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(54) Title: PHARMACEUTICAL COMPOSITIONS COMPRISING A CYCLOSPORIN, A HYDROPHILIC SURFACTANT AND A LIPOPHILIC SURFACTANT

(57) Abstract: Pharmaceutical compositions, which enable high absorption when administered orally, and which comprise a cyclosporin or cyclosporin derivative dissolved in a solvent-surfactant system further comprising a hydrophilic surfactant and a lipophilic surfactant, with minimal quantities of solvents.



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PHARMACEUTICAL COMPOSITIONS COMPRISING A CYCLOSPORIN, A HYDROPHILIC SURFACTANT  
AND A LIPOPHILIC SURFACTANT

This invention relates to a modification of the invention described and  
claimed in New Zealand Patent Specification No. 516269.

5

**TECHNICAL FIELD**

This invention is directed to pharmaceutical compositions, which facilitate the  
administration of cyclosporins and their derivatives of cyclosporins,  
particularly for oral ingestion.

10

**BACKGROUND ART**

The term "cyclosporin" will be understood to mean any member of the class of  
nonpolar cyclic oligopeptides with immunosuppressant activity, known as  
cyclosporins, as defined in the Merck Index, Thirteenth Edition. One such  
15 cyclosporin is cyclosporin A, also known as "cyclosporine" and herein  
referred to as "cyclosporine". Compositions comprising cyclosporine are sold  
in the United States and elsewhere under the tradenames Sandimmune™ and  
Neoral™.

20 A "derivative" of a cyclosporin will be understood to mean any compound with  
immunosuppressant activity obtained by modification of a cyclosporin. One  
example is the compound known as ISA<sub>TX</sub> 247, which is disclosed in  
Canadian patent 2,298,572 and specifically claimed in claim 6.

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Cyclosporins and their derivatives of cyclosporins are hydrophobic and have low solubility in aqueous media. This makes it difficult to design compositions which exhibit satisfactory absorption into systemic circulation after oral  
5 administration.

Cyclosporins and their derivatives of cyclosporins can be dissolved in an organic solvent (e.g. ethanol or propylene glycol), but, if the solvent is water-soluble, when the composition is mixed with gastrointestinal fluid, the  
10 cyclosporin or derivative of a cyclosporin will tend to precipitate into particles which are not absorbed.

There are various means disclosed in the prior art for overcoming the tendency to precipitate by use of one or more surfactants.

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The first commercially available composition comprising a cyclosporin or derivative of a cyclosporin thereof was an injectable product sold under the tradename Sandimmune™ and comprising, per mL, 50 mg cyclosporine, 650 mg polyoxyl 35 castor oil as a surfactant, with the balance being ethanol as  
20 solvent. When this composition is added to water for dilution prior to injectable administration, the composition disperses and the surfactant causes the cyclosporine to be dissolved in a micellar solution, which is sufficiently stable for administration, but from which there may be a small amount of precipitation after some hours.

The composition sold as injectable Sandimmune™ is not suitable for chronic oral administration, because its concentration of cyclosporine is only 50 mg per mL, and because the relatively large amount of both the surfactant and  
5 the ethanol content gives rise to toxicity concerns.

The prior art also discloses various means of overcoming these problems to enable workable compositions for oral administration.

10 U.S. patent 4,388,307 discloses compositions comprising cyclosporine in an emulsion preconcentrate that forms an emulsion upon being mixed into water. Commercial products sold under the tradename Sandimmune™ for oral administration are made according to U.S. patent 4,388,307, and, comprise cyclosporine dissolved in a solvent system comprising ethanol, a vegetable oil  
15 and a surfactant. Sandimmune™ for oral administration is or was available as both a liquid preconcentrate and liquid-filled soft-gelatin capsules. Although these compositions enable oral administration, they exhibit absorption that is less than the maximum possible and is variable.

20 U.S. patent 5,741,512 discloses emulsion preconcentrates that are similar to the ones disclosed in U.S. patent 4,888,307 in that they contain, in addition to cyclosporine, a hydrophilic solvent, a lipophilic solvent and a surfactant, but are improved, in that, when added to water, they disperse into droplets of very small size (less than 2000 Angstroms or 0.2 microns), thus leading to

improved absorption. These improved emulsion preconcentrates are referred to as microemulsion preconcentrates.

- 5 In the U.S. patent 5,741,512, at Column 8, lines 55 to 60, it is stated that the lipophilic solvent may be any pharmaceutically acceptable solvent which is non-miscible with the hydrophilic solvent, and devoid or substantially devoid of surfactant function. Thus the lipophilic solvent is limited to components that are lipophilic but not amphiphilic (i.e. not both lipophilic and hydrophilic). A  
10 component that is amphiphilic is considered to be a surfactant component.

Commercial products made in accordance with the teaching of U.S. patent 5,741,512 are sold under the tradename Neoral™ as both a liquid  
preconcentrate of concentration 100 mg/mL, and as liquid-filled soft gelatin  
15 capsules.

Neoral™ capsules do enable increased absorption on oral administration relative to Sandimmune™ capsules. However, Neoral™ capsules are still unsatisfactory in the following two respects:

20

1. The concentration of the cyclosporine in the solution contained with the capsules is only about 10 to 12 percent by weight, so that capsules comprising 100 mg of cyclosporine are quite large and difficult to swallow.

2. The solution contained in the capsules comprises ethanol as a hydrophilic component. Ethanol is volatile, so that the capsules must be packaged individually in metal pouches.

5

This composition of Neoral™ capsules suggests that the teaching of U.S. patent 5,741,512 may not enable workable compositions (i.e. compositions that are stable and enable high absorption) that have concentration above about 10 to 12 percent and are ethanol free.

10

The prior art discloses three possible approaches to achieving water-dispersible cyclosporine preconcentrates that enable high absorption, comparable to that of Neoral™ products, but that are not within the scope of the claims of U.S. patent 5,741,512.

15

These approaches are as follows:

1. Omit the hydrophilic solvent, so that the composition comprises cyclosporine dissolved in only lipophilic solvent and surfactant.

20

2. Omit the lipophilic solvent and use only hydrophilic solvent and hydrophilic (i.e. water-soluble) surfactant. There will thus be no component (other than the cyclosporine) that is not water-soluble.

When such a composition is dispersed in water, what is formed is not an emulsion or microemulsion, but either a micellar solution, or a colloidal dispersion.

5

3. Omit the lipophilic solvent, and use only hydrophilic solvent and one or more surfactants, wherein at least one surfactant is lipophilic (i.e. not water soluble). With appropriately selected solvents and surfactants, such compositions will disperse in water into emulsions or
- 10 microemulsions, similar to compositions of U.S. patent 5,741,512.

Compositions in accordance with the first of these three approaches are disclosed in U.S. patent 5,858,401; and capsules made according to the teaching of this patent are sold in the U.S. market by Sidmak Laboratories Inc.

- 15 These capsules are bioequivalent to Neoral™ capsules; that is to say, the rate and extent of absorption of the cyclosporine upon oral administration is comparable to that of Neoral™. However, the concentration of the cyclosporine in the solution is again only about 10 to 12 percent by weight, so capsules comprising 100 mg of cyclosporine are relatively large and difficult to
- 20 swallow, as is the case with Neoral™.

Prior art patents which disclose compositions following the second approach, include U.S. patent 5,834,017, and U.S. patent 5,798,333.

A solution made in accordance with the teaching of U.S. patent 5,834,017 has been sold in the United States and elsewhere under the tradename Sang-Cya™. As is the case with Neoral™, the concentration of cyclosporine in Sang-Cya™ solution is again only about 10 to 12 percent by weight, and the solution also comprises ethanol. Hence, it appears that the teaching of U.S. patent 5,834,017 may not enable capsules that are filled with a solution that has concentration substantially above 10 percent by weight or that is ethanol free. Hence, Sang-Cya™ solution does not appear to offer any advantage over Neoral™ products.

Soft gelatin capsules filled with a solution within the scope of the claims of U.S. patent 5,798,333 are sold in the United States by Eon Labs Manufacturing Inc.

The solution in these capsules comprises d-alpha-tocopheryl polyethylene glycol 1000 succinate and polyoxyl 40 hydrogenated castor oil as surfactants, and ethanol as hydrophilic solvent. As with the other aforementioned marketed products, the concentration of the cyclosporine in the solution in the capsules is only about 10 percent by weight, so that the capsules are again relatively large and difficult to swallow. Also, the ethanol content again requires packaging in metal foil pouches.

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There are also prior art compositions that follow the third of these three approaches; i.e. that comprise cyclosporine dissolved in a solvent-surfactant system that does not comprise a lipophilic solvent, and comprises a  
5 hydrophilic solvent, and a mixture of surfactants, wherein at least one surfactant is lipophilic.

A composition following this third approach is disclosed in international patent application No. PCT/US96/07155. This patent application discloses  
10 compositions comprising cyclosporine dissolved in ethanol as hydrophilic solvent, d-alpha-tocopheryl polyethylene glycol 1000 succinate as hydrophilic surfactant, and propylene glycol laurate as lipophilic surfactant. However, when this composition is dispersed in water, it disperses into droplets that are relatively large. It thus does not form a microemulsion and does not enable  
15 absorption equivalent to that of Neoral™.

Compositions following the third approach are also disclosed in U.S. patent 6,008,192. These compositions comprise cyclosporine dissolved in a solvent-surfactant system that comprises ethanol and propylene glycol as hydrophilic  
20 solvents, sorbitan monooleate as lipophilic surfactant, and polyoxyl 35 castor oil as hydrophilic surfactant. However, this patent discloses no example of such a composition that comprises more than 13 percent cyclosporine by weight and none that is ethanol free. Claim 12 specifically limits the

cyclosporine content to a maximum of 15 percent and the ethanol content to a minimum of 5 percent. A product made in accordance with the teaching of U.S. patent 6,008,192 is sold in the United States by Abbott Laboratories  
5 under the tradename Gengraf™. This product is sold as gelatin capsules filled with a solution. Because the concentration of the cyclosporine in the solution is only about 13 percent, the 100 mg strength capsules are large and difficult to swallow. More particularly, the 100mg strength is sold as size 00 two-piece hard gelatin capsules which are filled with a solution, closed and  
10 sealed. Also, because ethanol is volatile, the capsules must be individually packaged in metal foil pouches to prevent evaporation of the ethanol.

Compositions following the third approach are also disclosed in South African patent 9,813,596. This patent teaches compositions comprising cyclosporine  
15 dissolved in a solvent-surfactant system comprising acetylated monoglycerides along with a hydrophilic solvent and hydrophilic surfactant. This patent describes acetylated monoglycerides as being a lipophilic solvent. However, it has surfactant properties. Hence, according to the definition used in U.S. patent 5,741,512, acetylated monoglycerides is a surfactant (i.e. a  
20 lipophilic surfactant) rather than a "lipophilic component". Hence, compositions of South African patent 9,813,596 fall within the third approach. However, in every example of this patent, the concentration of cyclosporine is again less than 10 percent by weight.

Compositions following the third approach are also disclosed in U.S. patents 5,945,398, 6,187,747, and 6,008,191 all by the same inventors. These patents teach compositions comprising cyclosporine dissolved in a solvent-

5 surfactant system comprising propylene glycol as hydrophilic solvent, together with at least one lipophilic surfactant and at least one hydrophilic surfactant. There are only two examples which show a cyclosporine concentration above 10 percent by weight, i.e. examples 5 and 6 in U.S. patent 6,008,191. However, because in both examples there is both a relatively low amount of

10 lipophilic surfactant (only 0.5 or 0.55 part per part cyclosporine by weight) and a relatively high amount of propylene glycol as hydrophilic solvent (1.2 or 1.285 part per part cyclosporine by weight), it is unlikely that the composition of either example would disperse in water to provide small enough droplets as needed for good absorption. U.S. patent 6,008,191 gives absorption data for

15 only example 10, for which the concentration of cyclosporine by weight is only 10 percent. Moreover, even that data is suspect, as each of the three patents purports to give absorption data for a different composition, and yet the absorption data in the three patents are identical.

20 Further compositions following the third approach are disclosed in U.S. patent 6,294,192. This patent relates to microemulsion preconcentrates comprising any of a very large number of compounds as the active ingredient, only one of which is cyclosporine. The only example of a microemulsion preconcentrate

comprising cyclosporine at above 10 percent by weight is example 57,  
wherein the amount of cyclosporine is 19.24 percent by weight. However, this  
example uses glycofurol as hydrophilic solvent at a level of 1 part per part  
5 cyclosporine by weight, but use of glycofurol in compositions for oral use is  
not permitted by some regulatory agencies worldwide, including the U.S. Food  
and Drug Administration, because it is not recognized as safe for oral use.  
Moreover, glycofurol has a boiling point below 100°C. Hence, like ethanol, it  
is volatile, and capsules comprising glycofurol would have to be packaged in  
10 foil pouches to prevent evaporation, as for capsules comprising ethanol.

In light of this prior art, the objective of the present invention is to enable a  
pharmaceutical composition comprising a cyclosporin or derivative of a  
cyclosporin thereof dissolved in a solvent-surfactant system that meets the  
15 following criteria:

1. The composition will disperse in water to form a fine emulsion or  
microemulsion so as to enable high absorption upon oral  
administration; and more particularly, upon dispersion in water at 37°C,  
all or at least most of the cyclosporin or derivative of a cyclosporin will  
20 be in droplets of diameter less than 0.45 micron, and preferably less  
than 0.22 micron.
2. Every inactive ingredient used in the composition will be one that is  
safe for oral use.

3. The concentration of the cyclosporin or derivative of a cyclosporin will be above 10 percent by weight, and preferably substantially higher.
- 5 4. The composition will be stable against precipitation of the cyclosporin or derivative of a cyclosporin, even on prolonged storage at room temperature.
- 10 5. The composition will follow the third approach explained in the foregoing. That is to say, it will comprise a cyclosporin or derivative of a cyclosporin dissolved in a solvent-surfactant system that is free or substantially free of lipophilic solvent, and that comprises one or more surfactants, wherein at least one surfactant is lipophilic, and optionally further comprises a hydrophilic solvent.
- 15 6. The composition will preferably be free of ethanol, or any other solvent having a boiling point below 100°C.

#### **DESCRIPTION OF THE INVENTION**

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It has been found that optimal compositions with relatively high concentration of cyclosporin or derivative of a cyclosporin can be achieved by use of surfactants in which the cyclosporin or derivative of a cyclosporin is soluble, and by minimizing or eliminating not only the lipophilic solvent, but also the

hydrophilic solvent.

Compositions of the present invention comprise a cyclosporin or derivative of  
5 a cyclosporin dissolved in a solvent-surfactant system which further  
comprises a hydrophilic surfactant, and a lipophilic surfactant, and wherein  
the solvent-surfactant system is free or substantially free of lipophilic solvent,  
and which may optionally also comprise a hydrophilic solvent, but will  
preferably be free of hydrophilic solvent.

10

With appropriate selection of these ingredients, compositions are produced  
that have relatively high concentrations of a cyclosporin or derivative of a  
cyclosporin, that are stable, and that will disperse in water to form fine  
emulsions or microemulsions. More particularly, upon dispersion in water at  
15 37°C, all or at least most of the cyclosporin or derivative of a cyclosporin will  
be in droplets of diameter less than 0.45 micron, and more preferably less  
than 0.22 micron.

The amount of cyclosporin or derivative of a cyclosporin in the compositions  
20 of the invention by weight will exceed 10 percent, will preferably exceed 13  
percent, will more preferably exceed 15 percent, will even more preferably  
exceed 20 percent, and will most preferably exceed 25 percent. For this  
purpose, the weight of the composition will be taken to be the total weight of  
the cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic

surfactant and hydrophilic solvent, if any, and will exclude the weight of additional auxiliary excipients, if any.

- 5 For the purposes of this disclosure, the term "lipophilic" when describing a solvent will have the same meaning as used in U.S. patent 5,741,512. That is to say "lipophilic solvent" will mean a pharmaceutically acceptable solvent which is devoid or substantially devoid of surfactant function. The compositions of the present invention will be free or substantially free of
- 10 lipophilic solvent, by which is meant that the amount of lipophilic solvent will be less than 1 part per part cyclosporin or derivative of a cyclosporin by weight, preferably less than 0.5 part per part cyclosporin or derivative of a cyclosporin by weight, and more preferably less than 0.2 part per part cyclosporin or derivative of a cyclosporin by weight. Most preferably, the
- 15 composition will be entirely free of lipophilic solvent.

The term "hydrophilic solvent" will mean any solvent, that is water-soluble, and in which the cyclosporin or derivative of a cyclosporin is soluble at a level of at least 1 part cyclosporin or derivative of a cyclosporin per 5 parts solvent

20 by weight at 25°C. The term "water-soluble" is to be understood to mean having a solubility of at least 1 part by weight per 100 parts water at 25°C. Suitable hydrophilic solvents include for example, mono-alcohols such as ethanol and benzyl alcohol, and propylene glycol. The preferred hydrophilic solvents are benzyl alcohol and propylene glycol, and most preferred is

benzyl alcohol. The compositions of the present invention will preferably be free of ethanol or any other solvent with a boiling point of under 100°C.

- 5 If the composition comprises ethanol, which is not preferred, then the amount of cyclosporin or derivative of a cyclosporin by weight should exceed 15 percent of the total weight of composition. If the composition comprises propylene glycol but not ethanol, the amount of propylene glycol should be less than 1.2 parts per part cyclosporin or derivative of a cyclosporin by weight, or alternatively the amount of lipophilic surfactant should exceed 0.55  
10 part per part cyclosporin or derivative of a cyclosporin by weight.

- If the composition comprises glycofurol as hydrophilic solvent, which again is not preferred, the amount of glycofurol should be less than 1 part per part  
15 cyclosporin or derivative of a cyclosporin by weight, or alternatively the amount of cyclosporin or derivative of a cyclosporin by weight should exceed 19.25 percent of the total weight of the composition.

- The term "stable" will be understood to mean stable against significant  
20 precipitation of the cyclosporin or derivative of a cyclosporin out of solution at room temperature. A "stable" composition will thus be one in which all or substantially all of the cyclosporin or derivative of a cyclosporin is dissolved in a solvent-surfactant system, and for which there is no precipitation of



cyclosporin or derivative of a cyclosporin out of the solution when it is stored at room temperature.

- 5 It is necessary that the composition be stable to have a marketable product. The primary or only purpose of including a hydrophilic solvent in the composition is to add solvent capacity to keep the cyclosporin or derivative of a cyclosporin dissolved. Since one of the objectives of the invention is to achieve high concentration of the cyclosporin or derivative of a cyclosporin, it
- 10 is preferable to select as lipophilic surfactant and hydrophilic surfactant compounds that are also good solvents for the cyclosporin or derivative of a cyclosporin, so as to minimize or eliminate the need to add a hydrophilic solvent. The amount of hydrophilic solvent in the composition, per part cyclosporin or derivative of a cyclosporin by weight, will preferably be under 1
- 15 part, more preferably under 0.6 part, and most preferably none.

The term "hydrophilic surfactant" will include any surfactant that is water-soluble, including, for example:

- 20 i) Reaction products of natural or hydrogenated vegetable oils and ethylene glycol; i.e. polyoxyethylene glycolated natural or hydrogenated vegetable oils; for example, polyoxyethylene glycolated natural or hydrogenated castor oils.

ii) Especially suitable are the compounds listed in *the United States Pharmacopoeia and National Formulary* as polyoxyl 35 castor oil, and polyoxyl 40 hydrogenated castor oil. Most preferred is polyoxyl 35 castor oil.

iii) Polyoxyethylene-sorbitan-fatty acid esters; e.g. lauryl, palmityl, stearyl and oleyl esters e.g. of the type known and listed in the *United States Pharmacopoeia and National Formulary* as polysorbates.

Especially suitable products of this class for use in the compositions of the present invention are polysorbate 20 and polysorbate 80.

iv) d-alpha-tocopheryl polyethylene glycol 1000 succinate.

The term "lipophilic surfactant" will include any surfactant that is not water-soluble but is dispersible in water, including for example:

a) Trans-esterification products of natural vegetable oil triglycerides and polyalkylene polyols. Various forms of trans-esterification product of this class are known and commercially available under the trade name Labrafil™. Especially useful as a component of the compositions of the invention is Labrafil M1944 CS™, a transesterification product of kernel oil and polyethylene glycol.

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- b) Mono-, di- and mono/di-glycerides, especially esterification products of caprylic or capric acid with glycerol. Preferred products of this class are those comprising or consisting mainly or essentially of caprylic/capric acid mono- and di-glycerides, such as are commercially available under the trade name Imwitor<sup>TM</sup>. A particularly suitable product of this class for use in the compositions of the invention is the product Imwitor 742<sup>TM</sup>.
- 10 c) Soribitan fatty acid esters, such as sorbitan-monolauyl, - monopalmityl -monostearyl, - tristearyl, -monooleyl, and -trioleyl esters.
- d) Monoglycerides, e.g. glyceryl monooleate and acetylated monoglycerides. It will be understood that acetylated monoglycerides consist of glycerol esterified with fatty acids at one of the three hydroxyl functions, with one or both of the other two hydroxyls replaced by an acetyl moiety. By adjusting the degree of saturation of the monoglycerides and the degree of acetylation, different characteristics are obtained. Fully acetylated monoglycerides prepared from unsaturated monoglycerides are liquids at room temperatures. In this context, the phrase "fully acetylated" is intended to mean having a minimum acetylation of about 96 percent. Fully acetylated monoglycerides are currently available from Eastman Chemical

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Product Inc. under the designations Myvacet 9-08<sup>TM</sup> and Myvacet 9-45<sup>TM</sup>. Both are liquids at room temperature, having melting points of 4°C to 12°C.

5

- e) Propylene glycol di-fatty acid esters, such as propylene glycol dicaprylate, propylene glycol di-laurate, and propylene glycol caprylic-capric acid diester, known and commercially available under the tradename Miglyol 840<sup>TM</sup>; and propylene glycol mono-fatty acid esters such as propylene glycol monocaprylate and propylene glycol monolaurate. Propylene glycol di-fatty acid esters and mono-fatty acid esters are preferred lipophilic surfactants because they are good solvents for cyclosporins and derivatives of cyclosporins, including in particular cyclosporine, and thus help enable compositions with minimal amounts of hydrophilic solvent. Propylene glycol mono-fatty esters are especially preferred. Most preferred is propylene glycol monolaurate; for example, the product commercially available under the tradename Lauroglycol 90<sup>TM</sup>, sold by Gattefosse, which has over 90 percent monoester content.

20

The compositions of the invention will preferably comprise the following quantities of surfactants for each part of cyclosporin or derivative of a cyclosporin by weight:

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Hydrophilic surfactant: from about 0.3 part to about 3.0 parts, and more preferably from about 0.4 part to about 2 parts, and even preferably from about 0.5 part to about 1.5 parts.

5

Lipophilic surfactant: from about 0.6 part to about 2.5 parts, and more preferably from about 0.8 part to about 2.0 parts.

Compositions in accordance with the invention may also contain other  
10 ingredients. For example, the composition may include, in addition to the foregoing, one or more other ingredients that are included as diluents, thickening agents, anti-oxidants, flavouring agents, and so forth.

If it is desired to increase the melting point to ensure that the composition is a  
15 solid or semi-solid at room temperature, this may be accomplished by adding a further ingredient with a melting point above room temperature, such as, for example, polyethylene glycol with average molecular weight of above 1000 daltons. Polyethylene glycol with average molecular weights of about 3500 daltons and about 8000 daltons are available under the tradename  
20 Carbowax™; i.e. Carbowax™ 3500 and Carbowax™ 8000. Such polyethylene glycols are not considered to be within the scope of "hydrophilic solvent" as previously defined, because of the low capacity to dissolve cyclosporine.

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The relative proportion of cyclosporin or derivative of a cyclosporin and other ingredients in the compositions of the invention may, of course, vary considerably, depending on the particular ingredients selected.

- 5 Determination of workable proportions in accordance with the teaching of this specification in any particular instance will generally be within the capability of persons skilled in the art.

10 Compositions in accordance with the invention will preferably be in the form of solutions that are filled into capsules, such as gelatin capsules, which may be either soft gelatin capsules or two-piece hard gelatin capsules. Two-piece hard gelatin capsules are preferred. Most preferably, the solution used to fill the capsules will comprise an ingredient such as polyethylene glycol with average molecular weight about 1000 daltons to raise the melting point to  
15 above 30°C, and preferably above 40°C. The capsules will be filled with the solution as a liquid at elevated temperature. When the filled capsules are filled and cooled to ambient temperature, the contents will solidify to form a solid or semi-solid, so that the capsules will not have to be sealed to prevent leakage.

20

Empty two-piece hard gelatin capsules are supplied by numerous manufacturers, including Capsugel<sup>TM</sup>. The Capsugel<sup>TM</sup> literature shows that

<sup>TM</sup> - Trademark

capsules are available in the following standard sizes (among others), with fill capacity in mL as follows:

5	Size:	00	0el	0	1	2
	Capacity mL:	0.95	0.78	0.68	0.50	0.37

The density of the solutions according to the present invention are about 1.0g per mL, so that the weight in grams of solution that can be put into a capsule of any size is as approximately equal to the volume in mL. The largest capsule of standard size below size 00 is size 0el, which will hold about 0.8g.

It thus can be seen that to fill a capsule of a standard size below size 00 with solution containing 100 mg of a cyclosporin or derivative of a cyclosporin requires that the solution have a cyclosporin or derivative of a cyclosporin concentration of about  $100/800 = 12.5$  percent by weight, or greater.

Since the present invention enables solutions that produce microemulsions with a cyclosporin or derivative of a cyclosporin concentration well above 10 percent by weight, the present invention enables cyclosporin or derivative of a cyclosporin capsules comprising such a solution and having cyclosporin or derivative of a cyclosporin content of about 100mg using capsule sizes smaller than size 00; more particularly, the present invention enables capsules containing such a solution and having cyclosporin or derivative

of a cyclosporin content of about 100mg, where the capsule has a fill capacity of less than 0.9 mL, less than 0.8 mL, less than 0.7 mL, less than 0.6 mL, less than 0.5 mL, and even less than 0.4 mL.

5

The invention will be more fully understood by the following examples which are illustrative but not limiting of compositions in accordance with the present invention.

10	EXAMPLE NO.	1	2	3	4	5	6	7	8	9
	Cyclosporine	100	100	100	100	100	100	100	100	100
	Propylene Glycol	160	0	0	0	0	0	0	0	0
15	Benzyl Alcohol	0	80	60	80	70	50	50	0	0
	Polyoxyl 35 Castor Oil	220	220	120	200	200	80	60	100	100
20	Sorbitan Monooleat	160	160	0	0	0	0	0	0	0
	Glyceryl Monooleate	0	0	120	0	0	0	0	0	0
	Labrafil M1944CS™	0	0	0	200	0	0	0	0	0
25	Myvacet 9-45™	0	0	0	0	120	110	110	0	0
	Lauroglycol 90™	0	0	0	0	0	0	0	150	210
30	Polyethylene Glycol 8000	20	20	0	20	20	20	60	10	30
	Total	660	580	400	600	510	360	380	360	440
35	Net fill per capsule, mg	660	580	400	600	510	360	380	360	440
	Capsule size used	0	0	1	0	1	2	2	2	1

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For each of the examples, the ingredients in the proportions shown were mixed at elevated temperature (above 60°C) until a clear solution was formed. Upon cooling to room temperature, the solution of example 3 remained a clear  
5 solution.

For all of the other examples, because of the presence of polyethylene glycol 8000, the solutions solidified to form a semi-solid when cooled to room temperature.

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When still hot, some of the solution of each of the examples was filled into two-piece hard gelatin capsules of the sizes and with the net fill per capsule as shown. A capsule of each example was dissolved in 1000 mL of water at 37°C. In each case, when the shell dissolved, the contents of the capsule  
15 dispersed into a fine emulsion or microemulsion, and most of the cyclosporine was in droplets of diameter less than 0.22 micron, as determined by filtering the emulsion through a 0.22 micron filter and assaying the filtrate for cyclosporine.

20 It will be understood that compositions similar to those of examples 1-9 may be made using a cyclosporin or derivative of a cyclosporin other than cyclosporine, and in particular using ISA<sub>TX</sub> 247.

<sup>TM</sup> - Trademark

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INDUSTRIAL APPLICABILITY

From the foregoing description, it will be apparent that the present invention  
5 provides improved compositions for the administration and absorption of a  
cyclosporin or derivative of a cyclosporin.

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CLAIMS

1. A pharmaceutical composition comprising a cyclosporin or derivative of  
5 a cyclosporin dissolved in a solvent-surfactant system, which, when  
dispersed in water at 37°C, forms an emulsion in which more than 50  
percent of the cyclosporin or derivative of a cyclosporin is in droplets of  
diameter less than 0.45 micron, and wherein the solvent-surfactant  
system comprises: a hydrophilic surfactant, and a lipophilic surfactant,  
10 and optionally further comprises a hydrophilic solvent, with the provisos  
that:
- i) the amount of cyclosporin or derivative of a cyclosporin by  
weight is greater than 10 percent of the total of cyclosporin or  
15 derivative of a cyclosporin, hydrophilic surfactant, lipophilic  
surfactant and hydrophilic solvent;
- ii) the composition is free of lipophilic solvent or comprises less  
than 1 part lipophilic solvent per part cyclosporin or derivative of  
20 a cyclosporin by weight;
- iii) if the composition comprises ethanol, the amount of cyclosporin  
or derivative of a cyclosporin by weight is greater than 15  
percent of the total of cyclosporine, hydrophilic surfactant,  
25 lipophilic surfactant and hydrophilic solvent;
- iv) if the composition comprises glycofurol, the amount of glycofurol  
is less than 1 part per part cyclosporin or derivative of a  
cyclosporin by weight, or alternatively the amount of cyclosporin  
30 or derivative of a cyclosporin by weight is greater than 19.25  
percent of the total of cyclosporine, hydrophilic surfactant,  
lipophilic surfactant and hydrophilic solvent; and

- 5 v) if the composition comprises propylene glycol and does not comprise ethanol, the amount of propylene glycol is less than 1.2 parts per part cyclosporin or derivative of a cyclosporin by weight, or alternatively the amount of lipophilic surfactant exceeds 0.55 part per part cyclosporin or derivative of a cyclosporin by weight.
- 10 2. A composition of claim 1 comprising less than 0.5 part lipophilic solvent per part cyclosporin or derivative of a cyclosporin by weight.
3. A composition of claim 1 comprising less than 0.2 part lipophilic solvent per part cyclosporin or derivative of a cyclosporin by weight.
- 15 4. A composition of claim 1 that is free of lipophilic solvent.
5. A composition of any of claims 1 to 4 which disperses in water at 37°C to form an emulsion in which more than 50 percent of the cyclosporin or derivative of a cyclosporin is in droplets of diameter less than 0.22 micron.
- 20 6. A composition of any of claims 1 to 5 that is free of any hydrophilic solvent having a boiling point under 100°C.
- 25 7. A composition of any of claims 1 to 6 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 13 percent of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant and hydrophilic solvent.

- 5 8. A composition of claim 7 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 15 percent of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant and hydrophilic solvent.
- 10 9. A composition of claim 8 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 20 percent by weight of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant, and hydrophilic solvent.
- 15 10. A composition of claim 9 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 25 percent by weight of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant, and hydrophilic solvent.
- 20 11. A composition of any of claims 1 to 10 that comprises hydrophilic solvent, wherein the amount of hydrophilic solvent by weight is less than 1 part per part cyclosporin or derivative of a cyclosporin.
12. A composition of claim 11, wherein the amount of hydrophilic solvent by weight is less than 0.6 part per part cyclosporin or derivative of a cyclosporin.
- 25 13. A composition of any of claims 1 to 12 that comprises hydrophilic solvent, wherein the hydrophilic solvent is selected from a monoalcohol and, propylene glycol.
- 30 14. A composition of claim 13 wherein the hydrophilic solvent is benzyl alcohol.

15. A composition of claim 13 wherein the hydrophilic solvent is propylene glycol.
- 5 16. A composition of any of claims 1 to 10 that is free of hydrophilic solvent.
- 10 17. A composition of any of claims 1 to 16 wherein the lipophilic surfactant is a transesterification product of natural vegetable oil and polyalkylene glycol.
18. A composition of any of claims 1 to 16 wherein the lipophilic surfactant is selected from mono-, di- and mono/di-glycerides.
- 15 19. A composition of any of claims 1 to 16, wherein the lipophilic surfactant is a sorbitan fatty acid ester.
- 20 20. A composition of claim 19, wherein the lipophilic surfactant is sorbitan monooleate.
21. A composition of any of claims 1 to 16, wherein the lipophilic surfactant is a monoglyceride.
- 25 22. A composition of any of claims 1 to 16, wherein the lipophilic surfactant is glyceryl monooleate.
23. A composition of any of claims 1 to 16, wherein the lipophilic surfactant is acetylated monoglycerides.
- 30 24. A composition of any of claims 1 to 16, wherein the lipophilic surfactant is a propylene glycol fatty acid ester.

25. A composition of claim 24 wherein the lipophilic surfactant is a propylene glycol fatty acid monoester.
- 5 26. A composition of claim 25 wherein the lipophilic surfactant is propylene glycol monolaurate.
27. A composition of any of claims 1 to 26 wherein the amount of lipophilic surfactant is from 0.6 part to 2.5 parts per part cyclosporin or derivative of a cyclosporin by weight.
- 10 28. A composition of claim 27 wherein the amount of lipophilic surfactant is from 0.8 part to 2.0 parts per part cyclosporin or derivative of a cyclosporin by weight.
- 15 29. A composition of any of claims 1 to 28 wherein the hydrophilic surfactant is a reaction product of natural or hydrogenated vegetable oil and ethylene glycol.
- 20 30. A composition of claim 29 wherein the hydrophilic surfactant is polyoxyl 35 castor oil.
31. A composition of claim 29 wherein the hydrophilic surfactant is polyoxyl 40 hydrogenated castor oil.
- 25 32. A composition of any of claims 1 to 28 wherein the hydrophilic surfactant is a polyoxyethylene-sorbitan fatty acid ester.
- 30 33. A composition of any of claims 1 to 28 wherein the hydrophilic surfactant is d-alpha-tocopheryl polyethylene glycol 1000 succinate.

34. A composition of any of claims 1 to 33, wherein the quantity of hydrophilic surfactant is from 0.3 part to 3 parts per part cyclosporin or derivative of a cyclosporin by weight.
- 5
35. A composition of claim 34, wherein the quantity of hydrophilic surfactant is from 0.4 part to 2 parts per part cyclosporin or derivative of a cyclosporin by weight.
- 10
36. A composition of claim 35, wherein the quantity of hydrophilic surfactant is from 0.5 part to 1.5 parts per part cyclosporin or derivative of a cyclosporin by weight.
- 15
37. A composition of any of claims 1 to 36 further comprising polyethylene glycol with average molecular weight above 1000 daltons.
38. A composition of any of claims 1 to 37 wherein the cyclosporin or derivative of a cyclosporin is cyclosporine.
- 20
39. A composition of any of claims 1 to 37 wherein the cyclosporin or derivative of a cyclosporin is ISA<sub>TX</sub> 247.
40. A capsule containing a composition of any of claims 1 to 39.
- 25
41. A capsule of claim 40 wherein the content of cyclosporin or derivative of a cyclosporin is about 100mg and the fill capacity of the capsule is less than 0.9 mL.
- 30
42. A capsule of claim 41 wherein the fill capacity of the capsule is less than 0.8 mL.



43. A capsule of claim 42 wherein the fill capacity of the capsule is less than 0.7 mL.

5 44. A capsule of claim 43 wherein the fill capacity of the capsule is less than 0.6 mL.

45. A capsule of claim 44 wherein the fill capacity of the capsule is less than 0.5 mL.

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46. A capsule of claim 45 wherein the fill capacity of the capsule is less than 0.4 mL.

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## AMENDED CLAIMS

Received by the International Bureau on 23 May 2003 (23.05.2002 (05.06.2003))  
original claims 1-46 replaced by amended claims 1-70.

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AMENDED CLAIMS

1. A pharmaceutical composition comprising a cyclosporin or derivative of  
a cyclosporin dissolved in a solvent-surfactant system, which, when  
10 dispersed in water at 37°C, forms an emulsion in which more than 50  
percent of the cyclosporin or derivative of a cyclosporin is in droplets of  
diameter less than 0.45 micron, and wherein the solvent-surfactant  
system further comprises a hydrophilic surfactant and a lipophilic  
surfactant, and optionally further comprises a hydrophilic solvent, with  
15 the provisos that:
- i) the amount of a cyclosporin or derivative of a cyclosporin by  
weight is greater than 13 percent of the total of cyclosporin or  
derivative of a cyclosporin, hydrophilic surfactant, lipophilic  
20 surfactant and hydrophilic solvent;
- ii) the amount of lipophilic surfactant exceeds 0.55 part per part  
cyclosporin or derivative of a cyclosporin by weight;
- 25 iii) the composition is free of lipophilic solvent or comprises less  
than 1 part lipophilic solvent per part cyclosporin or derivative of  
a cyclosporin by weight;

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iv) if the composition does not comprise a hydrophilic solvent, the lipophilic surfactant is propylene glycol monolaurate;

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v) if the composition comprises ethanol, the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 15 percent of the total of cyclosporin or a derivative of cyclosporin, hydrophilic surfactant, lipophilic surfactant and hydrophilic solvent; and

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vi) if the composition comprises glycofurol, the amount of glycofurol is less than 1 part per part cyclosporin or derivative of a cyclosporin by weight, or alternatively the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 19.25 percent of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant and hydrophilic solvent.

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2. A composition of claim 1 comprising less than 0.5 part lipophilic solvent per part cyclosporin or derivative of a cyclosporin by weight.

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3. A composition of claim 1 comprising less than 0.2 part lipophilic solvent per part cyclosporin or derivative of a cyclosporin by weight.

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4. A composition of claim 1 that is free of lipophilic solvent.

5. A composition of any of claims 1 to 4 which disperses in water at 37°C to form an emulsion in which more than 50 percent of the cyclosporin or derivative of a cyclosporin is in droplets of diameter less than 0.22 micron.

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6. A composition of any of claims 1 to 5 that is free of any hydrophilic solvent having a boiling point under 100°C.

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7. A composition of any of claims 1 to 6 wherein amount of cyclosporin or derivative of a cyclosporin by weight is greater than 15 percent of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant and hydrophilic solvent.

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8. A composition of claim 7 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 20 percent by weight of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant, and hydrophilic solvent.

25

9. A composition of claim 8 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 25 percent by weight of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant, and hydrophilic solvent.

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10. A composition of any of claims 1 to 9 wherein the amount of hydrophilic solvent by weight is less than 1 part per part cyclosporin or derivative of a cyclosporin.

10 11. A composition of claim 10, wherein the amount of hydrophilic solvent by weight is less than 0.6 part per part cyclosporin or derivative of a cyclosporin.

12. A composition of any of claims 1 to 11 that comprises hydrophilic solvent wherein the hydrophilic solvent is selected from a monoalcohol and propylene glycol.

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13. A composition of claim 12 wherein the hydrophilic solvent is benzyl alcohol.

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14. A composition of claim 12 wherein the hydrophilic solvent is propylene glycol.

15. A composition of any of claims 1 to 14 wherein the lipophilic surfactant is a transesterification product of natural vegetable oil and polyalkylene glycol.

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16. A composition of any of claims 1 to 14 wherein the lipophilic surfactant is selected from mono-, di- and mono/di-glycerides.

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17. A composition of any of claims 1 to 14, wherein the lipophilic surfactant is a sorbitan fatty acid ester.

18. A composition of claim 17, wherein the lipophilic surfactant is sorbitan monooleate.

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19. A composition of any of claims 1 to 14, wherein the lipophilic surfactant is a monoglyceride.

20. A composition of any of claims 1 to 14, wherein the lipophilic surfactant is glyceryl monooleate.

20

21. A composition of any of claims 1 to 14, wherein the lipophilic surfactant is acetylated monoglycerides.

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22. A composition of any of claims 1 to 14, wherein the lipophilic surfactant is a propylene glycol fatty acid ester.

23. A composition of claim 22 wherein the lipophilic surfactant is a propylene glycol fatty acid monoester.

- 5     24.     A composition of claim 23 wherein the lipophilic surfactant is propylene glycol monolaurate.
25.     A composition of any of claims 1 to 24 wherein the amount of lipophilic surfactant is from 0.6 part to 2.5 parts per part cyclosporin or derivative of a cyclosporin by weight.
- 10     26.     A composition of claim 25 wherein the amount of lipophilic surfactant is from 0.8 part to 2.0 parts per part cyclosporin or derivative of a cyclosporin by weight.
- 15     27.     A composition of any of claims 1 to 26 wherein the hydrophilic surfactant is a reaction product of natural or hydrogenated vegetable oil and ethylene glycol.
- 20     28.     A composition of claim 27 wherein the hydrophilic surfactant is polyoxyl 35 castor oil.
29.     A composition of claim 27 wherein the hydrophilic surfactant is polyoxyl 40 hydrogenated castor oil.
- 25     30.     A composition of any of claims 1 to 26 wherein the hydrophilic surfactant is a polyoxyethylene-sorbitan fatty acid ester.

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31. A composition of any of claims 1 to 26 wherein the hydrophilic surfactant is d-alpha-tocopheryl polyethylene glycol 1000 succinate.

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32. A composition of any of claims 1 to 31, wherein the quantity of hydrophilic surfactant is from 0.3 part to 3 parts per part cyclosporin or derivative of a cyclosporin by weight.

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33. A composition of claim 32, wherein the quantity of hydrophilic surfactant is from 0.4 part to 2 parts per part cyclosporin or derivative of a cyclosporin by weight.

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34. A composition of claim 33, wherein the quantity of hydrophilic surfactant is from 0.5 part to 1.5 parts per part cyclosporin or derivative of a cyclosporin by weight.

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35. A composition of any of claims 1 to 34 further comprising polyethylene glycol with average molecular weight above 1000 daltons.

36. A capsule containing a composition of any of claims 1 to 35.

37. A capsule of claim 36 wherein the content of cyclosporin or derivative of a cyclosporin is about 100mg and the fill capacity of the capsule is less than 0.9 mL.



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38. A capsule of claim 37 wherein the fill capacity of the capsule is less than 0.8 mL.

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39. A capsule of claim 38 wherein the fill capacity of the capsule is less than 0.7 mL.

40. A capsule of claim 39 wherein the fill capacity of the capsule is less than 0.6 mL.

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41. A capsule of claim 40 wherein the fill capacity of the capsule is less than 0.5 mL.

42. A capsule of claim 41 wherein the fill capacity of the capsule is less than 0.4 mL.

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43. A two-piece capsule containing a solid or semi-solid which comprises a cyclosporin or derivative of a cyclosporin dissolved in a solvent-surfactant system, which, when dispersed in water at 37°C, forms an emulsion in which more than 50 percent of the cyclosporin or derivative of a cyclosporin is in droplets of diameter less than 0.45 micron, and wherein the solvent-surfactant system further comprises a hydrophilic surfactant, a lipophilic surfactant, and polyethylene glycol with average

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molecular weight above 1000 daltons, and optionally further comprises a hydrophilic solvent, with the provisos that:

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i) the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 10 percent of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant and hydrophilic solvent;

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ii) the composition is free of lipophilic solvent or comprises less than 1 part lipophilic solvent per part cyclosporin or derivative of a cyclosporin by weight; and

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iii) the amount of lipophilic surfactant exceeds 0.55 part per part cyclosporin or derivative of a cyclosporin by weight.

44. A composition of claim 43 that is free of lipophilic solvent.

45. A composition of claim 43 or 44 that is free of any hydrophilic solvent having a boiling point under 100°C.

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46. A composition of any of claims 43 to 45 wherein amount of cyclosporin or derivative of a cyclosporin by weight is greater than 15 percent of

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the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant and hydrophilic solvent.

47. A composition of claim 46 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 20 percent by weight of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant, and hydrophilic solvent.
48. A composition of claim 47 wherein the amount of cyclosporin or derivative of a cyclosporin by weight is greater than 25 percent by weight of the total of cyclosporin or derivative of a cyclosporin, hydrophilic surfactant, lipophilic surfactant, and hydrophilic solvent.
49. A composition of any of claims 43 to 48 that comprises hydrophilic solvent, wherein the amount of hydrophilic solvent by weight is less than 1 part per part cyclosporin or derivative of a cyclosporin.
50. A composition of claim 49, wherein the amount of hydrophilic solvent by weight is less than 0.6 part per part cyclosporin or derivative of a cyclosporin.

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51. A composition of any of claims 43 to 50 that comprises hydrophilic solvent wherein the hydrophilic solvent is selected from a monoalcohol and propylene glycol.

10 52. A composition of claim 51 wherein the hydrophilic solvent is benzyl alcohol.

53. A composition of claim 51 wherein the hydrophilic solvent is propylene glycol.

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54. A composition of any of claims 43 to 53, wherein the lipophilic surfactant is a propylene glycol fatty acid ester.

20 55. A composition of claim 54 wherein the lipophilic surfactant is a propylene glycol fatty acid monoester.

56. A composition of claim 55 wherein the lipophilic surfactant is propylene glycol monolaurate.

25 57. A composition of any of claims 43 to 56 wherein the amount of lipophilic surfactant is from 0.6 part to 2.5 parts per part cyclosporin or derivative of a cyclosporin by weight.

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58. A composition of claim 57 wherein the amount of lipophilic surfactant is from 0.8 part to 2.0 parts per part cyclosporin or derivative of a cyclosporin by weight.

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59. A composition of any of claims 43 to 58 wherein the hydrophilic surfactant is a reaction product of natural or hydrogenated vegetable oil and ethylene glycol.

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60. A composition of claim 59 wherein the hydrophilic surfactant is polyoxyl 35 castor oil.

61. A composition of claim 59 wherein the hydrophilic surfactant is polyoxyl 40 hydrogenated castor oil.

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62. A composition of any of claims 43 to 61, wherein the quantity of hydrophilic surfactant is from 0.3 part to 3 parts per part cyclosporin or derivative of a cyclosporin by weight.

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63. A composition of claim 62, wherein the quantity of hydrophilic surfactant is from 0.4 part to 2 parts per part cyclosporin or derivative of a cyclosporin by weight.

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64. A composition of claim 63, wherein the quantity of hydrophilic surfactant is from 0.5 part to 1.5 parts per part cyclosporin or derivative of a cyclosporin by weight.

10 65. A capsule of any of claims 43 to 64 wherein the content of cyclosporin or derivative of a cyclosporin is about 100mg and the fill capacity of the capsule is less than 0.9 mL.

15 66. A capsule of claim 65 wherein the fill capacity of the capsule is less than 0.8 mL.

67. A capsule of claim 66 wherein the fill capacity of the capsule is less than 0.7 mL.

20 68. A capsule of claim 67 wherein the fill capacity of the capsule is less than 0.6 mL.

69. A capsule of claim 68 wherein the fill capacity of the capsule is less than 0.5 mL.

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70. A capsule of claim 69 wherein the fill capacity of the capsule is less than 0.4 mL.

## INTERNATIONAL SEARCH REPORT

Intern Application No

PCT/CA 02/01968

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K9/107 A61K9/48 A61K38/13

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)

EPO-Internal, WPI Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00 33862 A (PHARMASOLUTIONS INC) 15 June 2000 (2000-06-15) *page 13 line 7- 32; page 15, lines 8-31; page 19- page 20 line 17; page 21 line 7- line 16; examples 1-8, comparative examples; claims *	1-46
X	WO 00 50007 A (LIPOCINE INC) 31 August 2000 (2000-08-31) cited in the application * page 5, 31-33; page 14 lines 17-27; page 41, line 8-10; page 47, table 19; page 63 Table 32; claims 1, 43-48, 115-117 * -/--	1-46



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

1 April 2003

Date of mailing of the international search report

09/04/2003

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Büttner, U

# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/CA 02/01968

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 2 362 573 A (CIPLA LTD) 28 November 2001 (2001-11-28) * page 2, sec. paragraph; page 4; page 6, first paragraph; examples 6 and 7; claim 1, 2, 4-11, 13-16, 18, 20 *	1-46
X	US 6 008 192 A (ABDULLAH BASHAR Y ET AL) 28 December 1999 (1999-12-28) cited in the application * col 3, line 37- col 5, line 30; example 23,23; claims 1-7, 8-12 *	1-46
X	US 5 962 014 A (RICHTER FRIEDRICH ET AL) 5 October 1999 (1999-10-05) * col 7, line 21 - col 8 line 54; col 9 line 49 - col 12 line 60; example 4 and 5 *	1-46
X	US 5 858 401 A (BHALANI VINAYAK T ET AL) 12 January 1999 (1999-01-12) * col 4; line 14-24; examples 1, 3-5, claims *	1-46
X	US 5 843 891 A (SHERMAN BERNARD C) 1 December 1998 (1998-12-01) * examples 1-7 *	1-17, 26-46
X	US 6 057 289 A (MULYE NIRMAL) 2 May 2000 (2000-05-02) * col 6 line 58- col 7 line 23; col 7 line 66 - col 8 line 44; examples 1-4; comparative examples 2 and 3, claims *	1-46
X	WO 00 72867 A (NOVARTIS ERFIND VERWALT GMBH ;HAEBERLIN BARBARA (CH); NOVARTIS AG) 7 December 2000 (2000-12-07) * page 2 line 28-31; examples 1 and 2; page 12 line 14-15;	1-5,7,8, 17-46
X	US 6 258 783 B1 (SHERMAN BERNARD CHARLES) 10 July 2001 (2001-07-10) * col 3 line 50 - col 4 line 12; col 4 line 40-67; col 6, examples; claims *	1-46



# INTERNATIONAL SEARCH REPORT

In international application No.  
rCT/CA 02/01968

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 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. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 1-46 (all in part)  
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:  
see FURTHER INFORMATION sheet PCT/ISA/210
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 II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ 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. ☐ 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.:
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

Continuation of Box I.2

Claims Nos.: 1-46 (all in part)

The subject matter of present claims 1-46 is defined by means of the functional feature: surfactants having lipophilic or hydrophilic characteristics and formation of an emulsion where the cyclosporin is in droplets of diameter of less than 0.45 micron.

Because of the character of the functional features, it cannot be guaranteed that the search performed is complete.

It cannot be excluded that compounds fulfilling the requirements of the functional feature have not been identified as doing so in the prior art. If such compounds have not been identified in the application either, they have not been covered by the search.

The search has been carried out, based on the functional features per se as well as the examples 1-9 given in the application.

It is further pointed out that substantive examination can only be carried out to the same extent as the search.

# INTERNATIONAL SEARCH REPORT

nation on patent family members

Intern | Application No

PCT/CA 02/01968

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
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