc oxide, combinations thereof, and the like. 20 The compositions of the present invention can comprise from about 0% to about 10% by weight of the flavoring and/or coloring agent, preferably from about 0.1% to about 5%, and more preferably from about 2% to about 3%.

### 1. Chewing Gums

[0123] When the dosage form is a chewing gum, the compositions of the present invention 25 comprise a 5-HT agonist or a pharmaceutically acceptable salt thereof, a carrier such as a gum base, a binary or ternary buffer system, and optionally a protecting agent. The chewing gum composition may further comprise lubricating agents, wetting agents, emulsifying agents, suspending agents, preserving agents, sweetening agents, flavoring agents, and coloring agents. Typically, the chewing gum composition comprises from about 0.001% to 30 about 10.0% by weight of the 5-HT agonist (in whatever chosen form, measured as per its free base form), more typically from about 0.01% to about 5.0%, and still more typically from about 0.1% to about 3.0%. One skilled in the art understands that the foregoing percentages will vary depending upon the particular source of 5-HT agonist utilized, the

amount of 5-HT agonist desired in the final formulation, as well as on the particular release rate of 5-HT agonist desired. The binary or ternary buffer system of the chewing gum composition provides for a final salivary pH in excess of at least about 9.5, preferably at least about 9.9, and more preferably in the range of from about 9.9 to about 11. The chewing gum composition typically comprises from about 20% to about 95% by weight of the gum base, more typically from about 30% to about 85%, and most typically from about 50% to about 70% of the gum base.

[0124] The chewing gum composition may further comprise a protecting agent. The protecting agent coats at least part of the therapeutic agent, typically upon the mixing of the two agents. The protecting agent may be mixed with the therapeutic agent in a ratio of from about 0.1 to about 100 by weight, preferably in a ratio of from about 1 to about 50, and more preferably in a ratio of about 1 to about 10. Without being bound to any particular theory, the protecting agent reduces the adhesion between the therapeutic agent and the gum base so that the therapeutic agent may be more easily released from the gum base. In this way, the therapeutic agent may be delivered across the mucous membranes of the oral cavity within about 5 to about 20 minutes of chewing, preferably within about 10 minutes of chewing. A variety of different protecting agents may be used. Examples of suitable protecting agents include, without limitation, calcium stearate, glycerin monostearate, glyceryl behenate, glyceryl palmitostearate, hydrogenated castor oil, hydrogenated vegetable oil type I, light mineral oil, magnesium lauryl sulfate, magnesium stearate, mineral oil, poloxamer, polyethylene glycol, sodium benzoate, sodium chloride, sodium lauryl sulfate, stearic acid, cab-o-sil, talc, zinc stearate, and combinations thereof.

[0125] The gum base may additionally include plasticizers such as softeners or emulsifiers. Such plasticizers may, for example, help reduce the viscosity of the gum base to a desirable consistency and improve its overall texture and bite. Plasticizers may also facilitate the release of the therapeutic agent upon mastication. Non-limiting examples of plasticizers include lecithin, mono- and diglycerides, lanolin, stearic acid, sodium stearate, potassium stearate, glycerol triacetate, glycerol monostearate, glycerin, and combinations thereof. The gum base typically comprises from about 0% to about 20% by weight of the plasticizer, and more typically from about 5% to about 15%.

[0126] The gum base may further comprise waxes such as beeswax and microcrystalline wax, fats or oils such as soybean and cottonseed oil, and combinations thereof. Typically, the

gum base comprises from about 0% to about 25% by weight of these waxes and oils, and more typically comprises from about 15% to about 20%.

[0127] In addition, the gum base may further comprise one or more elastomeric solvents such as rosins and resins. Non-limiting examples of such solvents include methyl, glycerol, and pentaerythritol esters of rosins, modified rosins such as hydrogenated, dimerized or polymerized rosins, or combinations thereof (*e.g.*, pentaerythritol ester of partially hydrogenated wood rosin, pentaerythritol ester of wood rosin, glycerol ester of wood rosin, glycerol ester of partially dimerized rosin, glycerol ester of polymerized rosin, glycerol ester of tall oil rosin, glycerol ester of wood rosin and partially hydrogenated wood rosin and partially hydrogenated methyl ester of rosin such as polymers of alpha-pinene or beta-pinene, terpene resins including polyterpene, and combinations thereof). Typically, the gum base comprises from about 0% to about 75% by weight of the elastomeric solvent, and more typically less than about 10%.

[0128] The gum base may further comprise a filler material to enhance the chewability of the final chewing gum composition. Fillers that are substantially non-reactive with other components of the final chewing gum formulation are preferable. Examples of suitable fillers include, without limitation, calcium carbonate, magnesium silicate (*i.e.*, talc), dicalcium phosphate, metallic mineral salts (*e.g.*, alumina, aluminum hydroxide, and aluminum silicates), and combinations thereof. Typically, the gum base comprises from about 0% to about 30% by weight of the filler, and more typically from about 10% to about 20%.

[0129] One skilled in the art will appreciate that the gum base need not be prepared from its individual components. For example, the gum base can be purchased with the desired ingredients contained therein, and can be modified to include additional agents. Several manufacturers produce gum bases suitable for use with the described chewing gum compositions. Examples of such gum bases include, without limitation, Pharmgum™ M, S, or C (SPI Pharma Group; New Castle, DE). In general, Pharmagum™ comprises a mixture of gum base, sweetening agent, plasticizer, and sugar.

[0130] In certain instances, the chewing gum composition includes a therapeutic agent centerfill. A centerfill may be particularly suitable when immediate release of the therapeutic agent is preferred. In addition, encapsulating the therapeutic agent in a centerfill may help to mask any undesirable taste that the therapeutic agent may have. In these instances, the gum base surrounds, at least in part, a centerfill. The centerfill comprises at least one therapeutic

agent, and may be a liquid or semi-liquid material. The centerfill material can be a synthetic polymer, a semi-synthetic polymer, low-fat, or fat-free and contain one or more sweetening agents, flavoring agents, coloring agents, and/or scenting agents. Preferably, the centerfill includes a binary or ternary buffer system as described herein. Methods for preparing a centerfill chewing gum are described, for example, in U.S. Pat. No. 3,806,290, which is hereby incorporated by reference in its entirety.

[0131] The chewing gum compositions can have any desired shape, size, and texture. For example, the composition can have the shape of a stick, tab, gumball, and the like. Similarly, the chewing gum can be any desirable color. For example, the chewing gum can be any shade of red, blue, green, orange, yellow, violet, indigo, and mixtures thereof, and can be color coded to indicate the type and dosage of the therapeutic agent therein. The chewing gum can be individually wrapped or grouped together in pieces for packaging by methods well known in the art.

## 2. Tablets

[0132] When the dosage form is a tablet such as a dissolving tablet (*i.e.*, disintegrating tablet) or chewable tablet, the compositions of the present invention comprise a 5-HT agonist or a pharmaceutically acceptable salt thereof, a carrier such as a binder, and a binary or ternary buffer system. The tablet composition may further comprise lubricating agents, wetting agents, emulsifying agents, suspending agents, preserving agents, sweetening agents, flavoring agents, coloring agents, and disintegrating agents. Typically, the tablet compositions of the present invention comprise from about 0.001% to about 10.0% by weight of the 5-HT agonist (in whatever chosen form, measured as per its free base form), and more typically from about 1.0% to about 5.0%. In some embodiments, about 3.5% by weight of the 5-HT agonist is used. One skilled in the art understands that the foregoing percentages will vary depending upon the particular source of 5-HT agonist utilized, the amount of 5-HT agonist desired in the final formulation, as well as on the particular release rate of 5-HT agonist desired. The buffer system of the tablet composition provides for a final salivary pH in excess of at least about 9.5, preferably at least about 9.9, and more preferably in the range of from about 9.9 to about 11.

[0133] In certain embodiments, the tablet is a dissolving tablet such as a slow-dissolving or quick-dissolving tablet that is dissolved by a subject's saliva, without the need for chewing. For example, a dissolving tablet placed on the subject's tongue can be used for buccal

delivery of the therapeutic agent. Alternatively, a dissolving tablet placed underneath the subject's tongue can be used for sublingual delivery of the therapeutic agent. This type of dosage form may be particularly desirable for pediatric and geriatric patients, since small children and aged individuals often have difficulty chewing certain items. Typically, the dissolving tablet is formulated to dissolve within about 1 to about 15 minutes, preferably within about 2 to about 10 minutes, *e.g.*, within about 2, 3, 4, 5, 6, 7, 8, 9, or 10 minutes, following administration. One skilled in the art will understand that quick-dissolving tablets dissolve faster than slow-dissolving tablets, which are typically dissolved gradually rather than rapidly by a subject's saliva. In a preferred embodiment, the slow-dissolving or quick-dissolving tablet delivers the therapeutic agent across the sublingual mucosa.

[0134] In certain other embodiments, the tablet is a chewable tablet that is chewed by a subject and formulated to dissolve either rapidly or gradually. For example, a chewable tablet placed on the subject's tongue can be used for buccal delivery of the therapeutic agent. During chewing, the chewable tablet can be moved around within the mouth and can sometimes be parked between the gums and the cheeks or underneath the tongue. As a result, at least a portion of the therapeutic agent contained within a chewable tablet may also be delivered sublingually (*i.e.*, across the sublingual mucosa). Typically, the chewable tablet is formulated to dissolve within about 1 to about 15 minutes, preferably within about 2 to about 10 minutes, *e.g.*, within about 2, 3, 4, 5, 6, 7, 8, 9, or 10 minutes, following administration.

[0135] As described above, the dissolving and chewable tablets of the present invention are typically formulated to dissolve within about 1 to 15 minutes following administration. However, while these time frames are amenable to maximum exposure of the therapeutic agent to the oral mucosa (*e.g.*, to the sublingual and/or buccal mucosa), they are not always amenable to user compliance (*e.g.*, users may swallow too frequently and, therefore, hinder maximal transmucosal absorption). Consequently, in certain instances, it may be desirable to strike a balance between patient compliance and maximum exposure time of the therapeutic agent to the oral mucosa. This can be accomplished, for example, by reducing the tablet size (*e.g.*, from about 700-800 mg to about 200-300 mg) without reducing the concentration or amount per unit dose of the buffer system or the therapeutic agent. In addition, subtle changes to the tablet formulation such as, for example, replacing one flavoring agent for another (*e.g.*, chocolate for spearmint) or replacing one binder or sweetening agent for another (*e.g.*, lactose for mannitol or sorbitol) may be used to reduce salivation.



5 [0136] The carrier present in the tablets of the present invention is typically a binder that is useful in keeping the tablet in a semi-solid state, and may be a solid or a liquid, and may for example be a high-melting point fat or waxy material. Materials suitable as binders are discussed in detail above and may be used alone or in combination in the tablet compositions of the present invention. In addition, binders such as mannitol, sorbitol, lactose, sucrose, and inositol can impart properties to the tablet that permit or enhance its disintegration in the mouth.

[0137] The tablet composition may further comprise a protecting agent. The protecting agent coats at least part of the therapeutic agent, typically upon the mixing of the two agents.

- 10 The protecting agent may be mixed with the therapeutic agent in a ratio of from about 0:1 to about 100 by weight, preferably in a ratio of from about 1 to about 50, and more preferably in a ratio of about 1 to about 10. Without being bound to any particular theory, the protecting agent reduces the adhesion between the therapeutic agent and the binder so that the therapeutic agent may be more easily released from the binder. In this way, the therapeutic agent may be delivered across the mucous membranes of the oral cavity within about 5 to about 20 minutes, preferably within about 10 minutes. Materials suitable as protecting agents are discussed in detail above and may be used alone or in combination in the tablet compositions of the present invention.

20 [0138] The tablet composition may also comprise one or more elastomeric solvents such as rosins and resins. Non-limiting examples of such solvents are discussed in detail above and may be used alone or in combination in the tablet compositions of the present invention. In addition, the tablet composition may further comprise waxes such as beeswax and microcrystalline wax, fats or oils such as soybean and cottonseed oil, and combinations thereof. Moreover, the tablet composition may additionally include plasticizers such as softeners or emulsifiers. Such plasticizers may, for example, help reduce the viscosity of the salivary solution of the dissolved tablet to a desirable consistency and improve its overall texture and bite and help facilitate the release of the therapeutic agent. Non-limiting examples of such plasticizers are discussed in detail above and may be used alone or in combination in the tablet compositions of the present invention.

30 [0139] In certain instances, the tablet composition includes a therapeutic agent centerfill. A centerfill may be particularly suitable when immediate release of the therapeutic agent is preferred. In addition, encapsulating the therapeutic agent in a centerfill may help to mask

any undesirable taste that the therapeutic agent may have. In these instances, the binder surrounds, at least in part, a centerfill. The centerfill comprises at least one therapeutic agent, and may be a liquid or semi-liquid material. The centerfill material can be low-fat or fat free and contain one or more sweetening agents, flavoring agents, coloring agents, and/or scenting agents. Preferably, the centerfill includes a binary or ternary buffer system as described herein.

**[0140]** In certain other instances, the tablet composition of the present invention is multilayered. In this way, the dissolving or chewable tablet can be designed to provide more than one therapeutic agent, *e.g.*, two or more 5-HT agonists or one or more 5-HT agonists in combination with one or more non-5-HT agonist therapeutic agents. For example, with a bi-layered tablet, the first layer contains a 5-HT agonist and the second layer contains the same or different 5-HT agonist or a non-5-HT agonist therapeutic agent. Typically, the first layer comprises the dissolving or chewable portion of the tablet, and the second (*i.e.*, subsequent) layer is coated by the first layer. This type of formulation may be particularly suitable when immediate release of the 5-HT agonist, followed by gastrointestinal absorption of a second therapeutic agent, is desirable. Gastrointestinal absorption of the second therapeutic agent may be desirable, for example, in order to mitigate co-morbid symptoms or to sustain the therapeutic benefit of the 5-HT agonist in the dissolving or the chewable portion of the tablet. Alternatively, the second layer is present as a layer lateral to the first layer. The second layer typically comprises at least one therapeutic agent, and can also comprise one or more sweetening agents, flavoring agents, coloring agents, and scenting agents as described above. In some instances, the second layer further includes a binary or ternary buffer system as described herein.

**[0141]** In still other instances, the combination of 5-HT agonists with or without non-5-HT agonist therapeutic agents need not take the form of a multilayered tablet, but instead comprises a single homogenous tablet layer. This type of formulation may also be used in the case where gastrointestinal absorption of at least one therapeutic agent is desirable. In this case, the relative extent of ionization of the two or more therapeutic agents determines how they are to be absorbed. For example, those therapeutic agents that are un-ionized are absorbed through the oral mucosa, while the ionized agents are swallowed for gastrointestinal absorption.

[0142] The tablet compositions can have any desired shape, size, and texture. For example, the tablet can have the shape of a stick, tab, pellet, sphere, and the like. Similarly, the tablet can be any desirable color. For example, the tablet can be any shade of red, blue, green, orange, yellow, violet, indigo, and mixtures thereof, and can be color coded to indicate the type and dosage of the therapeutic agent therein. The tablets can be individually wrapped or grouped together in pieces for packaging by methods well known in the art.

### 3. Lozenges

[0143] When the dosage form is a lozenge or candy, the compositions of the present invention comprise a 5-HT agonist or a pharmaceutically acceptable salt thereof, a carrier such as a binder, and a binary or ternary buffer system. The lozenge or candy composition may further comprise lubricating agents, wetting agents, emulsifying agents, suspending agents, preserving agents, sweetening agents, flavoring agents, coloring agents, and disintegrating agents. A general discussion of lozenges and candies is provided, *e.g.*, in *Pharmaceutical Dosage Forms, Volume 1: Tablets*, 2<sup>nd</sup> Ed., Marcel Dekker, Inc., New York, N.Y., pages 75-418 (1989).

[0144] Typically, the lozenge or candy compositions of the present invention comprise from about 0.001% to about 10.0% by weight of the 5-HT agonist (in whatever chosen form, measured as per its free base form), preferably from about 1.0% to about 5.0%, and more preferably from about 2.5% to about 4.5%. One skilled in the art understands that the foregoing percentages will vary depending upon the particular source of 5-HT agonist utilized, the amount of 5-HT agonist desired in the final formulation, as well as on the particular release rate of 5-HT agonist desired. The buffer system for the lozenge or candy composition is typically a binary or ternary buffer system comprising amorphous magnesium oxide with a carbonate salt and/or a bicarbonate salt. For example, a ternary buffer system typically comprises from about 4.0% to about 7.0% by weight sodium carbonate; from about 8.0% to about 12.0% by weight dessicant-coated sodium bicarbonate; and from about 20% to about 30% by weight amorphous magnesium oxide. The buffer system provides for a final salivary pH in excess of at least about 9.5, preferably at least about 9.9, and more preferably in the range of from about 9.9 to about 11. In a preferred embodiment, the lozenge or candy composition comprises about 3.5% by weight 5-HT agonist, about 5.5% by weight sodium carbonate, about 9.0% by weight dessicant-coated sodium bicarbonate, and about 25% by weight amorphous magnesium oxide. Examples of sumatriptan lozenge compositions are provided in Example 5 below.

[0145] In certain embodiments, the lozenge or candy is dissolved by a subject's saliva, without the need for chewing. For example, a lozenge placed on the subject's tongue can be used for buccal delivery of the therapeutic agent. Alternatively, a lozenge placed underneath the subject's tongue can be used for sublingual delivery of the therapeutic agent. This type of dosage form may be particularly desirable for pediatric and geriatric patients, since small children and aged individuals often have difficulty chewing certain items. Typically, the lozenge is formulated to dissolve within about 1 to about 15 minutes, preferably within about 2 to about 10 minutes, *e.g.*, within about 2, 3, 4, 5, 6, 7, 8, 9, or 10 minutes, following administration. In a preferred embodiment, the lozenge or candy delivers the therapeutic agent across the sublingual mucosa.

[0146] As described above, the lozenges the present invention are typically formulated to dissolve within about 1 to 15 minutes following administration. However, while these time frames are amenable to maximum exposure of the therapeutic agent to the oral mucosa (*e.g.*, to the sublingual and/or buccal mucosa), they are not always amenable to user compliance (*e.g.*, users may swallow too frequently and, therefore, hinder maximal transmucosal absorption). Consequently, in certain instances, it may be desirable to strike a balance between patient compliance and maximum exposure time of the therapeutic agent to the oral mucosa. This can be accomplished, for example, by reducing the lozenge size (*e.g.*, from about 700-800 mg to about 200-300 mg) without reducing the concentration or the amount per unit dose of the buffer system or the therapeutic agent. In addition, subtle changes to the lozenge formulation such as, for example, replacing one flavoring agent for another (*e.g.*, chocolate for spearmint) or replacing one binder or sweetening agent for another (*e.g.*, lactose for mannitol or sorbitol) may be used to reduce salivation.

[0147] The carrier present in the lozenges of the present invention is typically a binder that is useful in keeping the lozenge in a semi-solid state, and may be a solid or a liquid, and may for example be a high-melting point fat or waxy material. Materials suitable as binders are discussed in detail above and may be used alone or in combination in the lozenge compositions of the present invention. In addition, binders such as mannitol, sorbitol, lactose, sucrose, and inositol can impart properties to the lozenge that permit or enhance its disintegration in the mouth.

[0148] The lozenge composition may further comprise a protecting agent. The protecting agent coats at least part of the therapeutic agent, typically upon the mixing of the two agents.

The protecting agent may be mixed with the therapeutic agent in a ratio of from about 0.1 to about 100 by weight, preferably in a ratio of from about 1 to about 50, and more preferably in a ratio of about 1 to about 10. Without being bound to any particular theory, the protecting agent reduces the adhesion between the therapeutic agent and the binder so that the  
5 therapeutic agent may be more easily released from the binder. In this way, the therapeutic agent may be delivered across the mucous membranes of the oral cavity within about 5 to about 20 minutes, preferably within about 10 minutes. Materials suitable as protecting agents are discussed in detail above and may be used alone or in combination in the lozenge compositions of the present invention.

10 [0149] The lozenge composition may also comprise one or more elastomeric solvents such as rosins and resins. Non-limiting examples of such solvents are discussed in detail above and may be used alone or in combination in the tablet compositions of the present invention. In addition, the lozenge composition may further comprise waxes such as beeswax and microcrystalline wax, fats or oils such as soybean and cottonseed oil, and combinations  
15 thereof. Moreover, the lozenge composition may additionally include plasticizers such as softeners or emulsifiers. Such plasticizers may, for example, help reduce the viscosity of the salivary solution of the dissolved lozenge to a desirable consistency and improve its overall texture and bite and help facilitate the release of the therapeutic agent. Non-limiting examples of such plasticizers are discussed in detail above and may be used alone or in  
20 combination in the lozenge compositions of the present invention.

[0150] In certain instances, the lozenge composition includes a therapeutic agent centerfill. A centerfill may be particularly suitable when immediate release of the therapeutic agent is preferred. In addition, encapsulating the therapeutic agent in a centerfill may help to mask any undesirable taste that the therapeutic agent may have. In these instances, the binder  
25 surrounds, at least in part, a centerfill. The centerfill comprises at least one therapeutic agent, and may be a liquid or semi-liquid material. The centerfill material can be a synthetic polymer, a semi-synthetic polymer, low-fat, or fat free and contain one or more sweetening agents, flavoring agents, coloring agents, and/or scenting agents. Preferably, the centerfill includes a binary or ternary buffer system as described herein.

30 [0151] In certain other instances, the lozenge composition of the present invention is multilayered. In this way, the lozenge can be designed to provide more than one therapeutic agent, *e.g.*, two or more 5-HT agonists or one or more 5-HT agonists in combination with one

or more non-5-HT agonist therapeutic agents. For example, with a bi-layered lozenge, the first layer contains a 5-HT agonist and the second layer contains the same or different 5-HT agonist or a non-5-HT agonist therapeutic agent. Typically, the first layer comprises the dissolving portion of the lozenge, and the second (*i.e.*, subsequent) layer is coated by the first layer. This type of formulation may be particularly suitable when immediate release of the 5-HT agonist, followed by gastrointestinal absorption of a second therapeutic agent, is desirable. Gastrointestinal absorption of the second therapeutic agent may be desirable, for example, in order to mitigate co-morbid symptoms or to sustain the therapeutic benefit of the 5-HT agonist in the dissolving portion of the lozenge. Alternatively, the second layer is present as a layer lateral to the first layer. The second layer typically comprises at least one therapeutic agent, and can also comprise one or more sweetening agents, flavoring agents, coloring agents, and scenting agents as described above. In some instances, the second layer further includes a binary or ternary buffer system as described herein.

[0152] In still other instances, the combination of 5-HT agonists with or without non-5-HT agonist therapeutic agents need not take the form of a multilayered lozenge, but instead comprises a single homogenous lozenge layer. This type of formulation may also be used in the case where gastrointestinal absorption of at least one therapeutic agent is desirable. In this case, the relative extent of ionization of the two or more therapeutic agents determines how they are to be absorbed. For example, those therapeutic agents that are un-ionized are absorbed through the oral mucosa, while the ionized agents are swallowed for gastrointestinal absorption.

[0153] The lozenge compositions can have any desired shape, size, and texture. For example, the lozenge can have the shape of a stick, tab, pellet, sphere, and the like. Similarly, the lozenge can be any desirable color. For example, the lozenge can be any shade of red, blue, green, orange, yellow, violet, indigo, and mixtures thereof, and can be color coded to indicate the type and dosage of the therapeutic agent therein. The lozenges can be individually wrapped or grouped together in pieces for packaging by methods well known in the art.

[0154] In addition to the preferred dosage forms described above, the compositions of the present invention can also take to form of a solution formulation for delivery of a 5-HT agonist across the oral mucosa. For example, the solution formulation can be administered sublingually by using a two-chamber syringe delivery system, in which the upper chamber

contains an unbuffered 5-HT agonist solution, the lower chamber contains the dry buffer system components, and a non-permeable membrane separates the upper and lower chambers. Depressing the syringe ruptures the non-permeable membrane and allows mixing of the unbuffered 5-HT agonist solution with the dry buffer system components. The resulting buffered 5-HT agonist solution is then released from the tip of the syringe. As such, by simply placing the tip of the syringe anywhere underneath a subject's tongue and depressing the syringe, a solution formulation of the present invention can be used to deliver the 5-HT agonist across the subject's sublingual mucosa.

[0155] Accordingly, the present invention further provides A composition for delivery of a 5-HT agonist across the oral mucosa, said composition comprising: (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof, preferably sumatriptan; (b) a carrier; and (c) a binary buffer system comprising a carbonate salt and a bicarbonate salt, wherein the binary buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva. Preferably, the composition is a solution that is prepared just prior to administration to the oral mucosa. In certain preferred embodiments, the binary buffer system comprises sodium bicarbonate and sodium carbonate wherein the ratio of sodium bicarbonate to sodium carbonate is from about 2:1 to about 5:1 by weight. In other embodiments, sodium carbonate is used in an amount that is equivalent to, or in excess of sodium bicarbonate. More particularly, the compositions are those that provide peak plasma levels of sumatriptan in less than 15 minutes (e.g., about 1-15 minutes), preferably in about 5 minutes to about 10 minutes.

#### **D. Methods of Administration**

[0156] The compositions of the present invention are useful in therapeutic applications, e.g., for treating a migraine. Importantly, the compositions of the present invention provide the rapid delivery of a 5-HT agonist across the oral mucosa by raising the pH of saliva to a pH greater than about 9.9, irrespective of the starting pH of saliva. In particular, the delivery of the therapeutic agent across the oral mucosa avoids hepatic first pass metabolism, degradation within the gastrointestinal tract, and drug loss during absorption. As a result, the therapeutic agent reaches the systemic circulation in a substantially shorter period of time and at a substantially higher concentration than with traditional oral (e.g., tablet) administration.

[0157] The compositions of the present invention have particular utility in the area of human and veterinary therapeutics. Generally, administered dosages will be effective to deliver picomolar to micromolar concentrations of the 5-HT agonist to the appropriate site.

5 [0158] Administration of the compositions of the present invention is preferably carried out via any of the accepted modes of administration to the mucous membranes of the oral cavity. Examples of suitable sites of administration within the oral mucosa include, without limitation, the mucous membranes of the floor of the mouth (sublingual mucosa), the cheeks (buccal mucosa), the gums (gingival mucosa), the roof of the mouth (palatal mucosa), the lining of the lips, and combinations thereof. These regions differ from each other with  
10 -respect to their anatomy, drug permeability, and physiological response to drugs. Preferably, the compositions of the present invention are administered to the sublingual mucosa, buccal mucosa, or a combination thereof.

[0159] The oral mucosa, possessing a rich blood supply and suitable drug permeability, is an especially attractive route of administration for systemic drug delivery. Furthermore,  
15 delivery of a therapeutic agent across the oral mucosa bypasses hepatic first pass metabolism, avoids enzymatic degradation within the gastrointestinal tract, and provides a more suitable enzymatic flora for drug absorption. As used herein, the term "sublingual delivery" refers to the administration of a therapeutic agent across the mucous membranes lining the floor of the mouth and/or the ventral tongue. The term "buccal delivery" as used herein refers to the  
20 administration of a therapeutic agent across the mucous membranes lining the cheeks.

[0160] The oral mucosa is composed of an outermost layer of stratified squamous epithelium. Beneath this layer lies a basement membrane, *i.e.*, the lamina propria, followed by the submucosa as the innermost layer. The epithelium of the oral mucosa is similar to the stratified squamous epithelia found in the rest of the body in that it contains a mitotically  
25 active basal cell layer, advancing through a number of differentiating intermediate layers to the superficial layers, where cells are shed from the surface of the epithelium (Gandhi *et al.*, *Ind. J. Pharm. Sci.*, 50:145-152 (1988)). For example, the epithelium of the buccal mucosa is about 40-50 cell layers thick, while that of the sublingual epithelium contains somewhat fewer cell layers. The epithelial cells increase in size and become flatter as they travel from  
30 the basal layers to the superficial layers.

[0161] The turnover time for buccal mucosal epithelium, estimated at 5-6 days, is representative of the turnover time for sublingual mucosal epithelium as well as other



epithelia in the oral mucosa (Harris *et al.*, *J. Pharm. Sci.*, 81:1-10 (1992)). The thickness of the oral mucosa varies depending on the site in the oral cavity. For example, the buccal mucosa measures at about 500-800  $\mu\text{m}$  in thickness, while the hard and soft palatal mucosa, the sublingual mucosa, the ventral tongue, and the gingival mucosa measure at about 100-200  $\mu\text{m}$  in thickness. The composition of the epithelium also varies depending on the site in the oral cavity. For example, the mucosae of areas subject to mechanical stress (*i.e.*, the gingivae and hard palate) are keratinized similar to the epidermis. However, the mucosae of the soft palate, the sublingual region, and the buccal region are not keratinized (Harris *et al.*, *supra*). The keratinized epithelia contain neutral lipids like ceramides and acylceramides, which have been associated with providing a barrier function. As a result, these epithelia are relatively impermeable to water. In contrast, non-keratinized epithelia, such as sublingual and buccal epithelia, do not contain acylceramides and have only small amounts of ceramide (Wertz *et al.*, *Crit. Rev. Ther. Drug Carr. Sys.*, 8:237-269 (1991); Squier *et al.*, *J. Invest. Dermat.*, 96:123-126 (1991); Squier *et al.*, in *Oral Mucosal Drug Delivery*, Ed. M. J. Rathbone, Marcel Dekker, Inc., New York, New York, 1-26 (1996)). Non-keratinized epithelia also contain small amounts of neutral but polar lipids, *e.g.*, cholesterol sulfate and glucosyl ceramides. As such, these epithelia have been found to be considerably more permeable to water than keratinized epithelia (Harris *et al.*, *supra*; Wertz *et al.*, *supra*; Squier *et al.*, *supra*, 1991).

[0162] In general, the oral mucosa is a somewhat leaky epithelia intermediate between that of the epidermis and intestinal mucosa. For example, the permeability of the buccal mucosa is estimated to be about 4-4000 times greater than that of skin (Galey *et al.*, *J. Invest. Dermat.*, 67:713-717 (1976)). The permeability of different regions of the oral mucosa generally decrease in the order of sublingual mucosa greater than buccal mucosa, and buccal mucosa greater than palatal mucosa (Harris *et al.*, *supra*). This permeability is generally based upon the relative thickness and degree of keratinization of these membranes, with the sublingual mucosa being relatively thin and non-keratinized, the buccal mucosa being thicker and non-keratinized, and the palatal mucosa being intermediate in thickness, but keratinized.

[0163] The epithelial cells of the oral mucosa are surrounded by mucus comprising primarily complexes of proteins and carbohydrates that may or may not be attached to certain regions on the cell surface. The mucus may play a role in cell-cell adhesion, as well as acting as a lubricant, allowing cells to move relative to one another (Tabak *et al.*, *J. Oral Pathol.*, 11:1-17 (1982)). In stratified squamous epithelia found elsewhere in the body, mucus is

synthesized by specialized mucus secreting cells such as goblet cells; however, in the oral mucosa, mucus is secreted by the major and minor salivary glands as part of saliva (Tabak *et al.*, *supra*; Rathbone *et al.*, *Adv. Drug Del. Rev.*, 13:1-22 (1994)). At physiological pH, the mucus network carries a negative charge due to the sialic acid and sulfate residues present on the carbohydrates. At this pH, mucus can form a strongly cohesive gel structure that binds to the epithelial cell surface as a gelatinous layer (Gandhi *et al.*, *supra*). Without being bound to any particular theory, the buffer systems of the present invention neutralize the sialic acid residues present on the carbohydrates and prevent them from interacting with the therapeutic agent, thereby further enhancing drug permeation.

10 -- [0164] Another feature of the environment of the oral cavity is the presence of saliva produced by the salivary glands. Saliva is the protective fluid for all tissues of the oral cavity. Saliva is an aqueous fluid with about 1% organic and inorganic materials. The major determinant of the salivary composition is the flow rate, which in turn depends upon factors such as the time of day, the type of stimulus, and the degree of stimulation. The salivary pH typically ranges from about 5.5 to about 7.0, depending on the flow rate. For example, at high flow rates, the sodium and bicarbonate concentrations increase, leading to an increase in the pH. Because the daily salivary volume is between about 0.5 to about 2 liters, the oral cavity provides an aqueous environment for the hydration and/or dissolution of the oral mucosal dosage forms of the present invention.

20 [0165] The sublingual mucosa is the most highly permeable region of the oral cavity, and provides rapid absorption and high bioavailability of a drug in a convenient, accessible, and well-accepted route of administration (Harris *et al.*, *supra*). Suitable sublingual dosage forms include, without limitation, tablets (*e.g.*, quick-dissolving, slow-dissolving), lozenges, candy, and soft gelatin capsules filled with liquid drug. Such systems create a very high drug concentration in the sublingual region before they are systemically absorbed across the sublingual mucosa. As a result, the sublingual mucosa is particularly well-suited for producing a rapid onset of action, and sublingual dosage forms can be used to deliver drugs with shorter delivery period requirements and/or less frequent dosing regimens. Although the buccal mucosa is considerably less permeable than the sublingual area, rapid absorption and high bioavailability of a drug can also be observed with buccal administration. Suitable buccal dosage forms include, without limitation, chewing gums, tablets (*e.g.*, quick-dissolving, slow-dissolving), lozenges, candy, and the like. Both the buccal mucosa and the

sublingual mucosa are far superior to the gastrointestinal tract for providing increased absorption and bioavailability of a drug.

[0166] To increase the permeability of drugs through the oral mucosa, penetration enhancers can be included in the dosage forms of the present invention. The penetration enhancers may be of the type that alters the nature of the oral mucosa to enhance penetration, or of the type that alters the nature of the therapeutic agent to enhance penetration through the oral mucosa. Suitable penetration enhancers include, without limitation, polyoxyethylene 23-lauryl ether, aprotin, azone, benzalkonium chloride, cetylpyridinium chloride, cetyltrimethylammonium bromide, cyclodextrin, dextran sulfate, lauric acid, propylene glycol, lysophosphatidylcholine, menthol, methoxysalicylate, methyloleate, oleic acid, phosphatidylcholine, polyoxyethylene, polysorbate 80, sodium ethylenediaminetetraacetic acid ("EDTA"), sodium deoxycholate, sodium glycocholate, sodium glycodeoxycholate, sodium lauryl sulfate, sodium salicylate, sodium taurocholate, sodium taurodeoxycholate, as well as certain sulfoxides and glycosides, and combinations thereof.

15

#### IV. Examples

[0167] The following examples are offered to illustrate, but not to limit, the claimed invention.

##### Example 1. Sumatriptan Membrane Assay.

[0168] This example illustrates the beneficial effects of pH adjustment on membrane penetration for a sumatriptan dosage form.

[0169] The effect of pH adjustment on the extent of ionization, and hence, the extent to which a therapeutic agent will traverse the mucous membrane can be demonstrated using a membrane assay; *see, e.g., Kansy et al., J. Med. Chem., 41:1007-1010 (1998); and Avdeef, Curr. Topics Med. Chem., 1:277-351 (2001)*. This assay uses a lipid-coated membrane to predict lipid mucosal membrane penetration. The membrane apparatus consists of a dodecane membrane sandwiched between a donor and acceptor cell. The lipid-coated membrane is less porous than the mucous membrane of the oral cavity. Thus, the enhancement seen in the membrane assay is very likely to be magnified *in vivo*.

[0170] The dissociation constant (pKa) of sumatriptan is 9.5, and therefore the drug would be 100% un-ionized at pH 11.5 and 90% at pH 10.5. Membrane assays were performed

using sumatriptan succinate at pH values of 9.0, 9.5, and 10.0. The final pH values of these solutions were adjusted using freshly prepared 0.01 M sodium bicarbonate/sodium carbonate buffer. Permeation was measured by determining the concentration of sumatriptan in the acceptor cell, and is expressed as  $P_e$  (effective permeability in centimeters per second). As shown in Table 3 below, the effective permeability of sumatriptan increased with pH.

Table 3: Effective permeability ( $P_e$ ) of sumatriptan in a membrane assay.

pH	$P_e$ (cm/s)
9.0	5.99
9.5	9.45
10.0	15.61

**Example 2. Sumatriptan Pharmacokinetic Study.**

[0171] This example illustrates the pharmacokinetic profile of a sumatriptan solution of the present invention as compared to a dose equivalent commercial oral tablet.

[0172] Because the lipid-coated membrane is less porous than the mucous membrane of the oral cavity, the enhancement seen in the membrane assay is very likely to be magnified *in situ*, resulting in enhanced buccal absorption and higher bioavailability of sumatriptan relative to a dose equivalent commercial oral tablet. To evaluate the pharmacokinetic profile of a buccally administered sumatriptan formulation, a 25 mg sumatriptan succinate solution buffered at pH 10 with 150 mg sodium bicarbonate and 50 mg sodium carbonate (Formulation A) was compared to a dose equivalent commercial oral tablet formulation (Formulation B), *i.e.*, Imitrex® (GlaxoSmithKline; Research Triangle Park, NC), in four healthy subjects following a 10 hour overnight fast. Subject demographics are shown in Table 4 below.

Table 4. Subject demographics.

Number of Subjects	4 (1 female; 3 male)
Average Age (yr)	32 (min. 19; max. 45)
Frame	medium
Average Weight (kg)	75 (min. 62; max. 82)
Average Height (cm)	176 (min. 165; max. 182)

[0173] A single dose, open-label, randomized, two treatment, two-way crossover study with a three day washout period between treatments was performed. The sample size used in this study is typical for assessing safety/tolerability (Simon *et al.*, *J. Natl. Cancer Inst.*, 89:1138-1147 (1997)) and for comparing routes of administration (Chang *et al.*, *Ann. Pharmacother.*, 33:781-786 (1999)). Furthermore, due to the crossover nature of this study, each subject acts as his or her own control. As a result, variables such as age, gender, and differences in physiology and enzymology are controlled; *see, e.g.*, Chow *et al.*, Marcel Dekker, 1992, page 30). For Formulation A, blood samples were taken at 0, 5, 10, 15, 20, 30, 45, 60, 90, 120, 180, 240, and 360 minutes following administration. For Formulation B, blood samples were taken at 0, 10, 20, 30, 45, 60, 90, 120, 180, 240, and 360 minutes following administration. High pressure liquid chromatography (HPLC)-tandem mass spectrometry (MS) assays were performed to determine plasma sumatriptan levels. The assay parameters are shown in Table 5 below.

Table 5. Sumatriptan assay parameters.

Molecular Ions Analyzed	296.4 (parent); 58 (daughter)
Calibration Curve Concentration Range	1-200 ng/ml plasma
Curve and Coefficient of Correlation	Power curve (log-log straight line) with linearity $r^2 > 0.996$
Minimum Detectable Concentration	0.1 ng/ml
Typical Plasma Volume	100 $\mu$ l

[0174] Figure 1 shows the mean plasma concentration over time for Formulation A (25 mg buccal sumatriptan succinate solution) and Formulation B (25 mg sumatriptan succinate oral tablet). Table 6 below shows the pharmacokinetic parameters determined for both formulations. This study demonstrates that delivery of sumatriptan across the oral mucosa produced plasma sumatriptan concentrations that were over three times greater than those observed for the commercial oral tablet during the hour immediately following administration. In addition, peak plasma sumatriptan concentrations were achieved within 10 minutes following buccal administration, while peak plasma sumatriptan concentrations were not achieved until 60 minutes following commercial oral tablet administration. As such, the present study shows that sumatriptan from the buffered solution is rapidly absorbed and has substantially better bioavailability than the commercial oral tablet.

Table 6. Pharmacokinetic parameters for Formulation A and Formulation B.

Formulation	Formulation A (sumatriptan succinate solution)	Formulation B (Imitrex <sup>®</sup> )
C <sub>max</sub> (ng/ml)	55.6 ± 24.2 (31.3; 88.3)	20.1 ± 5.2 (15.2; 27.5)
T <sub>max</sub> (hr)	0.17	1.06 ± 0.31 (0.8; 1)
AUC <sub>0-6 hr</sub> (ng.hr/ml)	107.4 ± 37.8 (79.8; 160.9)	68.9 ± 12.1 (57.7; 84.5)
AUC <sub>0-1 hr</sub> (ng.hr/ml)	31.9 ± 11.5 (21.6; 47.9)	10.2 ± 2.1 (8.1; 13.2)

Values represent the mean ± standard deviation (SD). The numbers in parentheses represent the minimum and maximum values, respectively.

### Example 3. Sumatriptan Gum Compositions.

[0175] This example illustrates the sumatriptan chewing gum compositions of the present invention.

[0176] Sumatriptan can be formulated as a chewing gum composition as described above. In these embodiments, the unit dose or serving of the chewing gum comprises from about 0.1 to about 100 milligrams (mg) sumatriptan (as measured in its free base form), preferably from about 1 to about 50 mg, and more preferably from about 2 to about 25 mg. In other  
5 embodiments, the unit dose comprises from about 2 to about 20 mg sumatriptan, preferably from about 5 to about 15 mg. Extra sumatriptan, for example, up to from about 10% to about 25% by weight, can be added as "overage" or as the amount that may be expected to be "washed away" and not otherwise released or absorbed during mastication.

[0177] Given in weight percentages, the sumatriptan chewing gum composition comprises  
10 from about 0.001% to about 2.0% sumatriptan (in whatever chosen form, measured as per its free base form), and preferably from about 0.002% to about 1.0%. In some embodiments, about 0.008% sumatriptan is used. One skilled in the art understands that the foregoing percentages will vary depending upon the particular source of sumatriptan utilized, the amount of sumatriptan desired in the final formulation, as well as on the particular release  
15 rate of sumatriptan desired. The buffer system of the sumatriptan chewing gum composition provides for a final salivary pH in excess of at least about 9.5, preferably at least about 9.9, and more preferably in the range of from about 9.9 to about 11.

[0178] A sumatriptan chewing gum was made according to the following procedure. Silicon dioxide USP (0.35 kg) was passed through a #20 mesh screen and then loaded into a  
20 blender containing 0.810 kg mannitol granular USP and 9.430 kg Pharmagum C. The material was blended for 10 minutes. Sumatriptan succinate EP (0.173 kg) was ground with silicon dioxide (0.02 kg) using a mortar and pestle. The remaining silicon dioxide, along with 0.228 kg magnesium stearate, was added into the mortar while continuing to grind. The ground materials were transferred into a plastic bag, and the mortar was rinsed using 0.01 kg  
25 silicone dioxide, and transferred into the bag. The contents of the bag were then blended for five minutes.

[0179] Equal parts of the blended bag contents and the blended mannitol gum base mixture were blended for an additional five minutes. This process was repeated until all the sumatriptan and gum base mixture had been blended together. Sodium carbonate (0.110 kg),  
30 sodium bicarbonate (0.570 kg), gum acacia (0.43 kg), xanthan gum (0.013 kg), and aspartame (0.072 kg), were then loaded into the blender with natural and artificial flavors and blended for ten minutes with 0.090 kg of silicon dioxide. The flavors used were as follows: natural

and artificial grape flavor S.D. (0.215 kg); natural and artificial cherry flavor (0.108 kg); natural and artificial fruit punch flavor S.D. (0.180 kg); natural cherry WONF DURAROME<sup>®</sup> flavor (0.215 kg); and natural passion fruit type DURAROME<sup>®</sup> flavor (0.035 kg).

- 5 [0180] The blend was passed through a #12 mesh screen and then blended for an additional 15 minutes. Magnesium stearate (0.114 kg) was passed through a #20 mesh screen, added to the blend, and blended for five minutes. The blend was collected and placed in plastic bags. Two silica gel desiccant bags were placed around the plastic bags to absorb ambient moisture. The blend was then compressed and compacted using a tablet press. By using the
- 10 above-described procedure, the average particle size of the drug (*i.e.*, sumatriptan) in the chewing gum is about 20 microns, as compared to a typical average drug particle size of from about 75 to about 100 microns. In addition, the average particle size of the drug in the chewing gum is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*).
- 15 [0181] The sumatriptan chewing gum compositions of the present invention can be used, *e.g.*, for treating a migraine. After introduction of a serving size piece of the gum composition into the mouth, the subject chews the gum as is normally done with any non-medicated type of chewing gum for about 20-30 minutes, at approximately an average rate of about 10-45 chews per minute. The gum is then discarded.
- 20 [0182] A serving of the sumatriptan chewing gum is typically designed to cause a loaded sumatriptan concentration level in the bloodstream of at least about 5 to about 300 nanograms (ng) of sumatriptan per milliliter (ml) of plasma. The ratio of the maximum plasma concentration ( $C_{max}$ ) to the time to achieve that maximum plasma concentration ( $T_{max}$ ) is preferably within a range of about 10 ng/ml x hr to about 1000 ng/ml x hr, and more
- 25 preferably within a range of about 100 ng/ml x hr to about 500 ng/ml x hr. The chewing gum compositions of the present invention provide a convenient, reliable, practical, and painless system for delivering sumatriptan across the oral mucosa. Notably, the chewing gum compositions are capable of rapidly delivering sumatriptan so that a therapeutically effective amount of sumatriptan enters the bloodstream within 20 minutes, 10 minutes, or even within
- 30 1-2 minutes after sumatriptan is released from the carrier.

**Example 4. Sumatriptan Quick-Dissolving Tablet Compositions.**



[0183] This example illustrates the quick-dissolving sumatriptan tablet compositions of the present invention.

[0184] Given in weight percentages, the sumatriptan quick-dissolving tablet composition typically comprises from about 0.001% to about 10.0% sumatriptan (in whatever chosen  
5 form, measured as per its free base form), and more typically from about 1.0% to about 5.0%. In some embodiments, about 3.5% sumatriptan is used. One skilled in the art understands that the foregoing percentages will vary depending upon the particular source of sumatriptan utilized, the amount of sumatriptan desired in the final formulation, as well as on the  
10 particular release rate of sumatriptan desired. The buffer system of the sumatriptan quick-dissolving tablet composition provides for a final salivary pH in excess of at least about 9.5, preferably at least about 9.9, and more preferably in the range of from about 9.9 to about 11.

[0185] A sumatriptan quick-dissolving tablet was made according to the following procedure. Mannitol (3.633 kg) and sorbitol (0.330 kg) were blended for ten minutes. Sodium bicarbonate (0.330 kg), sodium carbonate (0.165 kg), natural peppermint flavor  
15 (0.125 kg), natural menthol flavor (0.025 kg), and sucralose (0.020 kg) were blended separately for ten minutes. Stearic acid (0.125 kg), magnesium stearate (0.075 kg), and sumatriptan succinate (0.172 kg) were blended for ten minutes and then passed through a #12 mesh screen. The blended mixtures were then added together and compressed into tablets. By using this procedure, the average particle size of the drug (*i. e.*, sumatriptan) in the quick-  
20 dissolving tablet is about 20 microns, as compared to a typical average drug particle size of from about 75 to about 100 microns. In addition, the average particle size of the drug in the quick-dissolving tablet is less than or equal to the average particle size of the carrier ingredients (*e. g.*, gum base, binders, *etc.*).

[0186] The sumatriptan quick-dissolving tablets of the present invention can be used, *e. g.*,  
25 for treating a migraine. As such, the quick-dissolving tablets provide a convenient, reliable, practical, and painless system for delivering sumatriptan across the oral mucosa. Notably, the quick-dissolving tablets are capable of rapidly delivering sumatriptan so that a therapeutically effective amount of sumatriptan enters the bloodstream within 20 minutes, 10 minutes, or even within 1-2 minutes after sumatriptan is released from the carrier.

### 30 **Example 5. Sumatriptan Lozenge Compositions.**

[0187] This example illustrates the sumatriptan lozenge compositions of the present invention.

[0188] Given in weight percentages, the sumatriptan lozenge composition typically comprises from about 0.001% to about 10.0% sumatriptan (in whatever chosen form, measured as per its free base form), preferably from about 1.0% to about 5.0% sumatriptan, and more preferably from about 2.5% to about 4.5% sumatriptan. The buffer system for the sumatriptan lozenge composition is typically a binary or ternary buffer system comprising amorphous magnesium oxide with a carbonate salt and/or a bicarbonate salt. For example, a ternary buffer system typically comprises from about 4.0% to about 7.0% sodium carbonate; from about 8.0% to about 12.0% dessicant-coated sodium bicarbonate; and from about 20% to about 30% amorphous magnesium oxide. In a preferred embodiment, the sumatriptan lozenge composition comprises about 3.5% sumatriptan, about 5.5% sodium carbonate, about 9.0% dessicant-coated sodium bicarbonate, and about 25% amorphous magnesium oxide. The buffer system provides for a final salivary pH in excess of at least about 9.5, preferably at least about 9.9, and more preferably in the range of from about 9.9 to about 11.

[0189] A sumatriptan sublingual lozenge was made according to the formulation shown in Table 7. Briefly, mannitol and sorbitol were blended. Sodium carbonate, dessicant-coated sodium bicarbonate, magnesium oxide, natural and artificial spearmint flavor, and sucralose were blended separately. Magnesium stearate and sumatriptan were blended and then passed through a #12 mesh screen. The blended mixtures were then added together and compressed to produce white round lozenges. By using this procedure, the average particle size of the drug (*i.e.*, sumatriptan) in the lozenge is about 20 microns, as compared to a typical average drug particle size of from about 75 to about 100 microns. In addition, the average particle size of the drug in the lozenge is less than or equal to the average particle size of the carrier ingredients (*e.g.*, gum base, binders, *etc.*). The unit weight for each lozenge was 250 mg.

Table 7. Sumatriptan lozenge formulation.

Material	Unit Quantity (mg)	Batch Quantity (g)
Sodium Carbonate, NF	14.000	294.000
Sodium Bicarbonate (Effer Soda)	23.000	483.000
Sumatriptan	9.000	189.000
Mannogem EZ (Mannitol), USP	40.000	840.000
Sorbogem 712 (Sorbitol), NF	80.000	1680.000
Magnesium Oxide @ Mg = 57%	63.400	1331.400
Natural & Artificial Spearmint Flavor	6.500	136.500
Sucralose, NF	1.100	23.100
Silicon Dioxide, USP	5.500	115.500
Magnesium Stearate, NF	7.500	157.500

The batch quantity formulation produces 21,000 unit doses.

[0190] As shown in Figure 2, the sublingual lozenge containing 9 mg sumatriptan had a pH of above 10.2 and maintained a stable pH at 25°C and 60% relative humidity (RH). A sublingual lozenge containing 12.5 mg sumatriptan had a pH of about 9.9 and maintained a stable pH (*see*, Figure 2).

[0191] The sumatriptan lozenges of the present invention can be used, *e.g.*, for treating a migraine. As such, the lozenges provide a convenient, reliable, practical, and painless system for delivering sumatriptan across the oral mucosa. For example, the sumatriptan lozenges are simply kept in the mouth (*i.e.*, under the tongue) for about two or more minutes. Preferably, the sumatriptan lozenges dissolve within about 6 minutes following administration.

[0192] The use of a ternary buffer system comprising sodium carbonate, sodium bicarbonate, and magnesium oxide in the lozenges of the present invention raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting pH of saliva, thus allowing for the rapid delivery across the oral mucosa (*e.g.*, sublingual mucosa) of a therapeutically effective amount of sumatriptan. As a result, sumatriptan enters the bloodstream within 20 minutes, 10 minutes, or even within 1-2 minutes after being released from the carrier. Notably, the magnesium oxide in the ternary buffer system serves several important functions including, for example, raising the pH of the formulation, masking the corrosiveness of

sodium carbonate, serving as a secondary binding agent thereby eliminating the need for stearic acid, and lowering the amount of sodium carbonate needed to produce the desired pH.

[0193] All publications and patent applications cited in this specification are herein incorporated by reference as if each individual publication or patent application were specifically and individually indicated to be incorporated by reference. Although the  
5 foregoing invention has been described in some detail by way of illustration and example for purposes of clarity of understanding, it will be readily apparent to those of ordinary skill in the art in light of the teachings of this invention that certain changes and modifications may be made thereto without departing from the spirit or scope of the appended claims.

10

**WHAT IS CLAIMED IS:**

- 1           1.       A composition for delivery of a 5-HT agonist across the oral mucosa,  
2 said composition comprising:  
3           (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;  
4           (b) a carrier; and  
5           (c) a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a  
6           metal oxide,  
7 wherein said ternary buffer system raises the pH of saliva to a pH greater than about 9.9  
8 irrespective of the starting pH of saliva.
- 1           2.       A composition of claim 1, wherein said ternary buffer system raises the  
2 pH of saliva to a pH of from about 9.9 to about 11 irrespective of the starting pH of saliva.
- 1           3.       A composition of claim 1, wherein said 5-HT agonist is selected from  
2 the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan,  
3 zolmitriptan, frovatriptan, and combinations thereof.
- 1           4.       A composition of claim 1, wherein said carbonate salt is selected from  
2 the group consisting of sodium carbonate and potassium carbonate.
- 1           5.       A composition of claim 1, wherein said bicarbonate salt is selected  
2 from the group consisting of sodium bicarbonate and potassium bicarbonate.
- 1           6.       A composition of claim 1, wherein said metal oxide is selected from  
2 the group consisting of magnesium oxide and aluminum oxide.
- 1           7.       A composition of claim 6, wherein said magnesium oxide is  
2 amorphous magnesium oxide.
- 1           8.       A composition of claim 1, wherein said ternary buffer system  
2 comprises sodium carbonate, sodium bicarbonate, and amorphous magnesium oxide.
- 1           9.       A composition of claim 1, wherein said carrier is selected from the  
2 group consisting of a binder, a gum base, and combinations thereof.
- 1           10.      A composition of claim 9, wherein said gum base comprises at least  
2 one hydrophobic polymer and at least one hydrophilic polymer.

- 1           **11.**    A composition of claim **9**, wherein said binder is selected from the  
2 group consisting of a sugar, a sugar alcohol, and combinations thereof.
- 1           **12.**    A composition of claim **11**, wherein said sugar alcohol is selected from  
2 the group consisting of mannitol, sorbitol, xylitol, and combinations thereof.
- 1           **13.**    A composition of claim **1**, wherein said composition is a dosage form  
2 selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a  
3 dissolving tablet.
- 1           **14.**    A composition of claim **13**, wherein said dissolving tablet is selected  
2 from the group consisting of a slow-dissolving tablet and a quick-dissolving tablet.
- 1           **15.**    A composition of claim **1**, wherein said oral mucosa is selected from  
2 the group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.
- 1           **16.**    A composition of claim **1**, further comprising a 5-HT antagonist.
- 1           **17.**    A composition of claim **1**, further comprising a non-steroidal anti-  
2 inflammatory drug (NSAID).
- 1           **18.**    A composition of claim **1**, wherein the average particle size of said 5-  
2 HT agonist or a pharmaceutically acceptable salt thereof is less than or equal to the average  
3 particle size of said carrier.
- 1           **19.**    A composition of claim **1**, wherein said 5-HT agonist is sumatriptan  
2 and said ternary buffer system comprises sodium carbonate, sodium bicarbonate, and  
3 amorphous magnesium oxide.
- 1           **20.**    A composition of claim **19**, wherein said composition is a lozenge or a  
2 dissolving tablet.
- 1           **21.**    A composition of claim **20**, wherein said composition is administered  
2 sublingually.
- 1           **22.**    A composition of claim **19**, wherein said sodium bicarbonate is  
2 desiccant-coated sodium bicarbonate.

1           **23.**     A composition of claim **19**, wherein the weight percent of amorphous  
2 magnesium oxide is greater than the combined weight percent of sodium carbonate and  
3 sodium bicarbonate.

1           **24.**     A composition of claim **23**, wherein said composition comprises from  
2 about 2.5 to about 4.5 weight percent sumatriptan; from about 4.0 to about 7.0 weight percent  
3 sodium carbonate; from about 8.0 to about 12.0 weight percent dessicant-coated sodium  
4 bicarbonate; and from about 20 to about 30 weight percent amorphous magnesium oxide.

1           **25.**     A composition of claim **24**, wherein composition comprises about 3.5  
2 weight percent sumatriptan; about 5.5 weight percent sodium carbonate; about 9.0 weight  
3 percent dessicant-coated sodium bicarbonate; and about 25 weight percent amorphous  
4 magnesium oxide.

1           **26.**     A composition for delivery of a 5-HT agonist across the oral mucosa,  
2 said composition comprising:

- 3           (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;  
4           (b) a carrier; and  
5           (c) a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a  
6           citrate, phosphate, or borate salt,  
7 wherein said ternary buffer system raises the pH of saliva to a pH greater than about 9.9  
8 irrespective of the starting pH of saliva.

1           **27.**     A composition of claim **26**, wherein said ternary buffer system raises  
2 the pH of saliva to a pH of from about 9.9 to about 11 irrespective of the starting pH of  
3 saliva.

1           **28.**     A composition of claim **26**, wherein said 5-HT agonist is selected from  
2 the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan,  
3 zolmitriptan, frovatriptan, and combinations thereof.

1           **29.**     A composition of claim **26**, wherein said carbonate salt is selected  
2 from the group consisting of sodium carbonate and potassium carbonate.

1           **30.**     A composition of claim **26**, wherein said bicarbonate salt is selected  
2 from the group consisting of sodium bicarbonate and potassium bicarbonate.

1           **31.**     A composition of claim **26**, wherein said citrate salt is selected from  
2 the group consisting of sodium citrate, potassium citrate, calcium citrate, magnesium citrate,  
3 and ammonium citrate.

1           **32.**     A composition of claim **26**, wherein said phosphate salt is selected  
2 from the group consisting of monobasic sodium phosphate, dibasic sodium phosphate,  
3 monobasic potassium phosphate, dibasic potassium phosphate, monobasic calcium  
4 phosphate, dibasic calcium phosphate, monobasic magnesium phosphate, dibasic magnesium  
5 phosphate, monobasic ammonium phosphate, and dibasic ammonium phosphate.

1           **33.**     A composition of claim **26**, wherein said borate salt is selected from  
2 the group consisting of sodium borate, potassium borate, calcium borate, magnesium borate,  
3 and ammonium borate.

1           **34.**     A composition of claim **26**, further comprising a metal oxide.

1           **35.**     A composition of claim **26**, wherein said carrier is selected from the  
2 group consisting of a binder, a gum base, and combinations thereof.

1           **36.**     A composition of claim **26**, wherein said composition is a dosage form  
2 selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a  
3 dissolving tablet.

1           **37.**     A composition of claim **36**, wherein said dissolving tablet is selected  
2 from the group consisting of a slow-dissolving tablet and a quick-dissolving tablet.

1           **38.**     A composition of claim **26**, wherein said oral mucosa is selected from  
2 the group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.

1           **39.**     A composition of claim **26**, wherein the average particle size of said 5-  
2 HT agonist or a pharmaceutically acceptable salt thereof is less than or equal to the average  
3 particle size of said carrier.

1           **40.**     A composition of claim **26**, wherein said 5-HT agonist is sumatriptan  
2 and said ternary buffer system comprises sodium carbonate, sodium bicarbonate, and a  
3 citrate, phosphate, or borate salt.



1           **41.**    A composition of claim **40**, wherein said composition is a lozenge or a  
2 dissolving tablet.

1           **42.**    A composition of claim **41**, wherein said composition is administered  
2 sublingually.

1           **43.**    A composition for delivery of a 5-HT agonist across the oral mucosa,  
2 said composition comprising:

3           (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;

4           (b) a carrier; and

5           (c) a buffer system comprising a carbonate salt or a bicarbonate salt and two or more  
6 buffering agents selected from the group consisting of a metal oxide, a citrate salt,  
7 a phosphate salt, and a borate salt,

8 wherein said buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective  
9 of the starting pH of saliva.

1           **44.**    A composition of claim **43**, wherein said ternary buffer system raises  
2 the pH of saliva to a pH of from about 9.9 to about 11 irrespective of the starting pH of  
3 saliva.

1           **45.**    A composition of claim **43**, wherein said 5-HT agonist is selected from  
2 the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan,  
3 zolmitriptan, frovatriptan, and combinations thereof.

1           **46.**    A composition of claim **43**, wherein said carbonate salt is selected  
2 from the group consisting of sodium carbonate and potassium carbonate.

1           **47.**    A composition of claim **43**, wherein said bicarbonate salt is selected  
2 from the group consisting of sodium bicarbonate and potassium bicarbonate.

1           **48.**    A composition of claim **43**, wherein said carrier is selected from the  
2 group consisting of a binder, a gum base, and combinations thereof.

1           **49.**    A composition of claim **43**, wherein said composition is a dosage form  
2 selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a  
3 dissolving tablet.

1           **50.**     A composition of claim **49**, wherein said dissolving tablet is selected  
2 from the group consisting of a slow-dissolving tablet and a quick-dissolving tablet.

1           **51.**     A composition of claim **43**, wherein said oral mucosa is selected from  
2 the group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.

1           **52.**     A composition of claim **43**, wherein the average particle size of said 5-  
2 HT agonist or a pharmaceutically acceptable salt thereof is less than or equal to the average  
3 particle size of said carrier.

1           **53.**     A composition of claim **43**, wherein said composition is administered  
2 sublingually.

1           **54.**     A composition for delivery of a 5-HT agonist across the oral mucosa,  
2 said composition comprising:

3           (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;

4           (b) a carrier; and

5           (c) a binary buffer system comprising a carbonate salt or a bicarbonate salt and a  
6 metal oxide,

7 wherein said binary buffer system raises the pH of saliva to a pH greater than about 9.9  
8 irrespective of the starting pH of saliva.

1           **55.**     A composition of claim **54**, wherein said binary buffer system raises  
2 the pH of saliva to a pH of from about 9.9 to about 11 irrespective of the starting pH of  
3 saliva.

1           **56.**     A composition of claim **54**, wherein said 5-HT agonist is selected from  
2 the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan,  
3 zolmitriptan, frovatriptan, and combinations thereof.

1           **57.**     A composition of claim **54**, wherein said carbonate salt is selected  
2 from the group consisting of sodium carbonate and potassium carbonate.

1           **58.**     A composition of claim **54**, wherein said bicarbonate salt is selected  
2 from the group consisting of sodium bicarbonate and potassium bicarbonate.

1           **59.**    A composition of claim **54**, wherein said metal oxide is selected from  
2 the group consisting of magnesium oxide and aluminum oxide.

1           **60.**    A composition of claim **59**, wherein said magnesium oxide is  
2 amorphous magnesium oxide.

1           **61.**    A composition of claim **54**, wherein said binary buffer system  
2 comprises sodium carbonate and amorphous magnesium oxide.

1           **62.**    A composition of claim **54**, wherein said binary buffer system  
2 comprises sodium bicarbonate and amorphous magnesium oxide.

1           **63.**    A composition of claim **54**, wherein said carrier is selected from the  
2 group consisting of a binder, a gum base, and combinations thereof.

1           **64.**    A composition of claim **54**, wherein said composition is a dosage form  
2 selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a  
3 dissolving tablet.

1           **65.**    A composition of claim **56**, wherein said dissolving tablet is selected  
2 from the group consisting of a slow-dissolving tablet and a quick-dissolving tablet.

1           **66.**    A composition of claim **54**, wherein said oral mucosa is selected from  
2 the group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.

1           **67.**    A composition of claim **54**, wherein the average particle size of said 5-  
2 HT agonist or a pharmaceutically acceptable salt thereof is less than or equal to the average  
3 particle size of said carrier.

1           **68.**    A composition of claim **54**, wherein said 5-HT agonist is sumatriptan  
2 and said binary buffer system comprises sodium carbonate or sodium bicarbonate and  
3 amorphous magnesium oxide.

1           **69.**    A composition of claim **68**, wherein said composition is a lozenge or a  
2 dissolving tablet.

1           **70.**    A composition of claim **69**, wherein said composition is administered  
2 sublingually.

1           **71.**    A composition of claim **68**, wherein the weight percent of amorphous  
2 magnesium oxide is greater than the weight percent of sodium carbonate or sodium  
3 bicarbonate.

1           **72.**    A composition for delivery of a 5-HT agonist across the oral mucosa,  
2 said composition comprising:

- 3           (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;  
4           (b) a carrier; and  
5           (c) a binary buffer system comprising a carbonate salt or a bicarbonate salt and a  
6           -citrate, phosphate, or borate salt,  
7 wherein said binary buffer system raises the pH of saliva to a pH greater than about 9.9  
8 irrespective of the starting pH of saliva.

1           **73.**    A composition of claim **72**, wherein said binary buffer system raises  
2 the pH of saliva to a pH of from about 9.9 to about 11 irrespective of the starting pH of  
3 saliva.

1           **74.**    A composition of claim **72**, wherein said 5-HT agonist is selected from  
2 the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan,  
3 zolmitriptan, frovatriptan, and combinations thereof.

1           **75.**    A composition of claim **72**, wherein said carbonate salt is selected  
2 from the group consisting of sodium carbonate and potassium carbonate.

1           **76.**    A composition of claim **72**, wherein said bicarbonate salt is selected  
2 from the group consisting of sodium bicarbonate and potassium bicarbonate.

1           **77.**    A composition of claim **72**, wherein said carrier is selected from the  
2 group consisting of a binder, a gum base, and combinations thereof.

1           **78.**    A composition of claim **72**, wherein said composition is a dosage form  
2 selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a  
3 dissolving tablet.

1           **79.**    A composition of claim **78**, wherein said dissolving tablet is selected  
2 from the group consisting of a slow-dissolving tablet and a quick-dissolving tablet.

1           **80.**     A composition of claim **72**, wherein said oral mucosa is selected from  
2 the group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.

1           **81.**     A composition of claim **72**, wherein the average particle size of said 5-  
2 HT agonist or a pharmaceutically acceptable salt thereof is less than or equal to the average  
3 particle size of said carrier.

1           **82.**     A composition of claim **72**, wherein said 5-HT agonist is sumatriptan  
2 and said binary buffer system comprises sodium carbonate or sodium bicarbonate and and a  
3 citrate, phosphate, or borate salt.

1           **83.**     A composition of claim **82**, wherein said composition is a lozenge or a  
2 dissolving tablet.

1           **84.**     A composition of claim **83**, wherein said composition is administered  
2 sublingually.

1           **85.**     A composition for delivery of a 5-HT agonist across the oral mucosa,  
2 said composition comprising:

- 3           (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;  
4           (b) a carrier; and  
5           (c) a binary buffer system comprising a metal oxide and a citrate, phosphate, or  
6           borate salt,

7 wherein said binary buffer system raises the pH of saliva to a pH greater than about 9.9  
8 irrespective of the starting pH of saliva.

1           **86.**     A composition of claim **85**, wherein said binary buffer system raises  
2 the pH of saliva to a pH of from about 9.9 to about 11 irrespective of the starting pH of  
3 saliva.

1           **87.**     A composition of claim **85**, wherein said 5-HT agonist is selected from  
2 the group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan,  
3 zolmitriptan, frovatriptan, and combinations thereof.

1           **88.**     A composition of claim **85**, wherein said metal oxide is selected from  
2 the group consisting of magnesium oxide and aluminum oxide.

1           **89.**    A composition of claim **88**, wherein said magnesium oxide is  
2 amorphous magnesium oxide.

1           **90.**    A composition of claim **85**, wherein said carrier is selected from the  
2 group consisting of a binder, a gum base, and combinations thereof.

1           **91.**    A composition of claim **85**, wherein said composition is a dosage form  
2 selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a  
3 dissolving tablet.

1           **92.**    A composition of claim **91**, wherein said dissolving tablet is selected  
2 from the group consisting of a slow-dissolving tablet and a quick-dissolving tablet.

1           **93.**    A composition of claim **85**, wherein said oral mucosa is selected from  
2 the group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.

1           **94.**    A composition of claim **85**, wherein the average particle size of said 5-  
2 HT agonist or a pharmaceutically acceptable salt thereof is less than or equal to the average  
3 particle size of said carrier.

1           **95.**    A composition of claim **85**, wherein said 5-HT agonist is sumatriptan  
2 and said binary buffer system comprises amorphous magnesium oxide and a citrate,  
3 phosphate, or borate salt.

1           **96.**    A composition of claim **95**, wherein said composition is a lozenge or a  
2 dissolving tablet.

1           **97.**    A composition of claim **96**, wherein said composition is administered  
2 sublingually.

1           **98.**    A composition for delivery of a 5-HT agonist across the oral mucosa,  
2 said composition comprising:

- 3           (a) a 5-HT agonist or a pharmaceutically acceptable salt thereof;  
4           (b) a carrier; and  
5           (c) a binary buffer system comprising a carbonate salt and a bicarbonate salt,

6            wherein said binary buffer system raises the pH of saliva to a pH greater than  
7 about 9.9 irrespective of the starting pH of saliva.

1            **99.**    A composition of claim **98**, wherein said 5-HT agonist is sumatriptan  
2 and said binary buffer system is combined with sumatriptan to form a solution just prior to  
3 delivery of sumatriptan to the oral mucosa.

1            **100.**    A composition of claim **98**, wherein said 5-HT agonist is sumatriptan  
2 and said binary buffer system comprises sodium bicarbonate and sodium carbonate wherein  
3 the ratio of sodium bicarbonate to sodium carbonate is from about 2:1 to about 5:1 by  
4 weight.

1            **101.**    A composition of claim **100**, said composition delivering a peak  
2 plasma concentration within about 1-15 minutes following administration.

1            **102.**    A method for treating a migraine in a subject in need thereof, said  
2 method comprising:

3            administering to said subject a composition comprising a therapeutically  
4 effective amount of sumatriptan or a pharmaceutically acceptable salt thereof, a carrier, and a  
5 binary buffer system comprising a carbonate salt and a bicarbonate salt, wherein said binary  
6 buffer system raises the pH of saliva to a pH greater than about 9.9 irrespective of the starting  
7 pH of saliva.

1            **103.**    A method in accordance with claim **102**, wherein said composition is a  
2 solution composition.

1            **104.**    A method in accordance with claim **103**, wherein said binary buffer  
2 system comprises sodium bicarbonate and sodium carbonate wherein the ratio of sodium  
3 bicarbonate to sodium carbonate is from about 2:1 to about 5:1 by weight, and said  
4 composition provides a peak plasma concentration within about 1-15 minutes following  
5 administration to said subject.

1            **105.**    A method for treating a migraine in a subject in need thereof, said  
2 method comprising:

3            administering to said subject a composition comprising a therapeutically  
4 effective amount of a 5-HT agonist or a pharmaceutically acceptable salt thereof, a carrier,

5 and a ternary buffer system comprising a carbonate salt, a bicarbonate salt, and a metal oxide,  
6 wherein said ternary buffer system raises the pH of saliva to a pH greater than about 9.9  
7 irrespective of the starting pH of saliva.

1           **106.** A method of claim **105**, wherein said ternary buffer system raises the  
2 pH of saliva to a pH of from about 9.9 to about 11 irrespective of the starting pH of saliva.

1           **107.** A method of claim **105**, wherein said composition delivers said 5-HT  
2 agonist across the oral mucosa.

1           **108.** A method of claim **107**, wherein said oral mucosa is selected from the  
2 group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.

1           **109.** A method of claim **105**, wherein said migraine is selected from the  
2 group consisting of a migraine without aura and a migraine with aura.

1           **110.** A method of claim **105**, wherein said 5-HT agonist is selected from the  
2 group consisting of sumatriptan, naratriptan, rizatriptan, eletriptan, almotriptan, zolmitriptan,  
3 frovatriptan, and combinations thereof.

1           **111.** A method of claim **105**, wherein said carbonate salt is selected from  
2 the group consisting of sodium carbonate and potassium carbonate.

1           **112.** A method of claim **105**, wherein said bicarbonate salt is selected from  
2 the group consisting of sodium bicarbonate and potassium bicarbonate.

1           **113.** A method of claim **105**, wherein said metal oxide is selected from the  
2 group consisting of magnesium oxide and aluminum oxide.

1           **114.** A method of claim **113**, wherein said magnesium oxide is amorphous  
2 magnesium oxide.

1           **115.** A method of claim **105**, wherein said ternary buffer system comprises  
2 sodium carbonate, sodium bicarbonate, and amorphous magnesium oxide.

1           **116.** A method of claim **105**, wherein said carrier is selected from the group  
2 consisting of a binder, a gum base, and combinations thereof.



1           **117.** A method of claim **105**, wherein said composition is a dosage form  
2 selected from the group consisting of a lozenge, a chewing gum, a chewable tablet, and a  
3 dissolving tablet.

1           **118.** A method of claim **117**, wherein said dissolving tablet is selected from  
2 the group consisting of a slow-dissolving tablet and a quick-dissolving tablet.

1           **119.** A method of claim **105**, wherein said oral mucosa is selected from the  
2 group consisting of the sublingual mucosa, the buccal mucosa, and a combination thereof.

1           **120.** A method of claim **105**, further comprising a 5-HT antagonist.

1           **121.** A method of claim **105**, further comprising a non-steroidal anti-  
2 inflammatory drug (NSAID).

1           **122.** A method of claim **105**, wherein the average particle size of said 5-HT  
2 agonist or a pharmaceutically acceptable salt thereof is less than or equal to the average  
3 particle size of said carrier.

1           **123.** A method of claim **105**, wherein said 5-HT agonist is sumatriptan and  
2 said ternary buffer system comprises sodium carbonate, sodium bicarbonate, and amorphous  
3 magnesium oxide.

1           **124.** A method of claim **123**, wherein said composition is a lozenge or a  
2 dissolving tablet.

1           **125.** A method of claim **124**, wherein said composition is administered  
2 sublingually.

1           **126.** A method of claim **123**, wherein the weight percent of amorphous  
2 magnesium oxide is greater than the combined weight percent of sodium carbonate and  
3 sodium bicarbonate.

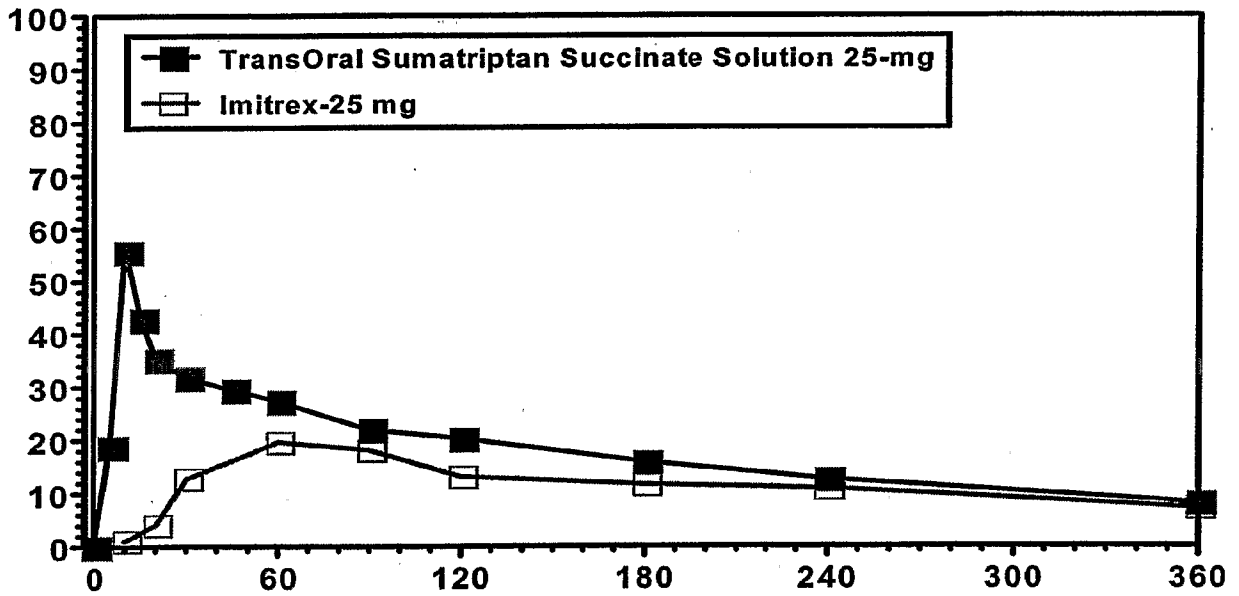
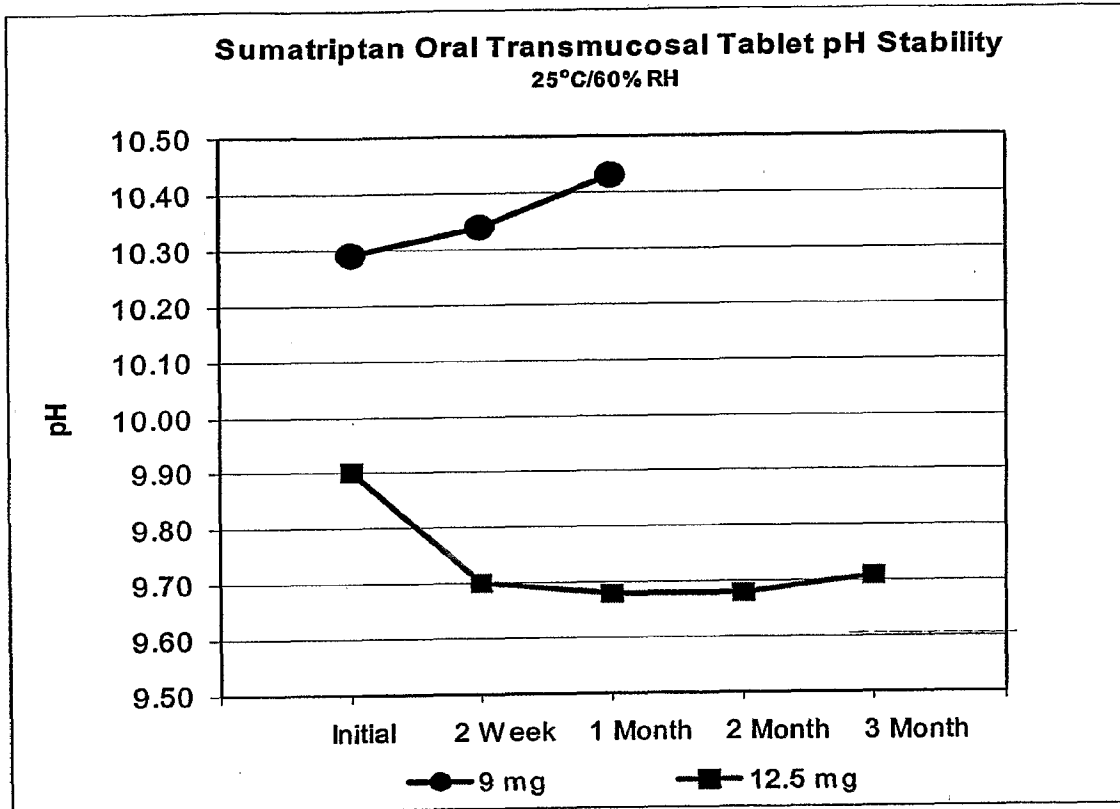


FIG. 1



**FIG. 2**

(19) World Intellectual Property Organization  
International Bureau



(43) International Publication Date  
6 March 2008 (06.03.2008)

PCT

(10) International Publication Number  
**WO 2008/027395 A2**

(51) International Patent Classification:

A61K 47/10 (2006.01) A61K 31/5513 (2006.01)  
A61K 47/14 (2006.01) A61P 25/08 (2006.01)  
A61K 47/22 (2006.01)

(74) Agent: CAGAN, Felissa, H.; Jazz Pharmaceuticals, 3180  
Porter Drive, Palo Alto, CA 94304 (US).

(81) Designated States (unless otherwise indicated, for every  
kind of national protection available): AE, AG, AL, AM,  
AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH,  
CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG,  
ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL,  
IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK,  
LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW,  
MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PG, PH, PL,  
PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, SV, SY,  
TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA,  
ZM, ZW.

(21) International Application Number:

PCT/US2007/018942

(22) International Filing Date: 27 August 2007 (27.08.2007)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:

60/840,568 28 August 2006 (28.08.2006) US

(84) Designated States (unless otherwise indicated, for every  
kind of regional protection available): ARIPO (BW, GI,  
GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM,  
ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),  
European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI,  
FR, GB, GR, HU, IE, IS, IT, LT, LU, LV, MC, MT, NL, PL,  
PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM,  
GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(71) Applicant (for all designated States except US): JAZZ  
PHARMACEUTICALS [US/US]; 3180 Porter Drive,  
Palo Alto, CA 94304 (US).

(72) Inventors; and

(75) Inventors/Applicants (for US only): JAMIESON, Gene  
[US/US]; 18155 China Grade, Boulder Creek, CA 95006  
(US). DES JARDIN, Michael [US/US]; 670 Lamberth  
Court, Sunnyvale, CA 94087 (US). ALLPHIN, Clark  
[US/US]; 150 Giffin Road, Apartment 4, Los Altos, CA  
94022 (US).

Published:

— without international search report and to be republished  
upon receipt of that report



WO 2008/027395 A2

(54) Title: PHARMACEUTICAL COMPOSITIONS OF BENZODIAZEPINES AND METHODS OF USE THEREOF

(57) Abstract: The present invention includes benzodiazepine compositions formulated for intranasal administration, comprising a binary solvent system comprising a first solvent in which the benzodiazepine is soluble, the first solvent capable of penetrating nasal mucosal tissue, and a second solvent in which the benzodiazepine is less soluble. The compositions of the present invention may be used to treat a variety of disorders including, but not limited to, panic attacks, muscle spasms, anxiety, and seizures. In one aspect, the present invention relates to a fast-acting, clonazepam composition for transnasal administration that can be used for the treatment of seizure clusters.

## **Pharmaceutical Compositions of Benzodiazepines and Methods of Use Thereof**

### **Technical Field**

[0001] The present invention relates to formulations, including compositions and dosage forms of benzodiazepines. Described herein are compositions that are useful and efficacious for transmucosal delivery, including intranasal delivery, as well as methods of use and methods of manufacturing for such compositions.

### **Background of the Invention**

[0002] Benzodiazepines are a class of antidepressants, anti-panic agents, and muscle relaxants used to ameliorate anxiety, treat panic disorders, induce sleep, relax muscles, and relieve seizures and muscle spasms. Benzodiazepine medications produce these effects by depressing the central nervous system. Clonazepam, alprazolam, chlordiazepoxide, diazepam, lorazepam, oxazepam, estazolam, midazolam, and triazolam are examples of benzodiazepine medications.

[0003] Clonazepam is marketed by Hoffman-La Roche under the trade names KLONOPIN® (Hoffmann-La Roche Inc., New Jersey) in the United States and RIVOTRIL® (Hoffmann-La Roche Inc., New Jersey) in Canada, South America, and Europe. The pharmacological profile of clonazepam resembles that of other anxiolytic/sedative benzodiazepine medications, and its anticonvulsive characteristics are like those of other diazepam. Clonazepam can suppress the spike-wave discharge accompanying absence seizures (i.e., petit mal seizures) and reduce amplitude, frequency, duration, and discharge spreading in small-scale motor seizures.

[0004] Lorazepam was first introduced in the late 1970's by Wyeth Pharmaceuticals under the trade name Ativan®. It is now manufactured by Wyeth Laboratories, Pennsylvania and distributed by Biovail Pharmaceuticals, New Jersey and is indicated for the management of anxiety disorders or for the short term relief of the symptoms of anxiety or anxiety associated with depressive symptoms. Injectable lorazepam is useful as an initial anticonvulsant medication for the control of status epilepticus.

[0005] Diazepam was first marketed as Valium® by Hoffman-LaRoche in the 1960's. Valium is now distributed by Roche Pharmaceuticals, New Jersey. Valium is indicated for the management of anxiety disorder and relief of symptoms of anxiety, for

symptomatic relief of acute alcohol withdrawal, adjunctively for relief of skeletal muscle spasm, and adjunctively in convulsive disorders.

**[0006]** Clonazepam is well absorbed orally; maximum blood concentrations typically occur in one to two hours. It is metabolized by the liver and reduced to inactive metabolites that are excreted primarily in the urine. The amount excreted unchanged in the urine is less than 0.5% of a dose. In addition, 9% to 27% of a dose of clonazepam is excreted in the feces. Clonazepam exhibits a half-life that varies from about 18 hours to 50 hours.

**[0007]** Lorazepam is well absorbed orally; maximum blood concentrations typically occur in one to four hours. It is metabolized by the liver and reduced to inactive metabolites that are excreted primarily in the urine. Lorazepam exhibits a half-life that varies from about 8 hours to 24 hours.

**[0008]** Diazepam is well absorbed orally; maximum blood concentrations typically occur in one to two hours. It is metabolized by the liver and reduced to inactive metabolites that are excreted primarily in the urine. Diazepam exhibits a half-life of about 100 hours.

**[0009]** Clonazepam exhibits strong anxiolytic properties and euphoric side effects; therefore, it is considered a "highly potent" benzodiazepine. Specifically, 0.25 mg of clonazepam is roughly equal to 1.0 mg of lorazepam and 5.0 mg of diazepam. Clonazepam's sedative effects are relatively weak in comparison with its strong anticonvulsant and anxiolytic effects. The sedative effects of clonazepam are also weaker than that of other benzodiazepines. Clonazepam appears to act by simulating the central nervous system actions of GABA, like other benzodiazepines.

**[0010]** Clonazepam is commonly prescribed to treat epilepsy, anxiety disorders, panic attacks, Restless Legs Syndrome (RLS), chronic fatigue syndrome, REM behavior disorder, night terrors, and Tourette's Syndrome. In the treatment of anxiety disorders, low-dose, long-term treatment with clonazepam may be required because of the chronic nature of anxiety. Although benzodiazepines have some potential for abuse, the use of clonazepam in long-term treatment of anxiety disorders is therapeutic and should not be confused with dependence or addiction. Clonazepam also is used for the initial treatment of mania in combination with medications such as lithium, risperidone, or haloperidol. In addition, clonazepam is prescribed to treat the symptoms of Parkinson's disease and

schizophrenia and for twitching and pain management. Clonazepam has also been used to reduce and manage Tourette's Syndrome motor tics. In another application, clonazepam has been used to treat Hallucinogen Persisting Perception Disorder (HPPD). Clonazepam is not typically used to treat insomnia because of its relatively weak sedative effects.

**[0011]** For epilepsy patients, clonazepam is indicated for use alone or as an adjunct therapy, and as primary therapy and for refractory patients. Epilepsy is a disorder characterized by transient but recurrent disturbances of brain function that may or may not be associated with impairment or loss of consciousness and abnormal movements or behavior. The primary objective of caring for patients with epilepsy is to restore their functional capacity to its maximal potential. To do this, physicians use a stable regimen of anti-epileptic drugs (AED). Approximately 30% of patients continue to be refractory to AED treatment and often have recurrent seizures that may occur in clusters. Some of these patients may also experience continued seizure activity without regaining consciousness for a prolonged period of time, a condition called status epilepticus. In addition to being life threatening, recurrent seizures and status epilepticus can impact cognition and permanently damage other brain function.

**[0012]** Patients with refractory epilepsy including episodes of seizure clusters and status epilepticus often present at the emergency room where they are treated with IV benzodiazepines, phenytoin and barbiturates. The goal of treatment in the ER is the prompt cessation of seizure activity. Prior to the ER, there are limited treatment options available to these patients and caregivers.

**[0013]** Epileptic seizures are often classified in two types: primary generalized seizures, (seizures that begin with a widespread electrical discharge involving both sides of the brain) and partial seizures (seizures involving one area of the brain). Included among primary generalized seizures are: absence (also known as petit-mal) seizures, myoclonic seizures, atonic and tonic seizures, clonic and clonic-tonic (also known as grand-mal) seizures. Included among partial seizures are simple and complex seizures and secondary generalized seizures.

**[0014]** Clonazepam has been used in the treatment many different epilepsy syndromes and for different types of seizures including Lennox-Gastaut syndrome (petit mal variant), akinetic and myoclonic seizures. Clonazepam is also useful in patients with absence seizures. In Europe, clonazepam, available in IV formulation, is also used in the

acute treatment of seizures in the emergency setting. Often patients with history of cluster seizures and status epilepticus will present to the emergency room.

**[0015]** A rectal gel formulation of diazepam is commercially available (Diastat®) for outpatient treatment of increased seizure activity in patients on stable anti-epileptic drug regimen. Diastat® is administered to patients by caregivers and has been effective in aborting seizure activity and thereby reducing ER visits. However, due to the mode of administration, Diastat® has primarily been used in the pediatric population where a parent can rectally administer to their child. Ideally, an outpatient rescue treatment for these epileptic patients would have a quick onset of action terminating the ongoing seizure and prevent recurrence of seizure activity through a long enough duration of effect. The treatment should also be easily administered by caregivers in a culturally acceptable mode of administration that is easily accessible.

**[0016]** The nasal mucosa offers an alternative to oral and parenteral administration; intranasal administration is a practical way to achieve the therapeutic effect of many medications. Advantages of this method are that drugs can be administered readily and simply, and either a localized or a systemic effect can be achieved. Intranasal administration suffers from a significant problem, however: Most drug molecules diffuse slowly and poorly through the nasal mucosa. Therefore, therapeutic levels of the medication cannot be achieved or may not be achieved in time with the progression of the incidence. A further constraint is that the administration volume must be small; usually it is maximally about 150  $\mu$ L per nostril. If a greater volume of medication is administered, it may drain into the pharynx and be swallowed.

**[0017]** Various intranasal benzodiazepine compositions have been developed. However, some of these compositions exhibit a delayed time to peak plasma concentration, poor absorption, or poor bioavailability. This is unacceptable for treatment or prevention of some disorders, illnesses and symptoms. Some intranasal midazolam formulations, for example, are produced at a pH that causes nasal irritation and burning in many patients.

**[0018]** Accordingly, there is a need for intranasal benzodiazepine compositions with improved properties such as, for example, rapid absorption, time to peak concentration, and bioavailability. Further, a need exists for vehicles in which the



solubility of the drug is high but which are non-damaging to the nasal mucosa. There also is a need for intranasal compositions that improve patient compliance.

### **Summary of the Invention**

**[0019]** In one aspect, the invention is directed to a pharmaceutical composition for transmucosal administration to a mammal, comprising a solvent system comprising a first solvent in which a benzodiazepine is soluble, the first solvent capable of penetrating nasal mucosal tissue, and a second solvent in which the benzodiazepine is less soluble than in the first solvent, wherein the solvent system comprises 10% (weight/weight) or less of an aqueous buffer solution with the caveat that the solvent system does not comprise free polyethylene glycol polymers; and a therapeutically effective amount of a benzodiazepine.

**[0020]** In other embodiments, the pharmaceutical the solvent system may be substantially a single phase and substantially homogeneous, may be substantially free of aqueous buffer, the first solvent may be diethylene glycol monoethylether (DEGEE) or tetrahydrofurfuryl alcohol polyethyleneglycol ether (glycofurol), the first solvent may be present at a weight percent of between about 30% to about 70%, the second solvent may be glycerol triacetate or propylene glycol, and the benzodiazepine may be present at a weight percent of between about 0.1% to about 10%.

**[0021]** In further embodiments, the first and second solvents may be present in equal weight percents, the pH of the aqueous buffer solution may be between about pH 4 to about pH 7, the composition may further comprise one or more components selected from the group consisting of a surfactant, anti-oxidant, pharmaceutically acceptable polymer, polyalcohol, lipid, mucosa penetration enhancing agent, colorant, flavoring agent, anesthetic agent, co-solvent, and agent to adjust osmolarity, the composition may be formulated to be sprayable and the composition may be sprayable at temperatures between -15° and 30°C.

**[0022]** In another aspect, the invention is directed to a pharmaceutical composition for transmucosal administration to a mammal, comprising a solvent system comprising a first solvent comprising one or more components selected from the group consisting of diethylene glycol monoethylether and tetrahydrofurfuryl alcohol polyethyleneglycol ether, and a second solvent comprising one or more component

selected from the group consisting of glycerol triacetate or propylene glycol, wherein the solvent system comprises 10% (weight/weight) or less of an aqueous buffer solution with the caveat that the solvent system does not comprise free polyethylene glycol polymers; and a therapeutically effective amount of a benzodiazepine wherein the composition is a single phase and homogeneous.

**[0023]** In further embodiments the composition may be used at a unit therapeutic dose of between about 50  $\mu$ L and 300  $\mu$ L, or between 25 and 150  $\mu$ L.

**[0024]** In another embodiment, the pharmaceutical composition of the invention comprises a benzodiazepine for intranasal administration to a mammal comprising an ethyl ether solvent and a therapeutically effective amount of the benzodiazepine, wherein the composition is a single phase and homogeneous.

**[0025]** In yet another aspect, the pharmaceutical composition of the invention comprises a benzodiazepine for transmucosal administration to a mammal, characterized by (i) a  $T_{max}$  of a benzodiazepine, after a single intranasal administration, of no more than 2 hours, and (ii) a bioavailability of the benzodiazepine, after a single intranasal administration, of no less than 30% of the bioavailability of an equivalent dose of the benzodiazepine delivered orally.

**[0026]** In still another aspect, the pharmaceutical composition of the invention comprises a benzodiazepine for transmucosal administration to a mammal, characterized by (i) a  $C_{max}$  of the benzodiazepine, after a single intranasal administration, of at least about 75% the  $C_{max}$  of an equivalent dose of the benzodiazepine delivered orally, and (ii) a bioavailability of the benzodiazepine, after a single intranasal administration, of no less than 30% of the bioavailability of an equivalent dose of the benzodiazepine delivered orally.

**[0027]** In a further aspect, the pharmaceutical composition of the invention comprises a benzodiazepine for intranasal administration to a mammal, characterized by (i) a ratio of the AUC of the benzodiazepine, after a single intranasal administration, ( $AUC_{in}$ ) to the AUC of an equivalent dose of the benzodiazepine delivered orally ( $AUC_{oral}$ ) of at least about  $AUC_{in}:AUC_{oral} = 1:3.3$ , wherein the AUC values are determined over the same time period.

**[0028]** In other aspects, the invention is directed to a method for administering an active agent to a mammal in need thereof, the method comprising delivery of a

benzodiazepine to the mammal's bloodstream via the nasal mucosa of the mammal in a dosage form comprising the compositions described above, and the invention is directed to a method of treating a mammal suffering seizures, the method comprising delivery of the benzodiazepine to the mammal's bloodstream via the nasal mucosa of the mammal, wherein the benzodiazepine is delivered in a dosage form comprising a composition described above.

[0029] In other embodiments, delivery of the active agent occurs at the onset of the symptoms of seizures, and one or more unit doses may be administered.

[0030] In yet another aspect, the invention is directed to a method of manufacturing a benzodiazepine composition, the method comprising mixing a solvent system and benzodiazepine to provide a single-phase, homogeneous solution suitable for intranasal administration of the benzodiazepine.

[0031] Still another aspect, the invention is directed to a method of administering an active agent to a mammal in need thereof, wherein a composition described above is administered to a mammal suffering from anxiety attacks selected from the group consisting of panic attacks, social phobia, social anxiety and performance anxiety.

[0032] These and other embodiments of the present invention will readily occur to those of ordinary skill in the art in view of the disclosure herein.

#### **Brief Description of the Figures**

[0033] Figure 1 presents a graphic representation of the mean cumulative amount of diazepam, lorazepam and clonazepam permeated per unit area over a period of 7 hours (h). In the figure, the horizontal axis is Time given in hours (h) and the vertical axis is the mean permeated amount of permeated drug per unit area ( $\mu\text{g}/\text{cm}^2$ ). The legend for the plot of data is as follows: lorazepam, diamonds; clonazepam, squares; and diazepam, triangles.

[0034] Figure 2 presents the solubility of clonazepam in mixtures of triacetin or propylene glycol and glycofurol. In the figure, the vertical axis is CLO (clonazepam) solubility in mg/mL, and the horizontal axis is the percent (%) triacetin (TA) or propylene glycol (PG) and glycofurol (GF). In the figure, the linear regression for PG/GF was  $y = -0.6539x + 66.185$ , with a correlation coefficient of  $R^2 = 0.9904$ ; and the linear regression for TA/GF was  $y = -0.6229x + 67.597$ , with a correlation coefficient of  $R^2 = 0.999$ .

**[0035]** Figure 3 presents irritation data for five clonazepam formulations. Comparison of irritation values is given relative to acetic acid solutions and a setron formulation. In the figure, the vertical axis is the blood pressure integrated as a function of time (Integral) and the horizontal axis is the formulations tested at 50  $\mu$ L doses, as follows: CLZ2080 -- 10 mg/mL clonazepam, 20% Transcutol® (TC), 80% Polyethylene Glycol (PEG); CLZ5050 -- 10 mg/mL clonazepam, 50% TC, 50% PEG; CLZ70G30T -- 10 mg/mL clonazepam, 70% GF, 30% TA; CLZ20T80P02T, 10 mg/mL clonazepam, 10% TC, 90% PEG 200 and 0.2% Tween 20; Saline (negative control); Acetic Acid (HOAc) 0.3% (positive control); Acetic Acid (HOAc) 1.5% (positive control); Setron (positive control).

**[0036]** Figure 4 presents that data for irritation scores of eight clonazepam formulations and control formulations based on the mean blood pressure changes. The columns for saline, acetic acid solutions and a setron formulation (i.e., the right-most four columns) represented data from previous experiments and were inserted for comparison. In the figure, the vertical axis is the blood pressure integrated as a function of time (Integral) and the horizontal axis corresponds to the tested formulations (the formulations are set forth in Table 11). Saline was a negative control; 0.3% Acetic Acid (HOAc) and 0.9% HOAc were positive irritation controls; and setron was a positive irritation control.

**[0037]** Figure 5 presents pharmacokinetic data in a rabbit study. In the figure, the vertical axis is concentration of clonazepam (CLZ conc. (ng/mL)), and the horizontal axis is time in minutes (Time (min.)). The legend for the plot of data is as follows: Formulation I, closed circles; Formulation II, closed squares; Formulation III; upright triangles; and Formulation IV, light x's. The top data line with dark x's corresponds to the data for intravenous administration.

**[0038]** Figure 6 summarizes the histopathology results for the nasal cavities of test animals to which clonazepam compositions of the present invention were administered. In the figure, the vertical axis is the number of affected animals; and the horizontal axis are the test groups organized by groups of three bar graphs. In each bar graph the order of the vertical bars is as follows: Score 0; Score 1; and Score 2.

**[0039]** Figure 7 shows the correlation between plume area at 3 cm and viscosity of non-aqueous solvent matrices. Data for water is shown for comparison ( $\square$ ).

Composition of solvent matrices is presented in Table 19. In the figure, the vertical axis is plume area in cm and the horizontal axis is viscosity (cP).

[0040] Figure 8 shows the correlation between spray angle and viscosity of non-aqueous solvent matrices. Data for water is shown for comparison ( $\square$ ). Composition of solvent matrices is presented in Table 19. In the figure, the vertical axis is spray angle (in degrees) and the horizontal axis is viscosity (cP).

[0041] Figure 9 shows the correlation between plume asymmetry ( $D_{\max}/D_{\min}$ ) and viscosity of non-aqueous solvent matrices. Data for water is shown for comparison ( $\square$ ). Composition of solvent matrices is presented in Table 19. In the figure, the vertical axis is ( $D_{\max}/D_{\min}$ ) and the horizontal axis is viscosity (cP).

### Detailed Description of the Invention

[0042] All patents, publications, and patent applications cited in this specification are herein incorporated by reference as if each individual patent, publication, or patent application was specifically and individually indicated to be incorporated by reference in its entirety for all purposes.

#### 1.0.0 Definitions

[0043] It is to be understood that the terminology used herein is for the purpose of describing particular embodiments only, and is not intended to be limiting. As used in this specification and the appended claims, the singular forms "a," "an" and "the" include plural referents unless the context clearly dictates otherwise. Thus, for example, reference to "a solvent" includes a combination of two or more such solvents, reference to "a compound" includes one or more compounds, mixtures of compounds, and the like.

[0044] Unless defined otherwise, all technical and scientific terms used herein have the same meaning as commonly understood by one of ordinary skill in the art to which the invention pertains. Although other methods and materials similar, or equivalent, to those described herein can be used in the practice of the present invention, the preferred materials and methods are described herein.

[0045] In describing and claiming the present invention, the following terminology will be used in accordance with the definitions set out below.

[0046] The term "dosage form" as used herein refers to a pharmaceutical composition comprising an active agent, such as a benzodiazepine, and optionally containing inactive ingredients, e.g., pharmaceutically acceptable excipients such as

suspending agents, surfactants, solvents, co-solvents, permeation enhancers, binders, diluents, lubricants, stabilizers, anti-oxidants, osmotic agents, colorants, plasticizers, coatings and the like, that may be used to manufacture and deliver active pharmaceutical agents.

**[0047]** The term “gel” as used herein refers to a semi-solid dosage form that contains a gelling agent in, for example, an aqueous, alcoholic, or hydroalcoholic vehicle and the gelling agent imparts a three-dimensional cross-linked matrix (“gellified”) to the vehicle. The term “semi-solid” as used herein refers to a heterogeneous system in which one solid phase is dispersed in a second liquid phase. In preferred embodiments of the present invention, the benzodiazepine (e.g., clonazepam) compositions formulated for intranasal delivery are not gellified.

**[0048]** The pH measurements for formulations and compositions described herein, wherein the formulations or compositions do not comprise a predominantly aqueous environment, are more aptly described as “apparent pH” values as the pH values are not determined in a predominantly aqueous environment. In such cases, the influence of, for example, organic solvents on the pH measurement may result in a shift of pH relative to a true aqueous environment.

**[0049]** The term “mucoadhesive” as used herein refers to adhesion to mucous membranes that are covered by mucus, for example, those in the nasal cavity.

**[0050]** The term “carrier” or “vehicle” as used herein refers to carrier materials (other than the pharmaceutically active ingredient) suitable for administration of a pharmaceutically active ingredient, for example, transmucosal administration via nasal mucosa. A vehicle may comprise, for example, solvents, cosolvents, permeation enhancers, pH buffering agents, antioxidants, additives, or the like, wherein components of the vehicle are nontoxic and do not interact with other components of the total composition in a deleterious manner.

**[0051]** The term “transdermal” delivery, as used herein refers to both transdermal (or “percutaneous”) and transmucosal administration, that is, delivery by passage of a drug through a skin or mucosal tissue surface and ultimately into the bloodstream. Transmucosal administration includes, but is not limited to, nasal, oral, rectal, and vaginal administration of a composition for delivery of an active drug (e.g., clonazepam) to the blood stream of the subject to which it is administered.

**[0052]** The phrase “therapeutically effective amount” as used herein refers to a nontoxic but sufficient amount of a drug, agent, or compound to provide a desired therapeutic effect, for example, one or more doses of benzodiazepine that will be effective in treatment of seizures including seizure clusters and status epilepticus or for the treatment of anxiety states including but not limited to panic attacks, social phobia, social anxiety and performance anxiety, acute mania, psychosis, and drug withdrawal, including but not limited to nicotine withdrawal, opiate withdrawal, and alcohol withdrawal.

**[0053]** The phrase “seizure clusters” as used herein refers to closely related groups of seizures in some epilepsy patients. Typically seizure cluster patients experience this increased frequency of seizures in unique patterns. It is not uncommon for some of these patients to experience 3 or more seizures in a 24-48 hour period.

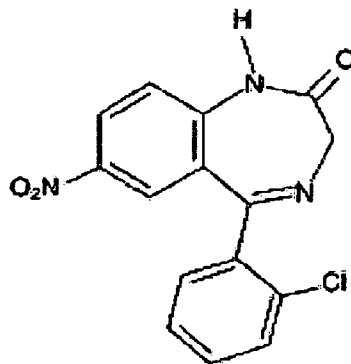
**[0054]** The term “benzodiazepine” as used herein refers to a class of drugs with sedative, hypnotic, anxiolytic, anticonvulsant, amnestic and/or muscle relaxant properties. Typically, benzodiazepines comprise a structure composed of a benzene ring fused to a seven-membered diazepine ring. Most of the important benzodiazepines contain an aryl substituent ring and a 1, 4-diazepine ring. Generally, benzodiazepine refers to aryl-1,4-benzodiazepines. The actions of benzodiazepines are usually the result of increased activation of receptors by gamma-aminobutyric acid (GABA). The term benzodiazepine includes benzodiazepines and pharmaceutically acceptable salts thereof.

**[0055]** Benzodiazepines are commonly divided into three groups related to the period of time for which the drug has an evident effect: short-acting benzodiazepines typically act for less than six hours; intermediate-acting benzodiazepines typically act for 6-10 hours; and long-acting benzodiazepines have strong sedative effects that persist. The following list is a partial list of benzodiazepines. The list is arranged in an approximate order of the shortest acting to the longest acting benzodiazepine: alprazolam; bromazepam; chlordiazepoxide; clobazam; clonazepam; clorazepate; diazepam; estazolam; flunitrazepam; flurazepam; halazepam; ketazolam; loprazolam; lorazepam; lormetazepam; medazepam; midazolam; nitrazepam; nordazepam; oxazepam; prazepam; quazepam; temazepam; tetrazepam; and triazolam.

**[0056]** Benzodiazepines typically have the following effects, though some may be relatively stronger anxiolytics and others relatively stronger amnesics: anxiolytic (reduce

anxiety, e.g., treatment of panic attacks); anticonvulsant (e.g., treatment of seizures); antispasmodic (e.g., muscle relaxant); sedative / hypnotic; antidepressant; and, amnesic (produce anterograde amnesia).

[0057] The term “clonazepam” as used herein includes clonazepam and its active pharmaceutically acceptable derivatives and metabolites, as well as pharmaceutically acceptable salts thereof. Clonazepam's pharmacological profile is similar to other anxiolytic/sedative benzodiazepines. Further, the basic anticonvulsive properties of clonazepam are similar to those of other diazepines. Clonazepam is capable of suppressing the spike and wave discharge in absence seizures (petit mal) and decreasing the frequency, amplitude, duration and spread of discharge in minor motor seizures. Clonazepam can be used for the treatment of seizure clusters associated with epilepsy. Chemically, clonazepam is 5-(2-chlorophenyl)-1,3-dihydro-7-nitro-2H-1,4-benzodiazepin-2-one. It is a light yellow crystalline powder. Clonazepam has a molecular weight of 315.72 and the following molecular formula:  $C_{15}H_{10}ClN_3O_3$ . The structure of clonazepam is as follows:



[0058] The term “alkyl solvent” as used herein includes alkyl ethers of 2-5 carbons in length and includes but is not limited to 1,2-dimethoxyethane, di(ethylene glycol) methyl ether, diethylene glycol monoethyl ether and di(ethyleneglycol) diethyl ether.

[0059] The phrase “permeation enhancer” or “penetration enhancer” as used herein refers to an agent that improves the rate of transport of a pharmacologically active agent (e.g., clonazepam) across the mucosal or skin surface. Typically a penetration enhancer increases the permeability of mucosal tissue or skin to a pharmacologically active agent. Penetration enhancers, for example, increase the rate at which the



pharmacologically active agent permeates through mucosal tissue and enters the bloodstream. Enhanced permeation effected through the use of penetration enhancers can be observed, for example, by measuring the flux of the pharmacologically active agent across animal or human tissue as described in the Examples herein below. An “effective” amount of a permeation enhancer as used herein means an amount that will provide a desired increase in nasal mucosal tissue permeability to provide, for example, the desired depth of penetration of a selected compound, rate of administration of the compound, and amount of compound delivered.

**[0060]** The term “subject” as used herein refers to any warm-blooded animal, particularly including a member of the class Mammalia such as, without limitation, humans and non-human primates such as chimpanzees and other apes and monkey species; farm animals such as cattle, sheep, pigs, goats and horses; domestic mammals such as dogs and cats; laboratory animals including rabbits and rodents such as mice, rats and guinea pigs, and the like. The term does not denote a particular age or sex.

**[0061]** The term “delivery rate” as used herein refers to the quantity of drug delivered, typically to plasma, per unit time, for example, nanograms of drug released per hour (ng/hr) *in vivo*.

**[0062]** In the context of plasma blood concentration of active agent, the term “C” as used herein refers to the concentration of drug in the plasma of a subject, generally expressed as mass per unit volume, typically nanograms per milliliter (this concentration may be referred to as “plasma drug concentration” or “plasma concentration” herein which is intended to be inclusive of drug concentration measured in any appropriate body fluid or tissue). The plasma drug concentration at any time following drug administration is typically referred to as  $C_{\text{time}}$  as in  $C_{10\text{h}}$  or  $C_{20\text{h}}$ , etc. The term “ $C_{\text{max}}$ ” refers to the maximum observed plasma drug concentration following administration of a drug dose, and is typically monitored after administration of a first dose and/or after steady-state delivery of the drug is achieved. The following terms are used herein as follows: “ $C_{\text{avg}}$ ” refers to average observed plasma concentration typically at steady state,  $C_{\text{avg}}$  at steady state is also referred to herein as “ $C_{\text{ss}}$ ”; “ $C_{\text{min}}$ ” refers to minimum observed plasma concentration typically at steady state.

**[0063]** The term “AUC” or area under the curve as used herein refers to total amount of drug absorbed by the body and is the area under the curve in a plot of

concentration of drug in plasma against time and in this case is calculated for humans for 24 hours after administration orally ( $AUC_{oral}$ ), intranasally ( $AUC_{in}$ ) or intravenously ( $AUC_{iv}$ ).

**[0064]** The term " $T_{max}$ " as used herein refers to the time to maximum plasma concentration and represents the time that elapses between administration of the formulation and a maximum plasma concentration of drug (i.e., a peak in a graph of plasma concentration vs. time, see, for example, Figure 5).  $T_{max}$  values may be determined during an initial time period (for example, related to administration of a single dose of the drug) or may refer to the time period between administration of a dosage form and the observed maximum plasma concentration during steady state.

**[0065]** The term "steady state" as used herein refers to a pattern of plasma concentration versus time following consecutive administration of a constant dose of active agent at predetermined intervals. During "steady state" the plasma concentration peaks and plasma concentration troughs are substantially the same within each dosing interval.

**[0066]** The term "spray" as used herein means a liquid composition expressed from a device under pressure in the form of an aerosol, a fine mist, liquid droplets, a fine stream, or combinations thereof. The precise form of the liquid composition is dependent upon the viscosity and other physical properties, as well as the manner in which a force (manual or other) is applied to a device containing the liquid composition to discharge the liquid composition. Some characteristics of a spray of a liquid composition are described in "Guidance for Industry: Nasal Spray and Inhalation Solution, Suspension, and Spray Drug Products - Chemistry" and further in "Manufacturing, and Controls Documentation" (July 2002), and the Examples, herein below, and include, but are not limited to spray pattern, droplet size, and plume geometry. Typically, the spray is homogeneous, however a heterogeneous spray is acceptable as long as the sprayed volume is effectively adsorbed by the nasal mucosa.

**[0067]** The phrase "with the caveat that the solvent system does not comprise free polyethylene glycol polymers" as used herein refers to a composition comprising one or more solvents that do not contain polyethylene glycol (PEG) polymers free in the solution of the solvent system, that is the composition does not contain PEG polymers that are not an intrinsic part of a larger chemical entity. Accordingly, free polyethylene glycol

polymers (e.g., PEG 200, PEG 300, PEG 400) are not added as separate components to the solvent system. However, a composition that does not comprise free polyethylene glycol polymers may comprise molecules that contain substituent polyethylene glycol polymers as part of their intrinsic molecular structure (e.g., glycofurool and mono- or diglycerides that contain PEG polymers as substituent groups (see, for example, published P.C.T. International Application Nos. WO 03/070273, WO 03/070280, and U.S. Patent Nos. 6,855,332 and 5,942,237)).

**[0068]** The term “free of aqueous buffer” intends a composition that is substantially free of aqueous buffer in that aqueous buffer is not added to the composition.

**[0069]** The term “homogeneous” as used herein refers to a composition that is substantially uniform visually and macroscopically, substantially free of particulates and does not settle or separate over time.

**[0070]** The term “single phase” as used herein refers to a composition that substantially contains one thermodynamic state, and is chemically and physically uniform throughout.

**[0071]** The term “bioavailability” or “F” refers to relative bioavailability and intends the ratio of  $AUC_{in}$  to  $AUC_{oral}$ , in the case of human subjects and intends the ratio of  $AUC_{in}$  to  $AUC_{iv}$  in the case of rabbits.

**[0072]** The term “unit dose” as used herein refers to the amount of the transmucosal clonazepam required for a therapeutically effective dose. The unit dose may be given in one or more sprays, and for intranasal delivery, may be given in one or both nostrils.

**[0073]** One of ordinary skill in the art appreciates that plasma drug concentrations obtained in individual subjects will vary due to inter-subject variability in many parameters affecting, for example, drug absorption, distribution, metabolism, and excretion. Accordingly, mean values obtained from groups of subjects are typically used for purposes of comparing plasma drug concentration data and for analyzing relationships between *in vitro* dosage assays and *in vivo* plasma drug concentrations.

## **2.0.0 General Overview of the Invention**

**[0074]** A seizure cluster can be described as an ictal pattern wherein several seizures occur within a short period, usually days. This period of seizure activity is

typically followed by a longer seizure-free interval of weeks to months. According to epidemiologic studies, approximately 50% of epilepsy patients experience seizure clusters. Clustering may be quasi-weekly or quasi-monthly (Tauboll, E., *et al.*, "Temporal distribution of seizures in epilepsy," *Epilepsy Res.* **8**(2), pages 153-165 (1991); Bauer, J., *et al.*, "Course of chronic focal epilepsy resistant to anticonvulsant treatment," *Seizure* **10**(4), pages 239-246 (2001)).

[0075] A preferred treatment for seizure clusters would have a rapid action and long duration of action. Further, the treatment should be relatively non-sedating. In addition, the ability to self-administer treatment is often compromised during seizure and oral administration may not be possible. One common treatment in the United States is rectal diazepam gel (Dreifuss, F.E., *et al.*, "A comparison of rectal diazepam gel and placebo for acute repetitive seizures," *N. Engl. J. Med.* **338**(26), pages, 1869-1875 (1998)). Non-oral routes of administration are desirable in that it is often a family member, significant other, or other second party who may recognize the onset of acute repetitive seizures. Oral administration of some benzodiazepines has been used for the treatment of seizure clusters (for example, diazepam given at 5 mg to 10 mg dose, lorazepam given at 1 mg to 2 mg dose, and clonazepam given at 0.5 mg to 2 mg dose. Some benzodiazepine formulations for buccal (e.g., U.S. Patent No. 6,699,849), transdermal (e.g., Mura, P., *et al.*, "Evaluation of Transcutol® as a clonazepam Transdermal Permeation Enhancer," *Eur. J. Pharma. Sci.* **9**, pages 365-372 (2000)) and mucosal administration (e.g., U.S. Patent No. 6,488,953) have been described. Further, some benzodiazepine formulations for intranasal administration have been described (see, for example, Hou, H., *et al.*, "Enhanced Permeation of Diazepam through Artificial Membranes from Supersaturated Solutions," *J. Pharma. Sciences* **95**(4), pages 896-905 (2001); Schols-Hendriks, M.W.G., *et al.*, *J. Clin. Pharmac.* **39**, pages 449-451 (1995); U.S. Patent Nos. 6,193,985, 6,610,271, 6,627,211; U.S. Published Patent Application No. 2004/0176359; Published P.C.T. International Application Nos. WO 2004/110403 and WO 03/070208); however, nasal formulations prior to those of the present invention have had a number of short comings, for example, the formulations comprise benzodiazepines with relatively high sedation properties, formulations have relied on supersaturated solutions that do not store well and may crystallize, serum drug concentrations after administration have been too low to be therapeutically effective, the formulations

comprised non-homogeneous systems that present complications for spray delivery, some formulations do not have acceptable tolerability or irritation profiles, or they contain components that lead to degradation of the benzodiazepine.

**[0076]** Some treatments, for example, treatment with oral lorazepam or diazepam, often cause drowsiness and delay the ability of the subject being treated to return to her/his normal activities.

**[0077]** Since the treatment described herein would be relative fast acting and non-sedating, it is also contemplated the intranasal benzodiazepines could be useful to treat other conditions that require fast onset and minimal side effects. These include anxiety states including but not limited to panic attacks, social phobia, social anxiety and performance anxiety; acute mania; psychosis; and drug withdrawal, including but not limited to nicotine withdrawal, opiate withdrawal, and alcohol withdrawal. The treatment may also be useful for patents that are unconscious, semiconscious, and/or unable to swallow.

**[0078]** Some advantages for intranasal delivery of benzodiazepines include the following. Intranasal administration is convenient, simple, easy, non-invasive and virtually pain-free. It neither generates biohazardous waste nor risk of needle-stick accidents. Intranasal formulations can be delivered in precise, metered doses. Further, smaller doses can be administered, for example, serially, to obtain the desired clinical result with fewer side effects (e.g., intestinal) than medication delivered in tablet form. Intranasal administration can provide rapid, efficient absorption and more consistent bioavailability. It also provides flexibility for health care workers, patients, and their caregivers. Unit doses, for example, can reduce abuse potential. Also, intranasal administration avoids first pass metabolism of the benzodiazepine.

**[0079]** Before describing the present invention in detail, it is to be understood that this invention is not limited to particular embodiments described herein, for example, particular benzodiazepines (including, without limitation, clonazepam, diazepam and lorazepam), solvent(s), cosolvent(s), hydrophilic polymer(s), surfactant(s) (including, ionic and non-ionic surfactant(s)), polyalcohol(s), solublizing agent(s), antioxidant(s), penetration enhancer(s), and/or buffering agent(s), and the like, as use of such particulars may be selected in view of the teachings of the present specification by one of ordinary skill in the art. It is also to be understood that the terminology used herein is for the

purpose of describing particular embodiments of the invention only, and is not intended to be limiting.

### **2.1.0 Exemplary Formulations of the Present Invention and Components Thereof**

#### **2.1.1 Transmucosal Formulations and Methods of Use**

**[0080]** In one aspect, the present invention includes a pharmaceutical composition of benzodiazepine (e.g., clonazepam) for transmucosal administration to a mammal. Example 1 presents data obtained in support of the present invention that demonstrated the ability of clonazepam, diazepam and lorazepam as a exemplary benzodiazepines, to penetrate nasal mucosa. The permeation of saturated solutions of the benzodiazepines across nasal sheep mucosa *in vitro* is described in the example, as are preliminary stability data. Figure 1 presents a graphic representation of the mean cumulative amount of benzodiazepines permeated per unit area over a period of Example 1. The benzodiazepines were shown to have acceptable stability in the context of use for transmucosal administration, as well as acceptable permeation characteristics through nasal mucosa.

**[0081]** The solubility of clonazepam in a number of neat solvents were determined (Example 2) as part of a determination of suitable solvents for use in benzodiazepine formulations of the present invention for intranasal administration. Good solvents were identified as useful for achieving a target solubility of clonazepam of about 10 to about 20 mg/mL. Further, the solubility of clonazepam in binary solvent mixtures of diethylene glycol mono-ethyl ether, triacetin, glycofurol and propylene glycol was evaluated. The data presented in Figure 2, for example, demonstrated a linear relationship between the solubility and percent composition of the binary mixtures of triacetin or propylene glycol and glycofurol. The data presented in Figure 2 demonstrated the usefulness of solvent solutions comprising binary solvent mixtures to solubilize clonazepam for use in formulation of intranasal pharmaceutical compositions.

**[0082]** The solvent systems set forth Example 2 provide examples of formulations of minimum number of solvent components in the system, which helps reduce possible interactions. These solvent combinations also increase the chemical potential and system thermodynamics helping to ensure that the drug (e.g., clonazepam) prefers to leave the solvent system to cross the nasal membrane rather than being swallowed, particularly

when mixed with water in the nasal mucosa (i.e., mucocilliary clearance). The solvent systems described in Example 2 also provide guidance concerning avoiding components that may provide a thermodynamic sink (e.g., polyethylene glycol polymers and cyclodextrins).

**[0083]** The stability of clonazepam in exemplary solvent systems was further examined (Example 3). The data suggested that formulations comprising polyethylene glycol polymers provided the least drug (clonazepam) stability. Further, formulations that contained water without buffer also demonstrated color development, indicative of degradation of the clonazepam. Other solvent systems (for example, including diethylene glycol monoethylether, tetrahydrofurfuryl alcohol polyethyleneglycol ether, glycerol triacetate, propylene glycol, and buffered aqueous solutions) provided good stability for clonazepam.

**[0084]** The data presented in Example 3 also suggested that addition of an anti-oxidant to the formulations of the present invention used for intranasal delivery of benzodiazepines may provide desirable drug protective benefits to such formulations. Further, the data indicated drug protective effects resulting from the inclusion of pH modifiers when an aqueous solvent was used.

**[0085]** In order for benzodiazepine (e.g., clonazepam) formulations to be useful for administration to mucosal membranes, the formulations should have acceptable irritation and tolerance profiles. The preliminary nasal irritation data (Example 4) and the nasal discomfort reports of the human pharmacokinetic study (Example 14) suggested that the benzodiazepine formulations of the present invention were suitable for intranasal delivery. The data shown in Figure 3 and Figure 4 demonstrated slight, transient nasal irritation in the test animals. After instillation of compositions, irritation typically lasted less than about two minutes in rats. Irritation was generally greater than saline and similar to irritation from tolerable concentrations of acetic acid. Veterinary evaluation of the data resulted in the conclusion that nasal irritation from these formulations was not significant. Further, the data presented in Example 4 suggests that non-ionic surfactants may possibly be used to reduce nasal irritation in some formulations.

**[0086]** The pharmacokinetics of a large number of clonazepam formulations were evaluated (Example 5, see, for example, Table 12A and 12B). The pharmacokinetic data presented in the example illustrated that clonazepam compositions formulated for

intranasal administration are pharmaceutically efficacious to deliver clinically relevant amounts of clonazepam into the bloodstream in a relatively short time period -- making such intranasal formulations clinically useful, for example, for the treatment of seizure clusters. The values of the pharmacokinetic parameters vary between the different formulations and one of ordinary skill in the art, following the guidance of the present specification, may select formulations suitable for a variety of treatment purposes, for example, use in adults (generally higher  $C_{max}$ , and AUC, is desirable), use in children (lower  $C_{max}$ , and AUC, may be desirable relative to formulations for use in adults), different dosage forms and serial administration (e.g., starting with administration of rapid onset, early  $T_{max}$ , and following with a second administration of a formulation with slower onset, later  $T_{max}$ ), etc.

**[0087]** Experiments performed in support of the present invention demonstrated that the compositions of the present invention may comprise a solvent matrix of two solvents, for example, a first solvent that provides high solubilization of clonazepam (for example, Transcutol® (diethylene glycol monoethylether) and similar monoethylethers, Glycofurol (ethoxylated furanyl alcohol or tetrahydrofurfuryl alcohol polyethyleneglycol ether) and similar ethoxylated tetrahydrofurfuryl alcohols that, after application to nasal mucosa, is absorbed by the nasal mucosa leading to clonazepam super saturation in the nasal cavity, and a second solvent (for example, triacetin and propylene glycol or the like) in which clonazepam has lower solubility relative to the first solvent.

**[0088]** The pharmacokinetics and tolerability of four clonazepam compositions comprising binary solvent systems were evaluated in further detail (Example 5, Table 13). The intranasal PK profiles of the formulations (Figure 5) demonstrated a rapid absorption of clonazepam such that clinically relevant amounts of clonazepam reach the bloodstream in a short period of time. Lower bioavailability in some formulations can be compensated for with, for example, use of a higher initial dose. An advantage of a higher dose and low short term bioavailability may be passage of the drug that is not absorbed intranasally into the gastro-intestinal tract resulting in the remainder of the drug undergoing classical GI absorption leading to a sustained release profile.

**[0089]** Further, experiments performed in support of the present invention evaluated the local tolerance in the upper and lower respiratory tract of four clonazepam compositions of the present invention. Tolerance was assessed using a rabbit model



(Example 5). The data presented in Figure 6 summarizes the histopathology results for the nasal cavities of the animals. The results of necropsy and histopathological examination, including comparison of severity scores, suggested that clonazepam compositions of the present invention have acceptable tolerability for pharmaceutical use for administration to nasal mucosal tissue.

[0090] Pharmacokinetic and tolerability were expected to be similarly desirable in humans and were shown to be desirable in 15 human volunteers. Experiments to evaluate pharmacokinetics and tolerability in humans are prophetically described in Example 8, Example 9, and Example 10. Actual experiments and their results are described in Examples 14, 15 and 16.

[0091] As one intended use of the formulations of the present invention is for intranasal administration, sprayability (including plume geometry, spray angle, and plume symmetry) and viscosity of exemplary formulations of the present invention were evaluated (Example 6, Figure 7, Figure 8, and Figure 9). The results demonstrated that at 20-25°C all solvent matrices tested sprayed well from manually activated unit dose devices (e.g., obtained from Pfeiffer, manufactured by Pfeiffer of America, Princeton, N.J.). The results also suggested that viscosity of the formulations of the present invention is a good predictor of sprayability and that the formulations retained their sprayability at temperatures below 40°C, and between -15°C and 30°C.

[0092]. In view of the experimental findings discussed herein, the compositions of the present invention of benzodiazepine (e.g., clonazepam, diazepam or lorazepam) for transmucosal administration to a mammal may, for example, comprise a solvent system and a therapeutically effective amount of a benzodiazepine (e.g., clonazepam, diazepam or lorazepam). In one embodiment the solvent system comprises a first solvent in which benzodiazepine (e.g., clonazepam, diazepam or lorazepam) is soluble, the first solvent capable of penetrating nasal mucosal tissue, and a second solvent in which benzodiazepine (e.g., clonazepam, diazepam or lorazepam) is less soluble than in the first solvent. The solvent system may comprise about 40% or less aqueous solvent, about 30% or less, preferably about 20% or less, more preferably about 10%, or less, about 8% or less, about 5% or less, or about 2% or less. The aqueous solvent is preferably a buffered aqueous solution, for example, with a pH of the aqueous buffer solution between about pH 4 to about pH 7, more preferably between about pH 4 to pH 5.5. In preferred

embodiments, the solvent system does not comprise free polyethylene glycol polymers. Preferred compositions are a single phase and homogeneous.

**[0093]** In one embodiment, the solvent system is substantially free of aqueous buffer.

**[0094]** In a second embodiment, the solvent system may comprise a single alkyl ether solvent. Such solvent may be selected from the group consisting of 1,2-dimethoxyethane, di(ethylene glycol) methyl ether, diethylene glycol monoethyl ether and di(ethyleneglycol) diethyl ether. In a particular embodiment, the single alkyl ether solvent is diethylene glycol monoethyl ether.

**[0095]** Examples of the first binary solvent of the solvent system include, but are not limited to, diethylene glycol monoethylether or tetrahydrofurfuryl alcohol polyethyleneglycol ether. The first solvent may be, for example, present at a weight percent of between about 30% to about 70%. Examples of the second solvent of the solvent system include, but are not limited to, glycerol triacetate or propylene glycol. The second solvent may be, for example, present at a weight percent of between about 70% and about 30%. In some embodiments the second solvent is less capable of penetrating nasal mucosa than the first solvent.

**[0096]** The solvent system may, for example, consist essentially of the first solvent and the second solvent. In another embodiment, the solvent system may consist essentially of the first solvent, the second solvent, and an aqueous buffer solution (e.g., 10% (weight/weight) or less) and may further comprise additional components (e.g., an anti-oxidant).

**[0097]** The active drug, for example, the benzodiazepine, is typically present at a weight percent of between about 0.1% to about 20% and often between 0.1% and 10% often 0.25% to 6%.

**[0098]** In one embodiment, the first and second solvents are present in equal weight percents.

**[0099]** In addition to the components just described, pharmaceutical compositions comprising the benzodiazepine (e.g., clonazepam, diazepam or lorazepam) of the present invention, for example, for intranasal administration to a mammal, may further comprise one or more components including, but not limited to, a surfactant, anti-oxidant, pharmaceutically acceptable polymer, polyalcohol, lipid, mucosa penetration enhancing

agent, colorant, flavoring or olfactory agent, anesthetic agent, co-solvent, and agent to adjust osmolarity.

**[00100]** In preferred embodiments of the present invention, the pharmaceutical compositions of benzodiazepine (e.g., clonazepam, diazepam or lorazepam) are formulated to be sprayable, for example, from a manually actuated spray device, and at temperatures between -15°C and 30°C.

**[00101]** In a second aspect, the present invention includes a pharmaceutical composition for intranasal administration of a benzodiazepine to a mammal, for example, a human. In this aspect, the solvent system may comprise a single alkyl ether solvent or a first solvent, comprising one or more component selected from the group consisting of diethylene glycol monoethylether and tetrahydrofurfuryl alcohol polyethyleneglycol ether, and a second solvent, comprising one or more component selected from the group consisting of glycerol triacetate or propylene glycol. The solvent system may further comprise an aqueous buffer solution (e.g., 10% (weight/weight) or less, wherein the pH of the aqueous buffer solution is between about pH 4 to about pH 7, more preferably between about pH 4 to about pH 6.5). In preferred embodiments, there is a caveat that the solvent system does not comprise free polyethylene glycol polymers. The pharmaceutical compositions of the present invention for transmucosal administration of a benzodiazepine also comprise a therapeutically effective amount of the benzodiazepine. Typically, the composition is a single phase and homogeneous. In one embodiment of the benzodiazepine is lorazepam, in another embodiment it is diazepam.

**[00102]** In one embodiment, the solvent system is a binary solvent system, that is, a solvent system consisting essentially of two solvents. Such binary solvent systems may be, for example, substantially free of an aqueous component. In some embodiments of the present invention, the first solvent consists essentially of diethylene glycol monoethylether or tetrahydrofurfuryl alcohol polyethyleneglycol ether. The first solvent may be present at a weight percent of, for example, between about 30% to about 70%. In some embodiments, the second solvent consists essentially of glycerol triacetate or propylene glycol. The second solvent may be present, for example, at a weight percent of between about 70% and about 30%. In another embodiment the pharmaceutical composition may include a single alkyl ether solvent such as diethylene glycol monoethyl ether. Typically, the benzodiazepine is present at a weight percent of between about 0.1%

to about 20%, more preferably at a weight percent of between about 0.1% to about 10%, more preferably at a weight percent of between about 0.25% to about 6%. In yet a further embodiment, the solvent system consists essentially of the first solvent and the second solvent. In another embodiment, the solvent system consists essentially of the first solvent, the second solvent, and an aqueous buffer solution (e.g., 10% (weight/weight) or less). The aqueous buffer may further comprise one or more additional components, for example, an anti-oxidant and/or surfactant.

**[00103]** In some embodiments of this aspect of the present invention, the first and second solvents are present in equal weight percents.

**[00104]** The pharmaceutical compositions of the present invention for intranasal administration of a benzodiazepine to a mammal may include further components, for example, less than about 10% (weight/weight) of one or more components including, but not limited to, a surfactant, anti-oxidant, pharmaceutically acceptable polymer, polyalcohol, lipid, mucosa penetration enhancing agent, colorant, flavoring agent, anesthetic agent, co-solvent, and agent to adjust osmolarity.

**[00105]** Examples of suitable pharmaceutically acceptable polymers include, but are not limited to, hydroxypropylmethyl cellulose, hydroxyethyl cellulose, hydroxypropyl cellulose, polyvinyl pyrrolidone, carboxymethyl cellulose, polyvinyl alcohol, sodium alginate, xanthane gum, tragacantha, guar gum, acacia gum, arabic gum, polyacrylic acid, methylmethacrylate copolymer, carboxyvinyl copolymers, and combinations thereof.

**[00106]** Surfactants useful in the practice of the present invention are typically, but not exclusively, non-ionic. Examples of suitable surfactants include, but are not limited to, TWEEN (i.e., polyoxyethylene sorbitan fatty acid ester), an alpha-hydro-omega-hydroxypoly(oxyethylene) poly(oxypropylene)poly(oxyethylene) block copolymer, a polyoxyethylene alkyl ether, a polyoxyethylene castor oil derivative, and combinations thereof.

**[00107]** Examples of suitable polyalcohols include, but are not limited to, glycerol, propylene glycol, glycerol monoesters with fatty acids, and combinations thereof. In preferred embodiments, the compositions of the present invention do not include free polyethylene glycol polymers.

**[00108]** Examples of suitable solubilizing agent agents include, but are not limited to, lipids (e.g., fats, oils, waxes, sterols, triglycerides, and combinations thereof).

**[00109]** The compositions of the present invention may further comprise a mucosal penetration enhancing agent. Examples of mucosal penetration enhancing agents include, but are not limited to, N-methyl-2-pyrrolidone, 2-pyrrolidone, propylene glycol, dimethylformamide, dimethyl sulfoxide, caprolactam, oleic acid, decylmethylsulfoxide, 1-dodecylazacycloheptan-2-one, isopropyl myristate, hexamethylene palmitamide, hexamethylene lauramide, aliphatic acids, esters, and combinations thereof.

**[00110]** Antioxidants typically provide enhanced stability to the composition as a whole and/or specifically contribute to stability of the active agent (e.g., the benzodiazepine). Addition of anti-oxidants may serve to protect the benzodiazepine from oxidative damage in some embodiments of the present invention. Accordingly, the compositions of the present invention may further comprise an anti-oxidant (e.g., edetic acid or sodium edetate, butylhydroxytoluene, propyl gallate, sodium metabisulfite, butylhydroxyanisole, tocopherols, and combinations thereof), in particular the antioxidant may be butylhydroxytoluene (BHT) at concentrations of 100-300 ppm more often 500-2000 ppm.

**[00111]** Further, one or more additional components may be added to the compositions of the present invention. Such additional components will be apparent to one of ordinary skill in the art in view of the teachings of the present specification. Such further components include, but are not limited to, a colorant, flavorant, and anesthetic agent.

**[00112]** In preferred embodiments, the benzodiazepine compositions of the present invention are formulated to be sprayable, for example, using a manually or electronically actuated spray device or a passive device that is actuated by the patient's act of inhalation. For sprayable compositions that are intended for delivery to the nasal cavity of a mammal, the composition may be used at a unit therapeutic dose of between about 50  $\mu$ L and 300  $\mu$ L, often between 25  $\mu$ L and 150  $\mu$ L and more preferably at a unit therapeutic dose of about 100  $\mu$ L.

**[00113]** A therapeutically effective amount of clonazepam in the compositions of the present invention may be, for example, between about 0.1 mg and about 5.0 mg per unit dose, more preferably between about 1.0 mg and about 4.0 mg per unit dose. A therapeutically effective amount of lorazepam in the compositions of the present invention may be, for example between about 0.5 mg and about 10.0 mg per unit dose,

more preferably between about 1.0 mg and about 5.0 mg per unit dose. A therapeutically effective amount of diazepam in the compositions of the present invention may be, for example between about 1.0 mg and about 40.0 mg per unit dose, more preferably between about 2.0 mg and about 10.0 mg per unit dose.

**[00114]** Some exemplary formulations of clonazepam compositions of the present invention are presented in Example 7, Table 20. In the example, methods of making the compositions are also described.

**[00115]** A third aspect of the present invention relates to a pharmaceutical composition comprising a benzodiazepine for transmucosal administration to a mammal, wherein the composition is characterized by  $T_{max}$  of the benzodiazepine, after a single intranasal administration, and bioavailability of the benzodiazepine. In one embodiment, the composition is characterized by (i) a  $T_{max}$  of the benzodiazepine, after a single intranasal administration, of no more than 2 hours and (ii) a bioavailability of the benzodiazepine, after a single intranasal administration, of no less than about 30% of the bioavailability of an equivalent dose of the benzodiazepine delivered orally. In other embodiments, the  $T_{max}$  is less than or equal to 30 minutes and the bioavailability is greater than or equal to 55% of the bioavailability of orally delivered benzodiazepine. Exemplary  $T_{max}$  and bioavailability data for some embodiments of the present invention are presented herein below in Example 5, Tables 12A and 12B, Figure 5 and Example 14  $T_{max}$  may be less than or equal to 2 hours or less than or equal to 1 hour or less than or equal to 30 minutes or less than 15 minutes.

**[00116]** A fourth aspect of the present invention relates to a pharmaceutical composition comprising the benzodiazepine for transmucosal administration to a mammal, wherein the composition is characterized by  $C_{max}$  of the benzodiazepine, after a single intranasal administration, and bioavailability of the benzodiazepine. In one embodiment, the composition is characterized by (i) a  $C_{max}$  of the benzodiazepine, after a single intranasal administration, of at least about 75% of the  $C_{max}$  of an equivalent dose of clonazepam delivered orally, and (ii) a bioavailability of the benzodiazepine, after a single intranasal administration, of no less than about 30% of the bioavailability of an equivalent dose of the benzodiazepine delivered orally. Exemplary  $C_{max}$  and bioavailability data for some embodiments of the present invention are presented herein below in Example 5, Tables 12A and 12B, and Figure 5. In other embodiments, the  $C_{max}$

of intranasally delivered benzodiazepine is greater than or equal to 75% or greater than or equal to 80% of orally delivered benzodiazepine, or may be greater than or equal to 90% of the  $C_{max}$  of the orally delivered benzodiazepine. In further embodiments the bioavailability is greater than or equal to 30% or greater than or equal to 40% of the bioavailability of orally delivered benzodiazepine or greater than 55% of orally delivered benzodiazepine.

**[00117]** A fifth aspect of the present invention relates to a pharmaceutical composition comprising a benzodiazepine for intranasal administration to a mammal, wherein the composition is characterized by a ratio of the AUC of the benzodiazepine, after a single intranasal administration, ( $AUC_{in}$ ) to the AUC of an equivalent dose of the benzodiazepine delivered orally ( $AUC_{oral}$ ) calculated for 24 hours after administration. In one embodiment, the composition is characterized by (i) a ratio of the AUC of a benzodiazepine, after a single intranasal administration, ( $AUC_{in}$ ) to the AUC of an equivalent dose of the benzodiazepine delivered orally ( $AUC_{oral}$ ) of at least about  $AUC_{in}:AUC_{oral} = 1:3.3$ , wherein the AUC values are determined over the same time period (for example, 24 hours for human subjects). Exemplary AUC data for some embodiments of the present invention are presented herein below in Example 5, Tables 12A and 12B, Figure 5 and Example 14.  $AUC_{in}:AUC_{oral}$  can be at least about 1:3.3 or often at least about 1:2.5 or 1:1.8.

**[00118]** In addition to pharmaceutical compositions comprising a benzodiazepine for transmucosal administration to a mammal, the present invention further includes a method for administering an active agent (e.g., a benzodiazepine) to a mammal in need thereof. In the method, the benzodiazepine is delivered to the mammal's bloodstream by crossing the nasal mucosa of the mammal and entering the blood stream. The benzodiazepine may be delivered transmucosally using dosage forms described herein. The benzodiazepine may be administered to a mammal to treat a variety of conditions including, but not limited to, depression, panic disorders (including acute panic attacks), muscle spasms, insomnia, and seizures (including seizure clusters). The benzodiazepine compositions of the present invention may be self-administered or administered by a second party, for example, a health care professional, a family member, or significant other.

**[00119]** In one embodiment, the compositions of the present invention are used to treat a mammal suffering seizure clusters by, for example, delivery of a benzodiazepine to the mammal's bloodstream via nasal mucosa of the mammal, wherein the benzodiazepine is delivered in an intranasal dosage form of the present invention. Administration of the compositions of the present invention may be performed, for example, at the onset of the symptoms of seizures. One or more unit doses may be administered to the mammal. In preferred embodiments the mammal is a human.

**[00120]** The present invention also includes methods of manufacturing a benzodiazepine composition useful for intranasal delivery of a benzodiazepine. A general method of making exemplary compositions of the present invention is described herein below in Example 7. Typically, the method includes mixing the solvent system and the benzodiazepine under conditions to provide a single-phase, homogeneous solution suitable for intranasal administration of the benzodiazepine. The benzodiazepine may be first dissolved in the solvent in which it has higher solubility, for example, the first solvent. The second solvent may be added with stirring. Mixing of the solution compositions of the present invention may be carried out under conditions that reduce exposure of the benzodiazepine to oxidative conditions, for example, by mixing under nitrogen or in a reduced oxygen environment.

**[00121]** After preparation of the solution compositions of the present invention, the solution may be dispensed into one or more containers (e.g., a unit dose container or a multiple dose container). The container may be a manually actuated spray device or a spray device wherein the contents are maintained under pressure and released by depressing an actuator or a device that is actuated by the patient's act of inhalation.

**[00122]** Typical unit doses delivered by these spray devices for intranasal delivery are between about 50  $\mu\text{L}$  to about 300  $\mu\text{L}$ , often 25  $\mu\text{L}$  to about 150  $\mu\text{L}$ , preferably a volume of about 100  $\mu\text{L}$ , but for certain devices can be up to 5 mL. The spray pattern and plume geometry of the compositions as delivered from the spray device are suitable for intranasal delivery to a mammal (e.g., human). Parameters related to sprayability and viscosity of solvent matrices (solvent systems) related to the practice of the present invention are described in Example 6.



### **2.1.2 Manufacturing and Packaging**

**[00123]** Preparation of the benzodiazepine compositions of the present invention, for example, formulated for intranasal administration, may be performed following the teachings of the present specification in view of teachings known to those of ordinary skill in the art. For example, according to the present invention, the benzodiazepine compositions may be prepared generally as follows. A solvent is selected in which the selected benzodiazepine is soluble, for example, clonazepam is very soluble in diethylene glycol monoethylether and/ or tetrahydrofurfuryl alcohol polyethyleneglycol ether. The desired amount of the benzodiazepine is added with stirring to obtain a substantially single phase, substantially homogeneous solution. A second solvent (for example, triacetin and/or propylene glycol and/or an aqueous buffered solution) may then be added to the solution comprising the first solvent and the benzodiazepine. The mixture is stirred to obtain a substantially single phase, substantially homogeneous solution. Additional components are typically first dissolved in the solvent in which they have the highest solubility.

**[00124]** As another example, the desired amount of the benzodiazepine may be dissolved in a solvent (e.g., diethylene glycol monoethylether and/ or tetrahydrofurfuryl alcohol polyethyleneglycol ether) and stirred to obtain a substantially single phase, substantially homogeneous solution. A second solvent, for example, an aqueous buffered solution may be prepared with additional components. Such additional components may include, but are not limited to, anti-oxidant (e.g., sodium metabisulfite) and/or surfactant (e.g., TWEEN). The buffering agent (or buffering system) should be able to maintain the pH of the formulation in the target range. After the addition of some buffering agents, further adjustment of pH may be desirable by addition of a second agent to achieve pH values in the target range. In view of the fact that the compositions of the present invention are directed to pharmaceutical use, the buffering agent or system should not be substantially irritating to mucosal tissue to which the composition is being applied. Buffering agents include organic and non-organic buffering agents. Exemplary buffering agents include, but are not limited to, phosphate buffer solutions, carbonate buffers, citrate buffers, phosphate buffers, acetate buffers, sodium hydroxide, hydrochloric acid, lactic acid, tartaric acid, diethylamine, triethylamine, diisopropylamine, and aminomethylamine. Ultimately buffering agents are used at a concentration to achieve the

desired target pH range; accordingly weight percent amounts of buffering agents may vary as may be determined by one of ordinary skill in the art in view of the teachings of the present specification.

**[00125]** The aqueous buffered solution (possibly comprising further components) is stirred to obtain a substantially single phase, substantially homogeneous solution. Aqueous solutions may be degassed; but degassing is not typically necessary. The aqueous buffered solution is then slowly added to the first solvent in which the benzodiazepine was dissolved to obtain a substantially single phase, substantially homogeneous solution.

**[00126]** As another example, the benzodiazepine may be dissolved in a first solvent (for example, diethylene glycol monoethylether and/ or tetrahydrofurfuryl alcohol polyethyleneglycol ether). A second solvent may be added (for example, triacetin and/or propylene glycol), and may be followed by the addition of, for example, an aqueous buffered solution, with or without additional components.

**[00127]** Mixing may be carried out under normal conditions or under a slight vacuum and/or nitrogen blanketing.

**[00128]** The methods of manufacturing of the present invention may further include dispensing compositions of the present invention into appropriate containers. The compositions of the present invention may be packaged, for example, in unit dose or multi-dose containers. The container typically defines an inner surface that contains the composition. Any suitable container may be used. The inner surface of the container may further comprise a liner or be treated to protect the container surface and/or to protect the composition from adverse affects that may arise from the composition being in contact with the inner surface of the container. Liners or coating material are typically substantially impermeable to the composition and typically to the individual components of the composition.

**[00129]** A number of types of suitable containers commercially available and known in the art, for example, as manufactured by Pfeiffer of America, Princeton, N.J. (e.g., U.S. Patent Nos. 5,584,417, 6,705,493, 6,446,839, 6,478,196), and Valois of America Inc., Greenwich, CN (e.g., U.S. Patent Nos. 5,328,099, 6,742,677, 7,080,759).

**[00130]** Containers/Delivery systems for the compositions of the present invention may include unit dose or multi-dose containers providing, for example, a fixed or variable

metered dose application. Multi-dose containers include, but are not limited to, a metered dose aerosol, a stored-energy metered dose pump, or a manual metered dose pump. In preferred embodiments, the container/delivery system is used to deliver metered doses of the compositions of the present invention for application to the nasal cavity of a subject. Metered dose containers may comprise, for example, an actuator nozzle that accurately controls the amount and/or uniformity of the dose applied. The delivery system may be propelled by, for example, a pump pack or by use of propellants (e.g., hydrocarbons, hydro fluorocarbons, nitrogen, nitrous oxide, or carbon dioxide). Devices such as those sold by Kurve® Technology described as ViaNase™ atomizers, which allow for electronic dosing and nasal cavity saturation may be used. Further, devices such as passive devices sold by OptiNose (Oslo, Norway) may be actuated by the patient's inhalation. In preferred embodiments of the present invention, the container is a single-use, unit-dose, manually actuated spray device.

**[00131]** Example 6 describes methods to evaluate sprayability and viscosity of the benzodiazepine formulations of the present invention. The results obtained from experiments performed in support of the present invention demonstrated that the benzodiazepine formulations described herein are suitable for intranasal delivery.

**[00132]** Nasal tissue comprises a single epithelial layer and has a limited area suitable for absorption of drugs delivered intranasally. Typically the nasal tissue area in adult humans is about 20 cm<sup>2</sup>. Volume per unit dose of compositions delivered intranasally is typically limited to between about 25 µl and about 150 µl, per nostril, and if delivered to 2 nostrils, a unit dose may be 50 µL to 300 µL. A unit dose of about 100 µL is suitable for many applications which dose may be delivered 50 µL per nostril or 100 µL in one nostril. A preferred droplet size distribution for intranasal delivery is typically in the range of about 10 µm to about 50 µm, but may vary as long as sufficient transnasal absorption of the active drug is effected.

**[00133]** In a preferred embodiment, airless packaging with excellent barrier properties is used to prevent oxidation of the benzodiazepine, for example, airless single-dose manually actuated spray devices. Accurate dosing from such pumps ensures reproducibility of dose.

### 2.1.3 Further Dosage Forms

**[00134]** In another aspect of the present invention, benzodiazepines are delivered to mucosal tissue, for example, intranasally, using dry powder formulations. Such dry powder formulations may comprise micronized particles of a selected benzodiazepine (e.g., clonazepam).

**[00135]** Intranasal administration of benzodiazepines may be accomplished, for example, as described herein, by solublizing a selected benzodiazepine in a suitable solvent system then using an intranasal spray device intended for use with a liquid form. Examples of liquid forms useful for such applications include, but are not limited to, an emulsion, a suspension, or a true solution. Due to the highly lipophilic nature of the benzodiazepines a combination of surfactants, strong solublizing solvents, and carrier solutions are often used. An alternative to such liquid forms is a dry powder formulation of benzodiazepine (e.g., diazepam, lorazepam, midazolam, clonazepam, and the like) that may be administered intranasally as a dry powder or a blend.

**[00136]** Intranasal delivery of particulate benzodiazepines would likely result in an acceptable delivery profile for benzodiazepines due to the intrinsic permeation properties of the substances. Benzodiazepines tend to be highly lipophilic, thus compatible with adsorption to and absorption by mucosal tissues. Particle sizes ranging from about 5  $\mu\text{m}$  to about 20  $\mu\text{m}$  would allow a dry-powder dispensing device to deliver sufficient quantities of selected benzodiazepines to effect pharmacological action in a short time frame. Methods of preparing dry powders of benzodiazepines with suitable size distribution (e.g., micronized powders) include, but are not limited to, anti-solvent precipitation, fluid bed drying, spray drying, size sorting, as well as combinations thereof.

**[00137]** Benzodiazepine, for example, clonazepam, dry powders may also be blended with suitable carriers for nasal administration to improve wetting, mucoadhesion and permeability (see, for example, European Patent Application Nos. EP1587514A1, EP1652518A1, EP 0324725B1, for examples of such carriers). In this aspect, benzodiazepines may be formulated in an ordered mixture where the core is an inert carrier such as a sugar and the surface is a combination of mucoadhesives and drug.

**[00138]** Advantages of this dry powder drug delivery approach include excellent stability and possibly greater intranasal residence time leading to improved drug uptake. A suitable dry powder intranasal delivery system may be used.

**[00139]** Dry powder formulations of the present invention may employ microparticles of a benzodiazepine of less than about 15-20 microns, more preferably of between about 5 and about 10 microns. The microparticles of the benzodiazepine may be combined with carrier particles as described above. Preferably, a mucoadhesion promoting agent is added to the carrier particles. The mucoadhesion promoting agent is effective in making the benzodiazepine adhere to the nasal mucosa. The mucoadhesion promoting agent is typically present on the surface of the carrier particles, but it may also be present within the particles.

**[00140]** In one embodiment, the carrier particles contain from about 0.1 to about 30 weight percent, preferably between about 1 to about 20 weight percent, of mucoadhesion agents, based on the total weight percent composition of the dry composition. The preferred mucoadhesive agent is typically a polymeric substance, preferably having an average molecular weight above 5,000 (weight average). The hydration of mucoadhesive agents also makes them useful as absorption enhancers according to the invention.

**[00141]** Carrier particle size is typically from about 50  $\mu\text{m}$  to about 800  $\mu\text{m}$ , preferably from about 50  $\mu\text{m}$  to about 500  $\mu\text{m}$ . Exemplary carrier particle substances include, but are not limited to, carbohydrates, such as sugar, mannitol and lactose, or pharmaceutically acceptable inorganic salts, such as sodium chloride or calcium phosphate, or mixtures thereof.

**[00142]** Dry powder compositions of the present invention may include a pharmaceutically acceptable surfactant (such as those described above). The increased wetting effect of the surfactant in the composition can enhance the hydration of the carrier particles. This enhanced hydration may result in faster initiation of mucoadhesion. Typically, the surfactant is in a finely dispersed form and intimately mixed with the clonazepam. The amount of surfactant may be, for example, from about 0.5 to about 5 weight percent of the dry composition, and preferably from about 0.5 to about 3 weight percent.

**[00143]** A variety of polymers known in the art can be used as mucoadhesive agents and examples are listed above included in the list of pharmaceutically acceptable polymers. The mucoadhesive polymers are typically hydrophilic, water-dispersible, or hydrophilic and water-dispersible. The ability of the polymer to swell in the presence of water is sometimes desirable. Mucoadhesiveness of substances can be determined *in*

*vitro*, for example, as described by Sala, G., et al., Proceed. Int. Symp. Contr. Release. Bioact. Mat. 16:420 (1989).

[00144] Devices for the intranasal delivery of fine, powdered compositions are known in the art (for example, U.S. Patent Nos. 6,948,492, 6,824,080, 6,752,147, 6,715,485, 6,488,648, 5,901,703, 4,227,522, 4,192,309, 4,105,027) and may be used for delivery of the powdered compositions of the present invention comprising a benzodiazepine.

[00145] These dosage forms may be used in similar methods of use/treatment to those described above.

[00146] These aspects are described herein below with reference to clonazepam as an exemplary benzodiazepine. These examples are not intended to be limiting. Other objects of the invention may be apparent to one of ordinary skill upon reviewing the teachings of the specification and preferred embodiments of the invention described herein.

#### **Experimental**

[00147] As is apparent to one of skill in the art, various modifications and variations of the above embodiments can be made without departing from the spirit and scope of this invention. Such modifications and variations are within the scope of this invention. Some of the above-described aspects of the present invention are described herein below with reference to clonazepam as an exemplary benzodiazepine.

[00148] The following examples are put forth so as to provide those of ordinary skill in the art with a complete disclosure and description of how to make and use the devices, methods, and formulae of the present invention, and are not intended to limit the scope of what the inventors regard as the invention. Efforts have been made to ensure accuracy with respect to numbers used (e.g., amounts, temperature, etc.) but some experimental errors and deviations should be accounted for. Unless indicated otherwise, parts are parts by weight, molecular weight is weight average molecular weight, temperature is in degrees Centigrade, and pressure is at or near atmospheric.

[00149] The compositions produced according to the present invention meet the strict specifications for content and purity required of pharmaceutical products.

### Materials and Methods

**[00150]** A. Pharmaceuticals and Reagents: The pharmaceuticals and reagents used in the following examples can be obtained from commercial sources, for example, as follows: active drug, e.g., clonazepam (from Lake Chemicals, India, or F.I.S. - Fabbrica Italiana Sintetici SpA, Vicenza, Italy) where delivered orally, the tablet is half of a Rivotril® 2 mg scored tablet (Hoffman-La Roche, New Jersey) diazepam and lorazepam (from Cambrex Profarmaco, Milan, Italy); penetration enhancers and solvents (e.g., diethylene glycol monoethylether, also called TRANSCUTOL®, from Gattefossé Corporation, Paramus, NJ); antioxidants (e.g., butylhydroxytoluene (BHT), butylhydroxyanisole (BHA), sodium metabisulfite, from Sigma-Aldrich Corporation, St. Louis, MO); pharmaceutically acceptable polymers (e.g., hydroxypropyl cellulose, from Hercules, Inc., Wilmington, DE); excipients, solublizers, and solvents, e.g., triacetin (also called glycerol triacetate or 1,2,3-Propanetriol, triacetate) from Mallinckrodt Baker, Inc., Phillipsburg NJ; propylene glycol, from Apotekproduksjon, Norway; GLYCOFUROL™ (also called ethoxylated furanyl alcohol or tetrahydrofurfuryl alcohol polyethyleneglycol ether) and similar ethoxylated tetrahydrofurfuryl alcohols, from Agrar, Italy); and standard pharmaceutical and chemical reagents (e.g., colorants, solvents, and surfactants, from Sigma-Aldrich Corporation, St. Louis, MO, Fisher Scientific, UK, and Merck, Germany: for example, propylene glycol, PEG 200 (ICI Americas Inc., Bridgewater New Jersey) and TWEEN® 20, from Merck, Germany; Citric acid from Riedel-de-Haen, Germany; triacetin from Abitec, USA; and water (WFI) from Fresenius Kabi, Norway). Analytical reagents are also available from a number of commercial sources, for example, citric acid, from Acros Organics, UK; hydrochloric acid, acetonitrile (HPLC grade), methanol (HPLC grade), orthophosphoric acid, potassium chloride, potassium hydrogen phthalate, potassium dihydrogen orthophosphate, ethanol, from Fisher Scientific, UK; and disodium hydrogen phosphate dihydrate, sodium dihydrogen phosphate, from Merck, Germany.

**[00151]** B. HPLC Analytical Methods: The HPLC system for detection of clonazepam was as follows: Waters 2487 Dual  $\lambda$  Absorbance Detector, Waters 600 Controller, Waters 717 plus Autosampler, Waters Millennium Chromatograph Manager Software (Waters Corporation, Milford, MA); Column, Chromolith Performance RP-18e 100 x 4.6 mm, and Guard Column, Chromolith Guard Cartridge RP-18e 5 x 4.6 mm

(Merck KGaA, Frankfurt, Germany); Detection,  $\lambda = 220$  nm; Sample Temperature,  $20 \pm 2^\circ\text{C}$ ; Column Temperature, Ambient temperature; Flow Rate, 2.0 mL/min; Mobile Phase, Isocratic, Mobile Phase,  $\text{KH}_2\text{PO}_4$  35 mM in deionized water (pH 2.1 adjusted with orthophosphoric acid) : acetonitrile – 70:30; Injection Volume, 100  $\mu\text{L}$ ; Run Time, 10-20 min; and Needle Wash, 90:10 (methanol:water).

[00152] The limit of detection (LOD) and quantification (LOQ) were calculated according to Equations 1 and 2:

[00153]  $\text{LOD} = (3.3 * \text{STEYX}) / \text{S}$  (Equation 1)

[00154]  $\text{LOQ} = (10 * \text{STEYX}) / \text{S}$  (Equation 2)

[00155] where, STEYX = the standard deviation of the y-intercepts of regression lines, obtained from the respective calibration curve and S = the gradient of the calibration curve.

[00156] Preliminary stability studies of drug standard solution were performed in phosphate buffered saline (PBS) containing 10% ethanol. In parallel, the stability of drug in various buffer pH values (pH 2 to 8) was also investigated. Because clonazepam was poorly soluble in water, 10% ethanol was added to each buffer system in order to aid solubility. The stability of drug in each buffer system was determined over a period of 72 hours at  $37^\circ\text{C}$  and  $2-8^\circ\text{C}$ .

[00157] The preparation of buffers was as follows. The preparation of buffers pH 2 to 4 are summarized in Table 1.



**Table 1**  
**Composition of buffers pH 2 to 4**

Buffer pH	Potassium chloride (mL)	Potassium hydrogen phthalate (mL)	Hydrochloric acid 1M (mL)	Deionized water (mL)	Actual pH recorded
2	50	0	7.8	142.2	2.11
3	0	50	15.7	134.3	3.17
4	0	50	0.1	149.9	3.98

[00158] Potassium chloride solution was prepared by adding 14.9 g of solid into a 1 L volumetric flask and made up to volume with deionized water. Potassium hydrogen phthalate solution was prepared by adding 40.8 g of solid into a 1 L volumetric flask and made up to volume with deionized water.

[00159] The preparation of buffers pH 5 to 7 is summarized in Table 2.

**Table 2**  
**Composition of buffers pH 5-7**

Buffer pH	Citric acid (mL)	Sodium dihydrogen phosphate (mL)	Deionized water (mL)	Actual pH recorded
5	24.3	25.7	50	5.2
6	16.9	33.1	50	6.09
7	6.5	43.6	49.9	6.98

[00160] Citric acid solution was prepared by adding 21.01 g of solid into a 1 L volumetric flask and made up to volume with deionized water. Sodium dihydrogen phosphate solution was prepared by adding 13.8 g of solid into a 1 L volumetric flask and made up to volume with deionized water.

[00161] The preparation of buffer pH 8 is summarized in Table 3.

**Table 3**  
**Composition of buffers pH 8**

Buffer pH	Sodium dihydrogen phosphate (mL)	Disodium hydrogen phosphate (mL)	Deionized water (mL)	Actual pH recorded
8	94.7	5.3	100	8.13

[00162] Disodium hydrogen phosphate dehydrate was prepared by adding 35.6 g of solid into a 1 L volumetric flask and made up to volume with deionized water. Sodium dihydrogen phosphate solution was prepared by adding 13.8 g of solid into a 1 L volumetric flask and made up to volume with deionized water.

[00163] The percentage drug recovered was calculated using Equation 3:

[00164]  $\% \text{ drug recovered} = (\text{drug concentration at } t=X / \text{drug concentration at } t=0) \times 100$  (Equation 3)

[00165] where, X = specific time point and temperature.

[00166] Following the stability studies, a suitable receiver fluid was developed in order to ensure that sink conditions for tested drug were such that the drug release was limited by the solubility of the drug in the receiver fluid. The saturated solubility (at 37°C) for drug was performed in 3 solvent/co-solvent systems, namely, pH 6 buffer, 10% ethanol in pH 6 buffer and 20% ethanol in pH 6 buffer. Briefly, drug was saturated into different receiver fluid systems by adding excess drug and allowed to stir with a magnetic flea over a period of 2 h at 37°C. Each saturated solution was then filtered using a 0.2 µm syringe filter and the resultant solution was assayed via HPLC.

[00167] C. *In vitro* Permeation Methodology: *In vitro* permeation was carried out by standard methods (e.g., Franz, T.J., "Percutaneous absorption: on the relevance of *in vitro* data," J. Invest Dermatol 64:190-195 (1975); Franz, T.J., "The finite dose technique as a valid *in vitro* model for the study of percutaneous absorption in man," In: Skin: Drug Application and Evaluation of Environmental Hazards, Current Problems in Dermatology, vol. 7, G. Simon, Z. Paster, M Klingberg, M. Kaye (Eds), Basel, Switzerland, S. Karger, pages 58-68 (1978)).

[00168] Freshly excised sheep nasal mucosa was used and prepared following a standard protocol. The excised sheep nasal mucosa was cleaned by rinsing with de-

ionized water and either used fresh or placed flat over a filter paper and stored frozen until used.

**[00169]** (i) Drug recovery, degradation and binding to nasal sheep mucosa: The effect of drug recovery, degradation and binding to sheep nasal mucosa was determined. Briefly, a known surface area (approx. 1 cm<sup>2</sup>) of sheep nasal mucosa was added into a glass vial containing a known concentration (10 µg/mL) of each drug prepared in the receiver fluid (10% ethanol in pH 6 buffer). The content of the vial was allowed to equilibrate at 37°C over a period of 48 h. At 24 h intervals, a sample was removed and assayed via HPLC. The percentage of drug recovered was calculated using Equation 4:

**[00170]** % drug recovered = (drug concentration at t=Y/drug concentration at t=Z) x 100 (Equation 4)

**[00171]** where, Y = specific time point at 37°C (in the presence of nasal sheep mucosa); and Z = specific time point at 37°C (in the absence of nasal sheep mucosa).

**[00172]** (ii) Dosing and Sample Collection -- Franz cell studies: Individually calibrated Franz cells with an average surface area and volume of approximately 0.6 cm<sup>2</sup> and 2 mL, respectively, were employed to determine the permeation characteristics of drug. The nasal sheep mucosa was mounted between the two halves of the Franz cell with the mucosal side facing the donor compartment. The receptor compartment was filled with receiver fluid, stirred constantly with a PTFE-coated magnetic follower driven by a submersible magnetic stirrer bed and maintained at 37°C in a water bath. Approximately 1 mL (infinite dose) of saturated drug solution was placed into the donor compartment and covered with PARAFILM® (Pechiney Plastic Packaging, Inc., Chicago, IL) throughout the study. Following the application of the drug solution, the receiver fluid (200 µL) was removed from the receptor compartment via the sampling arm after sampling times (t=1, 2, 3, 4, 5, 6 and 7 h) and analyzed via HPLC. Each sample removed was replaced by an equal volume of fresh pre-warmed (37°C) receiver fluid. A total of eight repetitions (n=8) were performed on the drug solution and a single control experiment where no drug was present in the donor compartment was also performed.

**[00173]** D. Neurocognitive Tests: The Cognitive Drug Research (CDR) computerized assessment system is specifically designed to evaluate the effects of compounds on the quality of cognitive functioning in subjects and patients in all phases of

clinical development. The CDR system is a widely used computerized cognitive assessment system (see, for example, Ebert U, et al., "Pharmacokinetics and pharmacodynamics of scopolamine after subcutaneous administration," *Journal of Clinical Pharmacology* 38: 720-726 (1998); Harrington F, et al., "Cognitive Performance in Hypertensive and Normotensive Older Subjects," *Hypertension* 36: 1079-1082 (2000); Preece AW, et al., "Effect of a 915-MHz simulated mobile phone signal on cognitive function in man," *International Journal of Radiation Biology* 75: 447-456 (1999); and Walker MP, et al., "Quantifying fluctuation in Dementia with Lewy Bodies, Alzheimer's disease and vascular dementia," *Neurology* 54: 1616-1625 (2000)) and has been used to evaluate a diverse range of pharmaceutical compounds.

**[00174]** E. Electroencephalography (EEG) Methods: Drug and placebo are administered, for example, at a five-minute intravenous (i.v.) infusion. During 15 minutes following the beginning of the administration EEG is registered. The EEG is registered again at 30, 60, 90, 120, and 180 minutes. Subjects are typically in a quiet laboratory (soundproof and electrically shielded room). During acquisition of EEG measurements subjects recline in an armchair. Usually twenty-eight EEG leads (issued, for example, from a 10-20 system; Jasper, H.H., et al., "Studies of clinical and electrical responses to deep temporal stimulation in men with some considerations of functional anatomy," *Res Publ Assoc Res Nerv Ment Dis.* 36:316-34 (1958); Japser, H.H., "Progress and problems in brain research," *J Mt Sinai Hosp N Y.* 25(3):244-53 (1958)) are used for recording. An ear linked reference, as well as four artifact channels (detection of eye movement, muscle activity, and other potentials for artifacts) may be used. Silver-plated disc electrodes are attached to subject's scalp, for example, with quick drying collondion. Impedance (for example, of 2000-5000 ohms) is checked before each recording session. A calibration signal is used, before each subject is tested, in order to adjust all the recorded leads thus allowing the construction of EEG or event-related-potentials (ERP) maps. EEGs are taken under resting recording conditions (i.e., subjects are asked to relax with their eyes closed). An example of data analysis used is the method of Dago, et al. (Dago, KT, et al., "Statistical Decision Tree: a tool for studying pharmaco-EEG effects of CNS-active drugs," *Neuropsychobiology*, 29(2):91-6 (1994)) which involves a statistical comparison of data obtained during active treatment versus placebo treatment. Typically,

topographic mapping of mean EEG parameters and statistical evaluation of treatment effects is carried out in a selected number of healthy volunteers.

#### Example 1

##### Absorption of Benzodiazepines Through Nasal Mucosa *in vitro*

[00175] The following experiments, performed in support of the present invention, demonstrate the ability of benzodiazepines to penetrate nasal mucosa. The permeation of saturated solutions of clonazepam, diazepam and lorazepam across sheep nasal mucosa *in vitro* is described herein below.

[00176] HPLC detection of clonazepam showed the principal eluted peak had a retention time of 7.5 minutes; for lorazepam 7.3 minutes; and for diazepam 14 minutes. Calibration curves for clonazepam were constructed between 0.2 to 10 µg/mL with appropriate replicates to ensure repeatability and linearity. The saturated solubility for clonazepam in the receiver solution (10% ethanol in buffer pH 6, see Materials and Methods) was 29.32 µg/mL; for lorazepam, 125.79 µg/mL; and for diazepam 129.47 µg/mL. In buffer pH 6 the saturated solubility for clonazepam was 13.66 µg/mL; for lorazepam 78.49 µg/mL; and diazepam 62.93 µg/mL and in 20% ethanol in buffer pH6 the saturated solubility for clonazepam was 82.28 µg/mL; for lorazepam 308.92 µg/mL; and for diazepam was 362.06 µg/mL.

[00177] Standards were prepared in receiver fluid (10% ethanol in buffer 6). Although the solubility of drug in 10% ethanol/buffer pH 6 was not extremely high, it was selected over the 20% ethanol/buffer pH 6 because it was considered that the latter may perturb the nasal mucosa. It should also be noted that although the saturated solubility was determined at 37°C, the filtration of the saturated system was performed at room temperature. The filtration at room temperature was performed as quickly as possible to minimize any drug precipitation as the temperature dropped from 37°C during filtration.

[00178] The linearity for the calibrations was found to be excellent ( $r^2$  greater than or equal to 0.999). The limit of detection (LOD) and quantification (LOQ) for clonazepam was shown to be LOD (µg/mL) 0.269 and LOQ (µg/mL) 0.898; for lorazepam LOD (µg/mL) 0.376 and (µg/mL) 1.252; and for diazepam LOD (µg/mL) 0.204 and LOQ (µg/mL) 0.681.

**[00179]** Preliminary stability studies were performed in 10% ethanol in phosphate buffer (PBS). The data are summarized in Table 4 for drug stability studies at 2-8°C and 37°C in the presence of nasal sheep mucosa.

**Table 4**  
**Preliminary stability data for standards prepared in 10% ethanol/PBS**

Drug	Conc ( $\mu\text{g/mL}$ )	Ave % recovery at 2-8°C			Ave % recovery at 37° C		
		T=24h	T=48h	T=72h	T=24h	T=48h	T=72h
Lorazepam	10.02	100.69 $\pm 0.09$	99.46 $\pm 0.12$	94.25 $\pm 0.59$	97.50 $\pm 0.42$	88.68 $\pm 0.25$	68.37 $\pm 1.33$
Diazepam	9.94	102.27 $\pm 0.17$	101.77 $\pm 0.12$	100.37 $\pm 0.31$	102.76 $\pm 0.97$	102.86 $\pm 0.50$	99.72 $\pm 2.23$
Clonazepam	9.96	100.21 $\pm 0.01$	100.64 $\pm 0.17$	105.16 $\pm 7.32$	101.07 $\pm$ 0.65	101.86 $\pm 1.13$	100.55 $\pm 0.77$

**[00180]** The data clearly suggested that the benzodiazepines are stable at both temperatures over the 72 h period.

**[00181]** Following the preliminary stability study, the stability of prepared drug solution was repeated over a range of buffer pH values. The percent drug recovered as a result of drug stability or degradation is summarized in Table 5.

**Table 5**  
**Percentage (%) drug recovered from stability studies**

Drug	*Buffer pH	% recovery 2-8°C			% recovery 37°C		
		T=24 h	T=48 h	T=72 h	T=24 h	T=48 h	T=72 h
Lorazepam							
	2	98.46	98.39	97.17	73.96	55.75	16.82
	3	99.67	93.17	98.84	88.76	68.71	43.08
	4	100.38	92.11	100.21	96.24	80.34	74.38
	5	99.83	98.41	100.25	97.89	90.29	84.38
	6	99.32	95.31	99.69	96.65	80.97	83.18
	7	99.27	94.32	99.79	95.41	80.23	77.72
	8	101.39	92.86	99.46	92.22	74.23	59.65
Diazepam	2	98.94	97.02	101.11	97.29	98.10	100.62
	3	100.38	98.13	99.95	101.00	100.61	100.33
	4	99.89	97.84	99.97	100.28	100.67	98.02
	5	98.95	98.11	98.24	99.84	100.70	100.32
	6	99.06	98.15	97.67	98.53	99.57	102.01
	7	98.30	97.15	96.34	98.98	99.21	102.10
	8	99.31	98.69	98.36	98.87	99.48	101.19
Clonazepam	2	90.08	73.18	55.30	57.97	55.51	53.07
	3	97.87	91.94	85.55	88.73	88.37	85.50
	4	99.54	98.88	99.37	98.72	100.09	101.91
	5	99.85	99.91	99.91	100.59	100.98	103.29
	6	100.41	100.32	100.43	100.34	100.59	103.14
	7	100.66	99.98	100.19	99.81	100.05	100.54
	8	99.59	99.30	99.40	96.76	96.42	91.47

\*prepared in 10% ethanol

[00182] The data obtained confirmed that benzodiazepines appeared to be stable between pH 4-7 at the higher temperature over the 72 h period. Given that the duration of planned permeation studies was likely to be less than 24 hours and that the physiological pH of the nasal mucosa may vary between pH 5 to 6.5, buffer pH 6 was selected as the buffer of choice for the permeation studies.

[00183] In addition to the stability against heat degradation, the effect of drug binding or degradation in the presence of nasal sheep mucosa was also determined (Table 6).

**Table 6**  
**Percentage (%) drug recovered in the presence of nasal sheep mucosa at 37°C**

Drug	% recovery					
	*Buffer pH 5		*Buffer pH 6		*Buffer pH 7	
	24 h	48 h	24 h	48 h	24 h	48 h
Lorazepam	96.92	94.90	96.78	96.96	96.19	91.68
Clonazepam	97.78	96.45	97.47	97.14	99.30	97.78
Diazepam	97.64	95.62	98.02	124.68	97.61	94.68

\*prepared in 10% ethanol

[00184] The data, presented as described in Equation 2 (Materials and Methods), were such that any loss in recovery would be as a result of the effect of the presence of nasal sheep mucosa but not heat degradation. The data generally suggested that some degree of binding or degradation (<10%) was apparent in the presence of nasal sheep mucosa for drug.

[00185] Preliminary permeation studies were performed as described above in the Materials and Methods section. Permeation achieved steady state, which suggested that drug permeation was not affected by the solubility of drug in receiver fluid (10% ethanol in pH 6 buffer). The data clearly showed steady state flux of the drug over a 24 h period.

[00186] Final permeation studies were performed over a 7 hour test period. The permeation characteristics of the drug in the preliminary study appeared to be closely similar to that in the final permeation study. Figure 1 presents a graphic representation of the mean cumulative amount of the benzodiazepines permeated per unit area over a period of 7 h. The data suggested that permeation of the benzodiazepines were at steady state as demonstrated by the linear permeation rate of drug.

[00187] The HPLC methodology was shown to be “fit for purpose” with no interference peaks present at the same retention time as the drug peaks. Although the



solubility study demonstrated that sink conditions did not apply throughout both permeation studies, nevertheless permeation achieved steady state for the benzodiazepines suggesting that the solubility of drug in the receiver fluid (10% ethanol in pH 6 buffer) was not rate limiting.

**[00188]** The preliminary stability data presented above suggested that the benzodiazepines were stable at 37°C over 24 h in receiver fluid (10% ethanol in buffer pH 6). In addition, greater than 95% of drugs were recovered in the presence of nasal sheep mucosa at 37°C over 48 h, suggesting that only a low degree of binding or degradation occurred.

**[00189]** The permeation characteristics for the benzodiazepines were found to be very similar in both preliminary and final study where steady state flux was observed. In conclusion, the data demonstrated that the benzodiazepines had acceptable stability in the context of use for intranasal administration, as well as acceptable permeation characteristic through nasal mucosa.

### Example 2

#### Solubility in Solvent Matrices

**[00190]** The solubility of clonazepam in a number of neat solvents was determined using standard methods. The results are presented in Tables 7A and 7B.

**Table 7A**

#### **Solubility of Clonazepam in Neat Solvents**

Matrix	Solubility (mg/mL)
PEG 300	37.0
PEG 200	30.3
propylene glycol	3.4
Triacetin	5.8
Glycofurol	67.3
Transcutol®	38.7
Water	<0.1

**[00191]** From Table 7A it can be seen that Glycofurol was a good solvent for clonazepam and may therefore be useful for achieving target solubility of, for example, 10 to 20 mg/mL. Further, the presence of Glycofurol may facilitate solubility in

formulations solvents with lower clonazepam solubility, such as triacetin or propylene glycol. Transcutol® and PEG (polyethylene glycol) matrices also demonstrated high solubility.

**[00192]** The solubilities of several other benzodiazepines were measured in DEGEE (diethylene glycol monoethyl ether, transcutol) by the techniques of Example 1. Initially, 10 mg of the drug was loaded in the glass vial and 130  $\mu$ L of DEGEE was added, and the samples were sonicated for 10 minutes. In the case of lorazepam and diazepam, the initial 10 mg went completely into solution, so another 10 mg was added to the vial prior to sonication again for 10 minutes. Samples were stored at -16°C and 25°C overnight, and centrifuged (5000 rpm, 2 minutes, -10°C and 23°C for the -16°C and 25°C samples, respectively). The lorazepam samples had completely dissolved at both temperatures, so the measured concentration indicates only a lower limit of solubility. Clonazepam was measured by UV at 350 nm; all others at 300 nm. The solubilities shown below in Table 7B indicate that solubility is sufficient over a wide range of temperature to achieve therapeutic dose of these benzodiazepines.

**Table 7B**

**Solubility of Benzodiazepines in Transcutol®**

	T = 25°C	T = -16°C
Clonazepam	38.9	35.3
Lorazepam	>110	>130
Diazepam	96.5	87.6

**[00193]** Further, the solubility of clonazepam in binary mixtures of Transcutol®(TC), triacetin (TA), glycofurol (GF) and propylene glycol (PG) was evaluated. Solubility limits of clonazepam were determined for the following formulations:

**Table 8**  
**Binary Mixture Formulations**

Formulation	Composition
K	70%GF + 30% TA
R	30% GF + 60% PG + 10% citrate/TWEEN/metabisulfite
T	30% GF + 70% PG
i	30% GF + 70% TA
ii	50% TC + 50% TA
iii	50% TC + 50% PG

[00194] Excess drug (50 mg) was capped with about 500  $\mu$ L of the solvent matrix in a 1.5 mL microfuge tube and the solution was mixed on a vortex shaker for several minutes. Thereafter, the solution was placed in an ultrasonic bath at 25°C for 45 minutes. The temperature was regulated with a thermometer and controlled by adding ice into the bath. After 15 minutes of standing, the solutions were centrifuged at 3,000x g for 30 minutes. Solutions were then stored for 16 hours at 25°C in an ICH cabinet protected from light.

[00195] The solubility of clonazepam in neat solvents was as shown in Table 7A. From the data in Table 7A, the theoretical solubility of clonazepam in mixtures was calculated. The results of the solubility tests and the theoretical values were as shown in Table 9.

**Table 9**  
**Solubility of Clonazepam in binary mixtures of matrices**

Formulation	Measured Solubility (mg/mL)	Theoretical solubility (mg/mL)	Meas./Theor. (%)
K - 70% GF + 30% TA	49.8	48.8	102.0
R - 30% GF + 60% PG + 10% c/t/m (aq)	11.5	22.2	51.9
T - 30 GF + 70% PG	16.7	22.6	74.0
i - 30% GF + 70% TA	22.9	24.2	94.4
ii - 50% TC + 50% TA	27.6	22.2	123.9
iii - 50% TC + 50% PG	21.7	21.0	103.0

[00196] Further, the data presented in Figure 2 demonstrated a linear relationship between the solubility and composition (based on percents) of the binary mixtures of triacetin and glycofurol, as well as propylene glycol and glycofurol. From the data in the figure, it can be inferred that the solubility in the 50:50 mixture would be about 36.4

mg/mL. Based on the data the solubility of clonazepam in binary mixtures of GF and PG the relationship between solubility and composition does not appear to be as linear as it is in the mixtures of GF and TA.

[00197] These data demonstrate the usefulness of solvent solutions comprising binary solvent mixtures to solubilize clonazepam, for example, for use in formulation of intranasal pharmaceutical compositions.

[00198] The solvent systems set forth in Table 8 and Table 9 provide examples of formulations with a minimum number of solvent components in the system which helps reduce possible interactions. These solvent combinations also increase the chemical potential and system thermodynamics helping to ensure that the drug (e.g., clonazepam) prefers to cross the nasal membrane due to decreasing solubility. The solvent systems set forth in Table 8 and Table 9 also avoid components that may provide a thermodynamic sink (e.g., PEG and cyclodextrins) where clonazepam would prefer to remain in the nasal cavity with a non-penetrating excipient.

### Example 3

#### Further Stability Studies

[00199] Eighteen 20 mg/mL clonazepam formulations were set up for accelerated stability studies: six weeks held at 60°C with exposed head-space. Samples were withdrawn at 0, 1, 2, 4 and 6 weeks and assayed for clonazepam at 20,000 fold dilution and for degradation products at 20-fold dilution. Color was assessed by visual inspection at 6 weeks. Clonazepam is subject to both oxidative (color) and hydrolytic (chemical) degradation. Oxidative degradation was scored using a relative color scale of 1 (lightest = least degradation) to 5 (darkest = most degradation). Hydrolytic degradation was evaluated by sampling and analysis of the sample using HPLC and a clonazepam reference standard. The results of these analyses are presented in Table 10.

**Table 10**  
**Stability Screen at 60°C**

#	Formulations	Chemical Degradation % Clonazepam remaining					Oxidative Color/ 6 wks
		0 wks	1 wk	2 wks	4 wks	6 wks	
1	100%Glycofurol	96%	101%	96%	90%	81%	1
2	95% Glycofurol + 5% H <sub>2</sub> O	94%	105%	99%	82%	68%	4
3	100% Transcutol®	100%	111%	103%	94%	88%	1
4	90% Transcutol® + 10% H <sub>2</sub> O	98%	100%	94%	79%	67%	4
5	80% Glycofurol + 20% Transcutol®	84%	99%	99%	93%	82%	2
6	70% Glycofurol + 20% Transcutol® + 10% H <sub>2</sub> O	113%	99%	93%	72%	63%	5
7	70% Glycofurol + 30% Triacetin	104%	108%	105%	91%	82%	2
8	30% GF + 70% PEG 200	105%	93%	79%	67%	60%	4
9	50% Glycofurol + 50% Transcutol®	108%	107%	97%	86%	73%	3
10	50% Transcutol® +50% PEG 200	96%	93%	79%	76%	68%	4
11	70% Transcutol® +30% Triacetin	106%	110%	101%	99%	92%	1
12	60% Transcutol + 30% Triacetin +10% H <sub>2</sub> O	104%	108%	101%	86%	78%	3
13	60% Transcutol® +30% Triacetin +10% 10 mM citrate pH 4	107%	105%	104%	96%	91%	2
14	60% Transcutol®+30% Triacetin +10% 10 mM phosphate pH 4	102%	108%	109%	101%	92%	2
15	60% Transcutol® + 40% Propylene glycol	105%	110%	104%	95%	89%	2
16	5% GF +95% PEG200	106%	89%	74%	61%	53%	5
17	10% GF + 90% PEG200	99%	85%	77%	62%	55%	5
18	10% TC + 90% PEG200	102%	88%	77%	64%	54%	5

**[00200]** After a 2-week incubation at 60°C it was evident from the assay results that formulations containing PEG were the least stable formulations. These results were corroborated in the clonazepam assay (% clonazepam remaining) after four weeks and six weeks. After two weeks, the percent clonazepam had dropped below 80% in all formulations containing PEG and down to 50-60% in the formulations containing 70-95% PEG and 68% in the formulation containing 50% PEG.

**[00201]** Formulations containing 5-10% water also demonstrated some level of clonazepam instability. Thus, the percent clonazepam dropped to 63 – 78% in 6 weeks at 60°C. In contrast to the formulations containing 5-10% water the formulations containing 10% aqueous buffer at pH 4 demonstrated relatively high stability. Thus, the assay of those formulations was in the 90% range after 6 weeks of storage at 60°C.

**[00202]** Concomitant with the drop in percent clonazepam, an intense color development was seen in those formulations, as all PEG containing formulations scored 4 or 5 in color intensity at 6 weeks. Formulations that contained water without buffer also demonstrated color development and scored from 3 to 5 after 6 weeks of storage. This is clearly exemplified by formulation 1 and 2, 3 and 4, and 5 and 6. These observations suggested that the color development may be related to hydrolysis events.

**[00203]** Comparison of degradation product HPLC profile of the formulations containing water with forced degradation samples which were exposed to HCl, NaOH and H<sub>2</sub>O<sub>2</sub> revealed that the similarity is greatest with the degradation products from incubation with HCl which further supports the theory of hydrolysis. In contrast, formulations with water that were buffered at pH 4 (#13 and 14) demonstrated only low color development and scored 2. This indicated that hydrolysis can be prevented by keeping the pH at a low level (for example, increased stability of benzodiazepines in the pH range 4.5 to 5.5, see, e.g., P.C.T. International Publication No. WO 91/16929; and Pharmazie, 1974 Oct-Nov, 29(10-11), pages 700-707).

**[00204]** As can be seen from the results presented in Table 10, better stability was generally achieved in the absence of free PEG polymers. The data presented above indicated that PEGs lead to an increase in degradation of clonazepam. Similarly, water appeared to contribute to increased degradation of clonazepam as well. In view of the results presented above, an anhydrous solvent matrix for clonazepam is preferred.