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Application No./Patent No. 90902033.1-2105	Ref. BLP-2696-EU	Date 25.07.97
Applicant/Proprietor NIKA HEALTH PRODUCTS LIMITED		

Communication under Rule 51(4) EPC

You are hereby informed that the Examining Division intends to grant a European patent on the basis of the above application with the text and drawings as indicated below:

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With the following amendments to the above-mentioned documents

Proposed by the Examining Division

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Comments

Insertion of publication number

A copy of the relevant documents is enclosed.

The title of the invention in the three official languages of the European Patent Office, the international patent classification, the designated Contracting States and the registered name of the applicant are shown on the attached EPO Form 2056.

Trist: 18.7.1997 ✓

You are requested to state your approval of the text specified above within four months of this notification. Failure to do so will result in refusal of the application under Article 97(1) EPC, except as provided by Rule 51(5) EPC, second sentence.

Registered letter



Date

25. 07. 97.

Sheet

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Application No.: 90902033.1

The filing of a divisional application is only possible up to the approval of the text specified above (Rule 25 (1) EPC).

Concerning the possibilities of accelerated prosecution of European patent applications reference is made to OJ EPO 1995, 841.

Further information concerning the acceptability of amendments or the filing of a separate set of claims for one or more designated Contracting States that have entered a reservation under Article 167(2)(a) EPC will be found in the Guidelines for Examination in the EPO, C-VI, 4.8 to 4.10 and C-VI, 15.1.2 to 15.1.4.

If the translation of the priority document(s), as required by Article 88 (1) EPC, or the declaration according to Rule 38 (4) EPC has not yet been filed, it is to be filed within the time limit mentioned in Rule 38 (4) EPC at the latest.



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Enclosures: EPO Form 2056

027 Copies of the relevant documents



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Anmeldung Nr./Patent Nr./Application No./Patent No./Demande N°/Brevet N° 90902033.1-2105	Zeichen/Ref./Réf. BLP-2696-EU	Datum/Date/Date 25.07.97
Anmelder/Patentinhaber/Applicant/Proprietor/Demandeur/Titulaire NIKA HEALTH PRODUCTS LIMITED		

For the intended grant of a European patent, (1) the title of the invention in the three official languages of the European Patent Office, (2) the International Patent Classification and (3) the designated Contracting States and the applicant's registered name, address and country of residence or principal place of business are set out below.

- (1)
- VERFAHREN ZUR HERSTELLUNG VON LYSOZYMDIMEREN
 - METHOD OF PREPARING LYSOZYME DIMERS
 - PROCEDE DE PREPARATION DE DIMERES DE LYSOZYME

(2) CLASS STRING: C12N9/36, C07K1/14

(3) AT BE CH LI DE DK ES FR GB IT LU NL SE
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-1-

METHOD OF PREPARING LYSOZYME DIMERS-Field of the Invention

The invention relates to a series of techniques used to prepare and purify a lysozyme dimer which will be particularly useful in the treatment of viral and bacterial infections.

Background of the Invention

The ever growing number of bacterial strains and viral diseases which are resistant to antibiotics have made it necessary to introduce new kinds of drugs in order to treat humans and animals. Among the many present treatments and medicines used, it has been known to administer enzymes in monomeric form in order to benefit patients afflicted with various diseases. Enzymes are catalytically active proteins which perform almost all major life processes in organisms. Thus, many enzymes, either individually or in certain combinations, have been isolated for their physiochemical, physiological, or biological effects.

Among the various enzymes for which certain therapeutic effects have been documented, it is presently known that lysozyme, which has been known since 1922, can be used in various physiological and biological treatments. It has been observed that lysozyme has various therapeutic properties, such as antiviral, antibacterial, anti-inflammatory and antihistaminic effects. The antibacterial effect of lysozyme appears to be based on the hydrolysis of the beta-1-4-glycoside bond between n-acetylmuraminic acid and n-acetylglucosamine, both contained in the bacterial wall.

Unfortunately, the tremendous potential with regard to beneficial effects possible through use of lysozyme has not been achieved primarily due to the observed cytotoxic effect of the monomeric form of this enzyme. For example, in tests with cultured fibroblasts, there has been an observed cytotoxic effect from doses of lysozyme in monomeric form even when administered at very small quantities. It thus became necessary to develop a way to maximize the potential beneficial effects which could be obtained from lysozyme by finding an effective way of controlling the cytotoxic effects associated with the monomer.

It has recently been discovered that an antiviral or antibacterial composition which does not exhibit cytotoxic effects can be constructed from lysozyme if one prepares a composition based on the dimeric form of the enzyme. Use of lysozyme in the dimeric form results in a composition useful in the treatment of a number of infectious diseases

yet which does not exhibit the highly cytotoxic effects normally associated with the lysozyme monomer. The use of lysozyme dimer in various therapeutic treatments is disclosed in a co-pending application, ^{W08311294} (PCT Application US88/01785).

Methods for the dimerization of lysozyme monomers are reported, e.g., by Sorrentino et al. (Eur. J. Biochem. 1982, 124, 183-189) or
10 Bartholeyns and Baudhuin (Biochem. J. 1982, 202(2), 543-550). Sorrentino et al. teach a method of dimerizing lysozyme monomers by reacting monomeric lysozyme with dimethyl suberimidate at pH 8.5 and maintaining the same pH value throughout the entire
15 reaction by addition of triethanolamine/HCl buffer. They further teach stopping the reaction by addition of ammonium acetate and purifying the incubation mixture with a column of Sephadex G-75 superfine and eluting the column with ammonium
20 acetate/acetic acid buffer pH 5.5.

A similar method is taught by Bartholeyns and Baudhuin, wherein lysozyme is dissolved in a phosphate buffer, the pH is adjusted to 8.5 and whereafter the lysozyme is reacted with dimethyl-suberimidate for 2 hours at 25 °C. After gel
25 filtration on Sephadex G-75 about 30% dimer is recovered.

Although ways of manufacturing the dimeric form of lysozyme from its monomeric form are known,
30 it is now imperative that one be able to produce large amounts of the dimeric form in an inexpensive and efficient manner. It is thus highly desirable to develop a system for producing and testing great amounts of purified lysozyme dimer which does not

contain the monomeric or multimeric form of the enzyme, or other contaminants.

Summary of the invention

5 In accordance with the present invention, an efficient method of preparing a purified lysozyme dimer product is provided which comprises the steps of:

10 a) preparing a lysozyme solution by adding monomeric lysozyme to a buffer solution adjusted to a pH of at least 9;

b) adding a suberimidate coupling reagent such as dimethyl suberimidate in order to dimerize the lysozyme monomers in the solution while the
15 solution is kept at a pH at or above 9;

c) lowering the pH to about 7 in order to stop the dimerization reaction at a given point by addition of acid;

20 d) purifying the dimerized lysozyme solution by carrying out a first elution step in which the solution is eluted through an ion exchange column,

Druckexemplar

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and fractions which are substantially comprised of the dimeric form of lysozyme are collected;

- e) filtering the collected fractions from the first elution step by carrying out a second elution step in which the collected fractions from the first elution step are eluted through a ~~ph-ion~~ gel filtration ~~exchange~~ column; and
- f) collecting the highly purified dimeric lysozyme product resulting from the second elution step.

In the above way, great amounts of purified lysozyme dimer can be manufactured which will be useful in treating a variety of viral and bacterial diseases.

Brief Description of the Drawing Figures

Figure 1 is a graphic representation of the elution profile obtained from the first elution step carried out in accordance with the present invention.

- Figure 2 is a graphic representation of the elution profile obtained from the second elution step carried out in accordance with the present invention.

Detailed Description of the Preferred Embodiments

- In preparing lysozyme dimers in accordance with the present invention, any currently available lysozyme monomers can be used as the starting materials. In the present invention, the lysozyme monomers used were obtained from Serva Feine Biochemica, GmbH, Heidelberg, and had Catalog No.

28260. Before a coupling reagent is added to the monomer, a lysozyme solution is prepared in a beaker by dissolving the monomer in a phosphate buffer solution at room temperature while continuously stirring the solution for at least about two hours. The phosphate buffer solution employed is preferably an 0.1 M disodium hydrogen phosphate dihydrate buffer. A suitable buffer solution has been prepared by dissolving about 70 grams of disodium hydrogen phosphate dihydrate in about 1,000 ml H₂O. Although actual amounts of the reagents and solutions used in the present invention can vary, the dimerization reaction of the present invention has been carried out using from about 40 to about 60 grams of the lysozyme monomer which has been dissolved in a beaker having about 5 liters of the disodium hydrogen phosphate dihydrate buffer. It is also preferred that the monomeric solution be adjusted to have a pH of at least 9, and most preferably about 10. The pH adjustment can be made using a basic solution such as 1 N NaOH.

The dimerization reaction is then allowed to take place by adding a suitable suberimide coupling reagent in proportion to the lysozyme monomer solution while maintainng the pH at or above 9. It is preferred that a dimethyl suberimide coupling reagent be used in the present invention. To the solution prepared as indicated above, 4-6 grams of the dimethyl suberimide is added to the monomer solution and will dissolve within about one minute. The

coupling reaction is allowed to take place for about 60 minutes at room temperature (25+/-5°C) while the solution is continuously stirred with a magnetic or other stirrer.

- 5 The dimerization reaction can be stopped at a given point by lowering the pH to about 7 (± 0.2), and this can be accomplished with the addition of 1 M HCl and/or the addition of a 0.2 M ammonium acetate solution (roughly about 250 ml). A
- 10 suitable ammonium acetate solution has been prepared using about 15 grams dissolved in 1,000 ml H₂O. Normally, the dimerization reaction is allowed to go for about 1 hour, although greater or lesser periods of time before the reaction is
- 15 stopped may be allowed depending on the precise amounts and nature of the reagents and solutions used.

- ~~It is preferred at this point that the entire~~
reaction mixture, which generally shows great
- 20 turbidity, be passed through a membranous filter in order to separate off undissolved particles. This is usually necessary because the solution at this point will contain a portion of multimers which are present in undissolved form. To separate out
- 25 multimers and other undissolved particles, a filter of about 0.4-0.5 μ m pore size is preferred for use in this step.

- Gel electrophoresis studies have been carried out on samples taken at different times following
- 30 the addition of the coupling reagent to the lysozyme monomer solution. These studies show that although the monomer form is clearly visible in almost every

fraction analyzed, a band corresponding to the dimeric form of the lysozyme is recognizable after about 10 minutes of reaction time, and the band grows larger as the reaction continues. The monomeric weight of lysozyme is approximately 14,000, and the dimeric band corresponds to a size of about 30,000 in molecular weight. In the electrophoretic traces, the generation of multimeric forms can also be recognized.

10 In order to prepare substantial amounts of purified lysozyme dimer product, it is preferred that the dimerized lysozyme solution undergo at least two further purification steps in order to isolate the lysozyme dimers and remove lysozyme monomers or other contaminants. The removed undimerized lysozyme monomers can be collected and are preferably recycled in the present invention so as to further maximize efficiency in the production of dimers.

20 A first purification step is preferably carried out using ion exchanger chromatography. In this step, the dimerized lysozyme solution obtained through the dimerization process described above is introduced into an ion exchange resin column comprised of Sepharose or other cation exchange materials. In the preferred embodiment, a column of S-Sepharose FF (Pharmacia) of approximately 10 cm in diameter and 25 cm in height is packed with a volume of about 2.1 liters equilibrated with 4.2 liters of a 50 mM K-phosphate buffer solution at pH 7. Approximately 5 liters of the dimerized solution is applied to the ion exchanger column,

and elution will preferably take place at a flow rate of about 60 ml/minute. It is also preferred that the elution will take place using a salt gradient of 0.15-1 M NaCl in the 50 mM K-phosphate buffer. Fractions from this elution step are collected and held in sterile flasks by use of a device such as a fraction collector (LKB 2211 Suprec). An elution profile can be recorded by means of an LKB 2210 recorder, which runs at a velocity of 1 mM/minute, and this elution profile can be used in determining the precise composition of the fractions collected. The absorption of the collected solutions are preferably measured at 280 nm by means of an LKB 2238 UVICOR S II.

The precise protein content of each of the fractions collected from the first elution step described above are preferably analyzed by a gel electrophoresis method such as the SDS-PAGE (SDS-polyacrylamide gel electrophoresis) technique such as described in Thomas et al, PNAS 72: 2626 (1979). In this electrophoretic study, preferably about 50 μ l of each fraction is mixed with about 50 μ l of a coating buffer and the mixture is heated for a period of about 10 minutes at about 95°C. Next, 25 μ l of this mixture is spread into a gel pocket. After electrophoresis is carried out for approximately 4 hours at 20-35 mA, the protein bands separate out and are preferably made visible by coloring with a dye such as Coomassie-Blue R250 (Merck).

Using the SDS-gel process, monomers, dimers and multimers of lysozyme can be separated out.

The electrophoretic studies can be used to identify those collected lysozyme fractions which are mostly in the dimeric form. The fractions which are substantially comprised of the lysozyme dimers are collected, and are preferably concentrated down to about 800 ml in a tangential flow system.

At this point, it is preferred that a subsequent filtering step be carried out to further ensure the purification of the dimer product. In the preferred embodiment, the collected fractions from the first elution step which have been concentrated using the tangential flow system, will be eluted ~~again~~ through a ^{gel filtration} ~~an ion-exchange~~ column. It is contemplated that a column such as a Sephadex G 50 F (Pharmacia) of approximately 25 cm in diameter and 120 cm in height will be employed. The column is equilibrated with a volume of about 60 liters of a 5 mM ammonium acetate buffer solution which sets the pH at around 5. A suitable ammonium acetate buffer solution was prepared using about 4 grams of ammonium acetate dissolved in 1,000 ml of water adjusted to a pH of about 5 with a solution of 3 grams of acetic acid in approximately 1,000 ml of distilled water.

The lysozyme dimer solution collected from the first elution step, which has been concentrated by a tangential flow system, is coated onto the ^{gel} ~~an~~ ^{filtration} ~~exchange~~ column so that elution preferably takes place at a flow rate of about 70 ml/minute in the equilibrium buffer. As in the above first elution step, fractions are collected and stored, and approximately 50 μ l of each fraction is analyzed by

the SDS-PAGE techniques discussed above. In addition, the elution profile is again recorded using a recorder running at a velocity of about 0.5 mm/minute. The absorption again is measured at 280 nm. Elution profiles obtained from fractions taken after the second elution step still show three peaks, but the profiles are primarily comprised of a middle peak which represents the lysozyme dimer fractions. By this point, there remains only minimal amounts of multimeric and monomeric forms of the lysozyme. The highly purified dimer fractions as indicated from the middle peaks of the elution profile are then collected, and once again are preferably concentrated using a tangential flow system. Ultimately, the purified dimers are lyophilized and stored until needed.

This total process can be repeated as often as necessary until the desired volume of final dimer product is obtained. Individual dimer batches after purification can be placed in distilled water and further lyophilized. In this way, a homogenous charge of lysozyme dimer can be obtained which will be highly useful in the treatment of many viral and bacterial diseases. In addition to its antiviral and antibacterial effects, other therapeutic benefits such as anti-inflammatory and antihistaminic properties have been attributed to the use of lysozyme dimer, all without the cytotoxic effects associated with the lysozyme monomer. The present method is thus useful in efficiently producing large amounts of the purified beneficial lysozyme dimer product. Because of its

effect in decomposing bacteria, the dimer product produced by the present invention can be tested for effectiveness by administering the dimer to a microorganism solution and subsequently monitoring the decrease in the level of microorganisms (as measured using a spectral photometer) after the enzyme dimer has been applied. Tests conducted in this manner have indicated that the lysozyme dimers produced using the method of the present invention have a great potential for combatting viral and bacterial diseases.

The following examples are presented as illustrative of the present invention and are not intended to limit its scope in any way:

Example 1 - Preparation of Lysozyme Dimer

50 grams of lysozyme monomer (Serva Feine, Catalog No. 28260) were dissolved in a covered beaker using 5 liters of a 0.1 M disodium hydrogen phosphate dihydrate buffer which was continuously stirred for 2 hours at 25°C. The phosphate dihydrate buffer was prepared using 70.98 g disodium hydrogen phosphate $\times 2H_2O$ (Merck, p.A.) dissolved in 1,000 ml H_2O . The pH of the solution was adjusted to 10 using 1 N NaOH. Next, 5 grams of the coupling reagent dimethyl suberimide (Sigma) was added to the protein solution, and the pH was continually readjusted to pH 10. The reagent completely dissolved within 1 minute, and the coupling reaction was incubated for 60 minutes

at room temperature (25°C) with continuous stirring using a magnetic stirrer. The reaction was stopped by lowering the pH to 7 using 1 M HCl and about 250 ml of an 0.2 M ammonium acetate solution. The 0.2
5 M ammonium acetate solution was prepared using 15.42 g ammonium acetate (Merck, p.A.) dissolved in 1,000 ml H₂O. The entire reaction mixture showed great turbidity at this point, and was then passed through a membranous filter of 0.45 µm pore size in
10 order to separate off undissolved particles. The undissolved particles included multimers which were present in the undissolved form, as detected by means of an SDS-gel-electrophoresis.

Following addition of the coupling reagent,
15 samples were taken at different times and were analyzed by gel electrophoresis. The monomeric form of lysozyme was clearly visible in every trace recorded. It was represented by a lower band running at a relative molecular weight of about
20 14,000 (molecular weight of lysozyme is 14386). From the second trace on, taken at about 10 minutes reaction time, the dimeric double band could be observed, and this band grew larger as the reaction continued. The dimeric band corresponded to a size
25 of about 30,000 in molecular weight. Additionally, in the later traces, a multimeric band could also be recognized.

In order to produce a preliminary purification of the product, 5 liters of the above composition
30 was introduced through a cation exchanger comprised of a column of S-Sepharose FF (Pharmacia). The column, 10 cm in diameter and 25 cm in height, had

a volume of 2.1 liters equilibrated with 4.2 liters of 50 mM K-phosphate buffer at pH 7. The 5 liters of the dimerized solution was coated onto the column and eluted at a flow rate of 60 ml/minute in a gradient of 0.15-1 M NaCl in 50 mM of K-phosphate buffer at pH 7.

The salt gradient was established and controlled in the following manner using as a gradient-mixer an LKB 2152 Controller. A first solution (Solution A) was prepared which comprised 50 mM K-phosphate buffer pH 7 with 0% NaCl, and a second solution (Solution B) was prepared comprising 50 mM of K-phosphate buffer pH 7 and 1 M NaCl. At the starting time (t_0), the proportion of Solution B in the elution buffer is 15%; after one hour (t_1), it rises directly to 50%, which is reached after 3.5 hours ($t_{4.5}$), and is maintained for 30 minutes (t_5). Within one subsequent hour (t_6) it rises to 100% and remains constant for one hour (t_7). Then it drops within 5 minutes ($t_{7.05}$) back again to approximately 0%. The column is next washed for 90 minutes ($t_{8.35}$) with a 0% NaCl portion.

From the elution in the S-Sepharose cation exchanger, fractions of approximately 600 milliliters, resulting from accumulation corresponding to 10 minutes from the eluted flow, are collected in sterile 2 liter Schott flasks. The collection is carried out by means of a fraction collector (LKB 2211 Suprec). An elution profile is recorded by means of an LKB 2210 recorder which runs at a velocity of 1 mm/minute.

The absorption is measured at 280 nm by means of an LKB 2238 UVICOR S II. The recorded elution profile from this first elution step is indicated at Figure 1. In Figure 1, it can be observed that all of the fractions containing primarily dimeric forms of lysozyme are indicated by shading under the thick line. The salt gradient is indicated by the thin line.

The protein mixture of each individual fraction was analyzed by an SDS-polyacrylamide gel-electrophoresis (PAGE) in accordance with the procedures of Thomas et al, PNAS 72: 2626 (1975). For that purpose, 50 μ l of each fraction was mixed with 50 μ l of a coating buffer and was heated for 10 minutes at 95°C. Next, 25 μ l of this mixture are spread in a gel pocket. The protein mixture Standard IV (Merck) was applied as a reference. The coating buffer was comprised of the following ingredients:

20	0.72 g tris HCl (0.06 M)
	0.136 g EDTA (III) (5 mM)
	0.18 g glycerine (10%)
	5 g SDS (5%)
	pH adjusted to 7.2 (add 90 ml H ₂ O)
25	10 ml beta-mercaptoethanol (10%)

For the gel-electrophoresis, an 18% separating gel is prepared which is layered over with a 3.9% collecting gel. The separating gel solution for 18% acrylamide was comprised of the following:

15

- 9 g acrylamide
0.045 g bis-acrylamide
0.136 g tris HCl pH 8.8 (0.325 M)
0.03 g SDS
5 200 μ l 10% ammonium persulfate solution
20 μ l TEMED

The collecting gel solution for 3.9% acrylamide had the following ingredients:

- 0.39 g acrylamide
10 10.4 mg bis-acrylamide
10 mg SDS
100 μ l 10% ammonium persulfate solution
10 μ l TEMED

- The SDS-polyacrylamide gel was prepared by
15 taking two 20 x 20 cm glass plates, which are
thoroughly cleaned and rinsed with ethanol, and
placing them one atop the other. Two spacing
strips of 1 mm thickness (length 20 cm, breadth 1
cm) provided the space between the plates into
20 which the gel was poured. The spacing strips are
mounted on the left and right edges of the glass
plates. The bottom edge is sealed by a textile
adhesive strip, and all three edges are reinforced
with clamps. The edges are additionally sealed
25 with a 1% agarose solution. After hardening of the
agarose, the separating gel solution prepared above
is filled into the interstices in vertical position
up to approximately 3 cm below the top edge of the
glass plate, and with the aid of a Pasteur pipette
30 is overlaid with a layer of water. The gel is

polymerized after approximately 30 minutes. The coating of water is poured off, and the edge of the gel is rinsed one time with the collecting gel solution described above.

5 Next, the collecting gel solution is filled in up to the edge, and a Teflon sample collecting comb is put in so that the bottom edge of the sample pocket lies approximately 1 cm over the front edge of the separating gel layer. After approximately
10 15 minutes, the collecting gel is polymerized, and the comb can be removed. Next, the textile adhesive strip is removed and the gel is joined in the vertical position to an electrophoresis apparatus. The buffer chambers are filled with an
15 electrophoresis buffer (6g tris-base(0.05 M); 28.5 g glycine(0.38 M); 1 g SDS(0.1%); and 1,000 ml H₂O) and the gel pockets are rinsed once with the aid of a buffer spray. The lysozyme dimer samples are
20 heated for approximately 10 minutes in the buffer coating at 95°C and filled into a container or area in the testing sample pocket corresponding the gel pocket.

 The electrophoresis was carried out at about 20 mA for about 4 hours. If overnight
25 electrophoresis is desired however, this could be carried out at a reduced charge of about 6-8 mA. The moving front is made visible by intermixing of 0.02% bromophenol-blue into the coating buffer. The electrophoresis was terminated when the moving
30 front of the process reached the bottom edge of the gel. The separating gel is cut out, dyed for approximately 30 minutes in a fixing solution and

is then bleached again for 2 hours in a bleaching solution of 400 ml methanol, 140 ml acetic acid, and 2,000 ml H₂O. The fixing solution was prepared by combining 500 ml of the bleach solution with 12 ml of a dye solution comprising 1 g Coomassie-blue (R250, Merck), 50 ml H₂O, and 50 ml methanol. The protein bands were then made visible by coloring with the dye solution as indicated above. The traces made using the SDS-PAGE technique indicated a gradual increase in the amount of dimerized lysozyme in the samples which ultimately included fractions containing multimers as well. The fractions which were primarily lysozyme in the dimeric form were collected and were concentrated down to 800 ml in a tangential flow system. This system, manufactured by Millipore, included a filtron exclusive 10,000 d filter, an olefin membrane having a tear resistance of 7 bar, and a Verder 80W (Type 20-30 No. 60079) pump. The input pressure was 2 bar, and the output pressure was at the minimum lower than 0.2. The working capacity was approximately 1 liter/hour. The apparatus has a dead volume of 400 ml so that upon termination, when the membrane is rinsed with 400 ml, a total volume of 1200 ml is obtained.

The lysozyme dimers were then purified by filtration in a Sephadex G 50 F (Pharmacia) ~~Aer/resin.~~ ~~exchanger~~ For that, a column (diameter 25.2 cm, height 120 cm) was equilibrated with a volume of 60 liters with 5 mM of an ammonium acetate buffer at pH 5. The total protein solution of 1.2 liters was coated on and eluted at a flow rate of 70 ml/minute

in the equilibrium buffer. Fractions of approximately 700 ml were collected, and each 50 ul per fraction was analyzed as described above using the SDS-PAGE procedure.

5 The elution profile for this filtration procedure was indicated by a recorder having a velocity of 0.5 mm/minute measuring the absorption at 280 nm. The recorded elution profile is indicated at Figure 2. The thick line in Figure 2
10 represents the absorption profile of the lysozyme solutions with more sensitive detection than in the thin line of the graph. Although this elution profile shows three peaks, it is the middle peak which is extremely prominent, and this peak
15 represents the dimer fractions. The first and last peaks referred to the lesser amounts of multimeric and monomeric forms of lysozyme remaining in the coating mixture.

20 Finally, the fractions containing highly purified lysozyme dimer (fractions 8-13 in the elution profile) are collected and are concentrated with the tangential flow system described above. After concentration, the purified dimer is then lyophilized. After repeating this process several
25 times, individual batches of dimer are purified, placed in distilled water, and then are again lyophilized, so that a homogenous charge of lysozyme dimer is obtained.

Example 2 - Enzyme Activity Test

The enzyme activity of the dimeric lysozyme prepared in the present invention can be tested using an activity test described in Verhamme et al,
5 International Pharmacy Journal, Vol. 2: 5 (1988). This test is based on reducing the microorganism Micrococcus luteus into soluble decomposition products by enzyme-induced lysis of the
10 microorganism's cell walls. The gradual lightening or total elimination of the turbidity at a wavelength of 450 nm is measured by a spectral photometer as a measure of the enzyme activity.

For this test, a suspension of Micrococcus luteus was prepared. Approximately 30 mg of
15 M.luteus (ATCC 4698, living, lyophilized, produced by Boehringer Mannheim) is ground, transferred with approximately 25 ml of a phosphate buffer into a 100 ml Erlenmeyer flask, and stirred slowly for approximately 2 hours at room temperature using a
20 magnetic stirrer. Next, the suspension is centrifugated for 1 minute at 500 rpm, and the excess is decanted into a fresh vessel. Small lumps of bacteria which are not suspended are found in the sediment. The suspension is stirred
25 further, and in order to prevent sedimentation, is diluted with phosphate buffer. It is measured in comparison with air, and the layer of thickness is 1 cm. Corresponding representative samples of the suspension diluted in this manner with continuous
30 stirring are taken out for the test measurements.

Sample solutions containing the lysozyme dimer are prepared in a concentration of 1 mg/ml of water. The test sample is dissolved in water immediately before the measurement is to take place, and the activity is correspondingly diluted to 1:250 or 1:25 in distilled water. The test is then carried out at a constant temperature of 25°C. For this purpose, all of the solutions must be at 25°C, and the measurement is undertaken using a temperature-controlled cuvette. The cuvette volume is 3 ml, the thickness of the layer of the test solution is 1 cm, and the decrease in turbidity following the start of the reaction is measured at 450 nm over 7 minutes. The turbidity decrease per minute is indicated in a spectral photometer (Spectronic 1001, Bausch & Lomb). The reaction mixture was made from 2.95 ml of the *M.luteus* suspension and 0.05 ml of the test sample solution. Each measurement was repeated twice and an average value determined therefrom.

The rate of enzyme activity as determined by the turbidity decrease is tracked starting from the linear initial range, and a ΔE (E = extinction of the bacteria)/minute time period is analyzed. The value of ΔE /minute is smaller than 0.03, and the degree of dilution of the test sample must be selected correspondingly. The turbidity decrease is also determined in a blank sample test (*M.luteus* with water), and the value which is generated through the cuvette must be drawn from the measured values of the test samples.

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The tests carried out indicated a significant amount of enzyme activity in the *M.luteus* suspension with dimer solution which was not observed in the control sample of *M.luteus* suspension with water.

5

Druckexemplar

C l a i m s

1. A method of preparing a purified lysozyme dimer product
5 comprising the steps of:

- a) preparing a lysozyme solution by adding monomeric
lysozyme to a buffer solution and adjusting the pH to
a required value;
- b) adding a suberimidate coupling reagent to dimerize
10 the lysozyme monomers in the lysozyme solution while
maintaining the pH at the required value;
- c) stopping the dimerization reaction at a given point;
- d) purifying the dimerized lysozyme solution by gel
chromatography and collecting the fractions which are
15 substantially comprised of the dimeric form of
lysozyme,

characterized in that the pH in step a) is adjusted to at
least pH 9 and maintained at at least pH 9 during step b),
whereafter the dimerization in step c) is stopped by lowering
20 the pH to about 7 by addition of acid, and the lysozyme dimer
solution of step d) is purified by carrying out a first
elution step through an ion exchange column, collecting the
fractions which are substantially comprised of the dimeric
form of lysozyme and carrying out a second elution step in
25 which the collected fractions from the first step are eluted
through a gel filtration column, whereafter a highly purified
dimeric lysozyme product resulting from the second elution
step is collected.

30 2. A method according to Claim 1 wherein the monomeric
lysozyme solution is adjusted to a pH of about 10.

3. A method according to Claim 2 wherein the monomeric
lysozyme solution is adjusted to pH 10 by adding NaOH.

35 4. A method according to Claim 1 wherein the buffer solution
is comprised of disodium hydrogen phosphate dihydrate
buffer.

5. A method according to Claim 1 wherein the coupling reagent is added while maintaining the pH at about 10.
- 5 6. A method according to Claim 1 wherein the suberimide coupling reagent is comprised of dimethyl suberimide.
7. A method according to Claim 1 wherein the dimerization steps are carried out at room temperature.
- 10 8. A method according to Claim 1 wherein the dimerization steps are carried out while continuously stirring the solution.
- 15 9. A method according to Claim 1 wherein the pH is lowered by adding HCl.
10. A method according to Claim 1 further comprising filtering out undissolved particles after the dimerization step using a pore filter.
- 20 11. A method according to Claim 10 wherein the pore size of the filter is about 0.4-0.5 μm .
- 25 12. A method according to Claim 1 further comprising collecting undimerized monomers of lysozyme following the dimerization step, and recycling the undimerized monomers into the dimerization process.
- 30 13. A method according to Claim 1 wherein the lysozyme monomer solution comprises 40-60 g of lysozyme monomer and 4-6 l of buffer, and wherein the coupling reagent is added in an amount of about 4-6 g.
- 35 14. A method according to Claim 1 wherein the ion exchange resin of the first elution step is a cation exchange resin.

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15. A method according to Claim 14 wherein the ion exchange resin is S-Sepharose FF and wherein the elution of the first elution step is carried out with a salt gradient of NaCl in K-phosphate buffer.
- 5
16. A method according to Claim 1 wherein the gel filtration resin of the second elution step is Sephadex G 50 F.
- 10
17. A method according to Claim 1 wherein fractions eluted in the first elution step are analyzed for lysozyme content using a gel-electrophoresis analysis.
- 15
18. A method according to Claim 1 wherein fractions collected after the second elution step are measured for lysozyme content using a gel-electrophoresis analysis.
- 20
19. A method according to Claim 1 wherein the fractions collected after the first elution step are concentrated by a tangential flow system.
- 20
20. A method according to Claim 1 wherein fractions collected after the second elution step are concentrated by a tangential flow system.
- 25
21. A method according to Claim 1 wherein the purified dimeric lysozyme product collected following the second elution step is lyophilized.

1/2

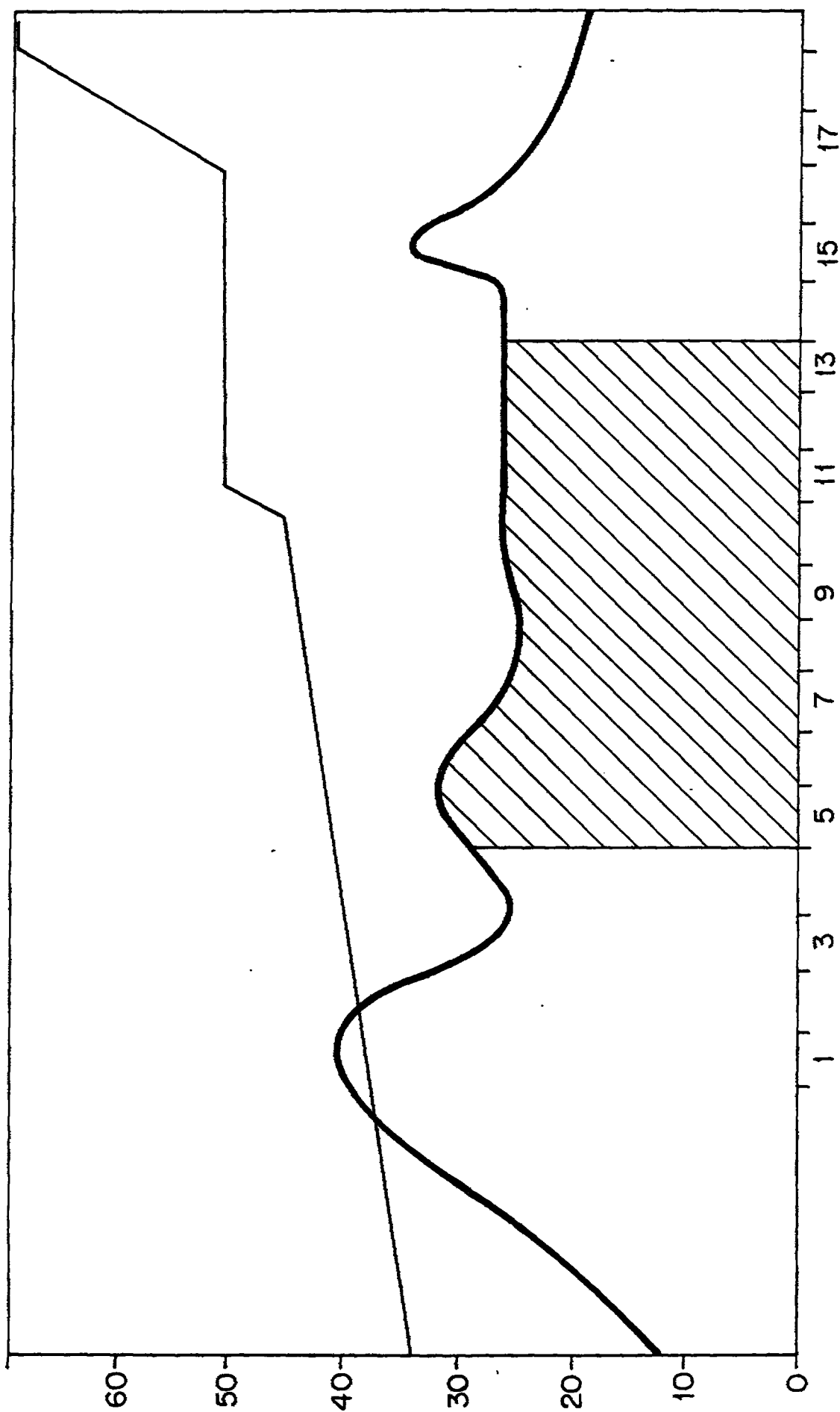


FIG. 1

2/2

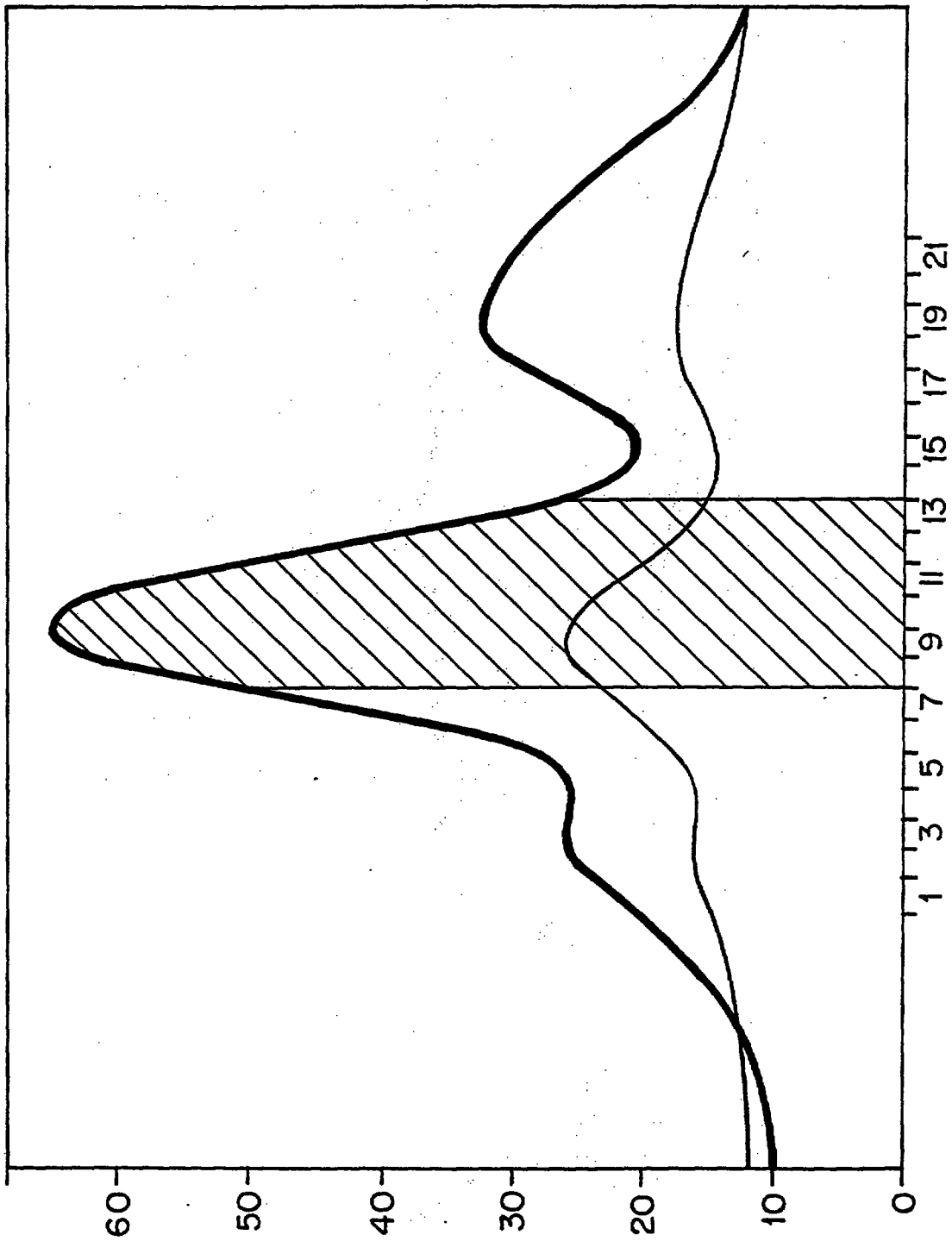


FIG. 2

04. Aug. 1997



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Datum/Date
01.08.97

Zeichen/Ref./Réf. BLP-2696-EU	Anmeldung Nr./Application No./Demande n° // Patent Nr./Patent No./Brevet n° 90902033.1-2105/US9000140
Anmelder/Applicant/Demandeur//Patentinhaber/Proprietor/Titulaire NIKA HEALTH PRODUCTS LIMITED	

Result of consultation

A copy of the result of the consultation of ... 29.07.97 ... is
enclosed for your information.

Primary examiner for the
examining division

ALT G L

Tel. No.: (+49-89) 2399-
Questions on substantive
examination : 8545
Formalities and
other matters : 8054

Annex: Copy of result of consultation
(Form 2036)



Zutreffendes ankreuzen/Place cross in box, as appropriate /Cocher la case voulue

☒ Telefonische Rücksprache
Consultation by telephone
Entretien téléphonique

☐ Persönliche Rücksprache
Personal consultation (B 50)
Entretien de vive voix

mit dem Anmelder/Vertreter
with applicant/representative
avec le demandeur/le mandataire

Anmeldung Nr. / Application No. / Demande n°

30.302033.1⁽¹⁾

Teilnehmer / Participant(s) / Participants
Anmelder / Applicant / Demandeur:

Nika Health Products Ltd.

Vertreter / Representative / Mandataire:

Mr. Isenberger

Mitglied(er) der Prüfungsabteilung:
Member(s) of Examining Division:
Membre(s) de la division d'examen:

Ms. Alt

☐ Vollmacht überprüft
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identité contrôlée

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Ergebnis der Rücksprache / Result of consultation / Résultat de l'entretien

see Annex

(weiterer Text gegebenenfalls auf Beiblatt / where necessary continue on attached sheet / le cas échéant, suite sur une feuille supplémentaire)

An Examiner's Clerk/An Formalsachbearbeiter • To Examiner's Clerk/To the Formalities Officer •
A l'assistant(e) d'examineur/A l'agent des formalités

☐ Codierung von / Coding / Codage de B 50⁽²⁾ (nur bei persönlicher Rücksprache/only in the case of personal consultation/
uniquement en cas d'entretien de vive voix)

☐ Verlängerung der Frist um Monate (Form 2944)
Extension of time limit by months (Form 2944)
Prolongation du délai de mois (Form 2944)

☐ Erledigung der laufenden Frist durch EXRE 3 Codierung (= Tag der Rücksprache)*
Cancellation of current time limit with EXRE 3 coding (= date of consultation)*
Suppression du délai par codage EXRE 3 (= date de l'entretien)*

☒ Übersendung zur Kenntnisnahme (Form 2049 Ziff. I) und Rückgabe an 1. Prüfer
Despatch for information (Form 2049 Section I) and return to Primary Examiner
Transmission pour information (Form 2049 point I) et renvoi à l'examineur qui instruit la demande

☐ Übersendung mit Fristsetzung (Form 2049 Ziff. II.) von Monaten**
Despatch with time limit (Form 2049 Section II) of months**
Transmission avec fixation d'un délai (Form 2049 point II) de mois**

* nicht anwenden bei telefonischer Rücksprache/not applicable to telephone consultation/à ne pas utiliser pour les entretiens téléphoniques
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Unterschrift Anmelder/Vertreter
Signature of applicant/representative
Signature du demandeur/du mandataire

230797⁽³⁾
Datum/Date

.....
Unterschrift beauftragter Prüfer/Formalprüfer
Signature of Primary Examiner/Formalities Officer
Signature de l'examineur qui instruit la demande/
L'agent chargé des formalités

Annex to from 2036

1. Mr. Bogensperger requested that the communication under Rule 51(4) should be amended to include Claims 22-24.
2. The Primary Examiner informed the Representative that the amendment did not contravene Article 123(2) EPC. Moreover, she considered Claims 22-24 as novel and inventive in view of the available prior art and in view of the evidence submitted during the examination procedure.
3. However, the Primary Examiner raised an objection to Claim 22 under Article 84 EPC. The wording of this claim was considered as unclear. The lysozyme dimer of the application was distinguished from prior art products by its purity. This distinction was characterized in the claim by the vague term "substantially free".
4. Since the application did not contain any technical parameters that were appropriate to characterize the product clearly, the Primary Examiner suggested to formulate Claim 22 as a product-by-process claim: "A lysozyme dimer which is substantially free from the monomeric and multimeric forms of lysozyme, and from other contaminants obtainable by a method of preparation according to any one of claims 1-21.
By doing so it was clear that the degree of purity which was contemplated by the term "substantially free" was one which could be obtained, for example, by the process of Claims 1-21. The Primary Examiner emphasized that this amendment did not limit the scope of protection in comparison to the present Claim 22.
5. An adaptation of the description is not considered as necessary.

The amended text which is intended for the grant of the patent is annexed.

6. The Representative believed that the suggested amendment was acceptable. He said that he was able to state his approval to the text specified in the Rule 51(4)-communication with the amendments suggested during the telephone conversation within the current time limit.

IV.1. Documents for grant of patent

In the text for all designated Contracting States:

AT BE CH LI DE DK ES FR GB IT LU NL SE

Description:

Page(s): 1, 2, 6-8, 10-16, 18-21 as originally filed

Page(s): 4, 9, 17

received on 01.09.95 with letter of 25.08.95

Page(s): 3, 3a, 5,

received on 06.05.96 with letter of 30.04.96

Claim(s):

No.: 1-4

received on 01.09.95 with letter of 25.08.95

No.: 5-21

received on 06.05.96 with letter of 30.04.96

No.: 22-24

received on 16.12.96 with letter of 11.12.96

Drawing(s):

Sheet: 1/2, 2/2

as originally filed

With following amendments to the above-mentioned documents by the Examining Division:

Description Page(s): 3

Claim : 22

Comments:

• Insertion of publication number

- Cancellation of Claim 22 as discussed during the telephone conversation of 28/07/97
- Renumbering of the claims

15. A method according to Claim 14 wherein the ion exchange resin is S-Sepharose FF and wherein the elution of the first elution step is carried out with a salt gradient of NaCl in K-phosphate buffer.

16. A method according to Claim 1 wherein the gel filtration resin of the second elution step is Sephadex G 50 F.

17. A method according to Claim 1 wherein fractions eluted in the first elution step are analyzed for lysozyme content using a gel-electrophoresis analysis.

18. A method according to Claim 1 wherein fractions collected after the second elution step are measured for lysozyme content using a gel-electrophoresis analysis.

19. A method according to Claim 1 wherein the fractions collected after the first elution step are concentrated by a tangential flow system.

20. A method according to Claim 1 wherein fractions collected after the second elution step are concentrated by a tangential flow system.

21. A method according to Claim 1 wherein the purified dimeric lysozyme product collected following the second elution step is lyophilized.

22. A lysozyme dimer which is substantially free from the monomeric and multimeric forms of lysozyme, and from other contaminants,

~~23. The lysozyme dimer of Claim 22 obtainable by a method of preparation according to any one of claims 1 to 21.~~

23.
24. The lysozyme dimer according to Claim 22 or 23 in lyophilized form.