(19) World Intellectual Property **Organization**

International Bureau





(43) International Publication Date 13 January 2005 (13.01.2005)

(10) International Publication Number WO 2005/002621 A3

(51) International Patent Classification⁷: A61K 39/00, A61P 35/00, 37/00

(21) International Application Number:

PCT/US2004/019546

(22) International Filing Date: 17 June 2004 (17.06.2004)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:

60/479,393 17 June 2003 (17.06.2003) US

(71) Applicant (for all designated States except US): MANNKIND CORPORATION [US/US]; 28903 North Avenue Paine, Valencia, CA 91355 (US).

- (72) Inventors; and
- (75) Inventors/Applicants (for US only): BOT, Adrian, Ion [US/US]; 27003 Carmelita Drive, Valencia, CA 91355 (US). LIU, Xiping [US/US]; 6035 Camellia Avenue, Temple City, CA 91780 (US). SMITH, Kent, Andrew [US/US]; 2916 Bayshore Avenue, Ventura, CA 93001 (US).
- (74) Agent: ARNO, Thomas, R.; Knobbe, Martens, Olson & Bear LLP, 14th Floor, 2040 Main Street, Irvine, CA 02614 (US).

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).

Declaration under Rule 4.17:

of inventorship (Rule 4.17(iv)) for US only

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 4 August 2005

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.

(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM,

METHODS TO ELICIT, ENHANCE AND SUSTAIN IMMUNE RESPONSES AGAINST MHC CLASS I-RESTRICTED EPITOPES, FOR PROPHYLACTIC OR THERAPEUTIC PURPOSES

(57) Abstract: Embodiments relate to methods and compositions for eliciting, enhancing, and sustaining immune responses, preferably against MHC class I-restricted epitopes. The methods and compositions can be used for prophylactic or therapeutic purposes.

PCT/US2004/019546

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 A61K39/00 A61P35/00 A61P37/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

 $\begin{array}{ll} \text{Minimum documentation searched (classification system followed by classification symbols)} \\ IPC 7 & A61K \end{array}$

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)

EPO-Internal, BIOSIS, WPI Data, PAJ, EMBASE, FSTA

Category °	Citation of document, with indication, where appropriate, o	of the relevant passages	Relevant to claim No.
X	WO 01/30382 A1 (AVENTIS PASTE BERINSTEIN, NEIL; TARTAGLIA, MOINGEON,) 3 May 2001 (2001-0	JAMES;	1,2,4-8, 10-16, 18-21, 26,27, 30,31, 33,34, 36-38, 41,43, 65-84
	abstract page 5, lines 8-10 page 5, line 20 - page 6, line 23 - page 15, line 23 - page 15, lines 6-20 page 21, lines 6-20 page 20, line 19 - line 30 page 24, lines 1-9 example 1; table 1	ne 14 ine 19	
		-/	
X Furt	her documents are listed in the continuation of box C.	Patent family members are	listed in annex.
"A" docum	alegories of cited documents: ent defining the general state of the art which is not dered to be of particular relevance	"T" later document published after th or priority date and not in confli- cited to understand the principle invention	ct with the application but
L docume which citatio *O* docume other	document but published on or after the international date ent which may throw doubts on priority claim(s) or is cited to establish the publication date of another on or other special reason (as specified) lent referring to an oral disclosure, use, exhibition or means ent published prior to the international filing date but	 "X" document of particular relevance cannot be considered novel or involve an inventive step when "Y" document of particular relevance cannot be considered to involve document is combined with one ments, such combination being in the art. 	cannot be considered to the document is taken alone the telaimed invention e an inventive step when the or more other such docu-

Date of mailing of the international search report

Authorized officer

Noë, V

08 06 2005

Name and mailing address of the ISA

22 April 2005

Date of the actual completion of the international search

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

PCT/US2004/019546

(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT						
Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.					
WO 02/28429 A2 (ALLECURE CORPORATION; UNIVERSITY OF ZURICH; KUNDIG, THOMAS, M; MCCORMA) 11 April 2002 (2002-04-11) abstract page 8, lines 21-23 page 10, lines 17-20 page 11, lines 25-29 page 12, lines 24-30						
WO 98/58956 A2 (LUDWIG INSTITUTE FOR CANCER RESEARCH) 30 December 1998 (1998-12-30) abstract page 8, line 11 - page 9, line 6 page 10, lines 19-24 page 12, line 17 - page 13, line 10 page 15, lines 12-31 page 31, lines 20-22						
WO 03/011331 A (ISIS INNOVATION LIMITED; CERUNDOLO, VINCENZO; PALMOWSKI, MICHAEL, J; M) 13 February 2003 (2003-02-13) page 6, lines 4-19 page 12, line 19 - page 13, line 6 page 13, lines 11-15 page 15, lines 1-7 page 17, lines 9-14 page 18, lines 12-19 page 22, line 24 - page 23, line 6 claims 9,11-16,26,31,32	65,66, 68-74, 76-80					
DHODAPKAR MADHAV V ET AL: "Mature dendritic cells boost functionally superior CD8+ T-cell in humans without foreign helper epitopes" JOURNAL OF CLINICAL INVESTIGATION, vol. 105, no. 6, March 2000 (2000-03), pages R9-R14, XP002325729 ISSN: 0021-9738 the whole document						
WO 2004/110485 A (PALMOWSKI, MICHAEL, J; LOPES, LUCIEN; IKEDA, YASUHIRO; CERUNDOLO, VINC) 23 December 2004 (2004-12-23) abstract page 3, lines 20-32 page 5, lines 18-25 page 6, lines 24-28 page 8, lines 7-19 page 8, line 31 - page 9, line 29 page 13, line 22 - page 14, line 2 claims 19-21	65-84					
	Citation of document, with indication, where appropriate, of the relevant passages WO 02/28429 A2 (ALLECURE CORPORATION; UNIVERSITY OF ZURICH; KUNDIG, THOMAS, M; MCCORMA) 11 April 2002 (2002-04-11) abstract page 8, lines 21-23 page 10, lines 17-20 page 11, lines 25-29 page 12, lines 24-30 WO 98/58956 A2 (LUDWIG INSTITUTE FOR CANCER RESEARCH) 30 December 1998 (1998-12-30) abstract page 8, line 11 - page 9, line 6 page 10, lines 19-24 page 12, lines 17 - page 13, line 10 page 15, lines 12-31 page 31, lines 20-22 WO 03/011331 A (ISIS INNOVATION LIMITED; CERUNDOLO, VINCENZO; PALMOWSKI, MICHAEL, J; M) 13 February 2003 (2003-02-13) page 6, lines 4-19 page 12, line 19 - page 13, line 6 page 13, lines 11-15 page 15, lines 1-7 page 17, lines 9-14 page 18, lines 12-19 page 22, line 24 - page 23, line 6 claims 9,11-16,26,31,32 DHODAPKAR MADHAV V ET AL: "Mature dendritic cells boost functionally superior CD8+ T-cell in humans without foreign helper epitopes" JOURNAL OF CLINICAL INVESTIGATION, vol. 105, no. 6, March 2000 (2000-03), pages R9-R14, XP002325729 ISSN: 0021-9738 the whole document WO 2004/110485 A (PALMOWSKI, MICHAEL, J; LOPES, LUCIEN; IKEDA, YASUHIRO; CERUNDOLO, VINC) 23 December 2004 (2004-12-23) abstract page 3, lines 20-32 page 5, lines 18-25 page 6, lines 24-28 page 8, lines 7-19 page 8, line 31 - page 9, line 29 page 8, line 31 - page 9, line 29 page 13, line 22 - page 14, line 2					

PCT/US2004/019546

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)							
This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:							
1. X Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely: Although claims 1-44 are directed to a method of treatment of the							
human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.							
2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:							
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).							
Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)							
This International Searching Authority found multiple inventions in this international application, as follows:							
see additional sheet							
As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.							
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.							
3. X As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:							
1-44,65-84							
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:							
Remark on Protest The additional search fees were accompanied by the applicant's protest.							
No protest accompanied the payment of additional search fees.							

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-44 (completely) and 65-84(partially)

A method for immunization comprising:
(a) delivering a first composition comprising an immunogen or a nucleic acid encoding an antigen or an immunogenic

fragment

(b) administering a second composition comprising a peptide directly to a lymphatic system wherein the peptide corresponds to an epitope of the first antigen. and set of immunogenic compositions for use in the method.

2. claims: 45-49

Method for augmenting an existing antigen-specific immune response comprising administering a peptide composition directly to a lymphatic system.

3. claims: 50-52

A method for immunization comprising:

(a) delivering a first composition comprising a first and a second antigen or a nucleic acid encoding an antigen or an immunogenic fragment of the first and the second antigen (b) administering a second composition comprising a first peptide and a third composition comprising a second peptide directly to a lymphatic system wherein the first peptide corresponds to an epitope of the first antigen and the second peptide corresponds to an epitope of the second antigen.

4. claims: 53-58

A method of generating an antigen-specific tolerogenic or regulatory immune response comprising periodically administering a adjuvant free composition comprising a peptide corresponding with an epitope of the antigen

5. claims: 59-64 (completely), 65-84 (partially)

A method for immunization comprising: administering a series of immunogenic doses directly into the lymphatic system wherein the series comprises at least 1 entraining dose, comprising a nucleic acid encoding an immunogen and at least 1 amplyfying dose free of virus, viral vector or replication competent vector. Set for use in this method

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

6. claims: 65-84 (partially)

Set of immunogenic compositions for inducing an immune response comprising 1--6 entraining doses and at least one amplifying dose, insofar not specifically for use in the method of subject 1 or 5.

Information on patent family members

PCT/US2004/019546

	atent document d in search report		Publication date		Patent family member(s)	Publication date
WO	0130382	A1	03-05-2001	AU	1013601 A	08-05-2001
				ΑU	1013701 A	08-05-2001
				WO	0130847 A1	03-05-2001
				CA	2388301 A1	03-05-2001
				CA	2388337 A1	03-05-2001
				EΡ	1227837 A1	07-08-2002
				EP	1228095 A1	07-08-2002
				JP	2003512437 T	02-04-2003
	•			JP	2003512829 T	08-04-2003
WO	0228429	A2	11-04-2002	US	2002061315 A1	23-05-2002
				AU	9658701 A	15-04-2002
				CA	2425740 A1	11-04-2002
				EP	1322330 A2	02-07-2003
WO	9858956	A2	30-12-1998	 AU	7983198 A	04-01-1999
				ZA	9805460 A	26-01-1999
WO	03011331	 А	13-02-2003	— - ЕР	1411974 A2	28-04-2004
				WO	03011331 A2	13-02-2003
				WO	03011332 A1	13-02-2003
				JP	2005503375 T	03-02-2005
				US	2004234503 A1	25-11-2004
WO	2004110485	Α	23-12-2004	WO	2004110485 A1	23-12-2004