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

(19) World Intellectual Property Organization

International Bureau





(10) International Publication Number WO 2009/117737 A3

(43) International Publication Date 24 September 2009 (24.09.2009)

(51) International Patent Classification: A61L 27/50 (2006.01) A61L 27/18 (2006.01) A61L 27/52 (2006.01) A61L 27/34 (2006.01)

(21) International Application Number:

PCT/US2009/037979

(22) International Filing Date:

23 March 2009 (23.03.2009)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

21 March 2008 (21.03.2008) 61/070,305

US

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

AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report (Art. 21(3))
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))
- (88) Date of publication of the international search report: 4 November 2010

(54) Title: METHODS, DEVICES AND COMPOSITIONS FOR ADHERING HYDRATED POLYMER IMPLANTS TO BONE

(57) Abstract: A method of attaching an implant to a bone, the implant comprising a hydrated polymer comprising a lubricious hydrated surface and an attachment surface comprising accessible chemical functional groups. The method includes the steps of treating the implant or the bone with an isocyanate-containing compound; placing the attachment surface in apposition to the bone; and allowing the isocyanate-containing compound to cure to bond the implant to the bone. The invention also includes a medical implant having a hydrated polymer comprising an attachment surface comprising a thermoplastic material, the hydrated polymer having an interpenetrating polymer network with at least two polymers, the hydrated polymer having a low coefficient of friction on at least one surface.

INTERNATIONAL SEARCH REPORT

International application No
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A. CLASSIFICATION OF SUBJECT MATTER INV. A61L27/50 A61L2 A61L27/52 A61L27/18 A61L27/34 ADD. 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) A61L Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal, BIOSIS, EMBASE, INSPEC, WPI Data C. DOCUMENTS CONSIDERED TO BE RELEVANT Category Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No χ WO 00/43050 A1 (ST JUDE MEDICAL [US]) 1 - 4127 July 2000 (2000-07-27)
page 1, lines 3-6
page 8, line 30 - page 9, line 32 page 13, line 4 - page 14, line 14 page 29, line 7 - page 30, line 34 claims 1,5,7,28WO 2007/067697 A2 (ZIMMER INC [US]; THOMAS 42 - 44,46X BRIAN [US]; ZHANG KAI [US]; HUDGINS GARRYL [US) 14 June 2007 (2007-06-14) paragraph [0010] 1 - 41Α paragraph [0075] claims 1,2,14 -/--Further documents are listed in the continuation of Box C. See patent family annex Special categories of cited documents : "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 "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 "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to filing date "L" document which may throw doubts on priority claim(s) or involve an inventive step when the document is taken alone which is cited to establish the publication date of another citation or other special reason (as specified) "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such docu-"O" document referring to an oral disclosure, use, exhibition or ments, such combination being obvious to a person skilled in the art. other means document published prior to the international filing date but later than the priority date claimed "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 7 September 2010 15/09/2010 Name and mailing address of the ISA/ Authorized officer European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016 Cadamuro, Sergio

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2009/037979

C(Continua	tion). DOCUMENTS CONSIDERED TO BE RELEVANT	PC1/052009/03/9/9
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 795 353 A (FELT JEFFREY C [US]) 18 August 1998 (1998-08-18) column 4, lines 30-35 column 5, lines 4-20 claims 1-8 figures 1,2	47-62
Α	 EP 1 779 875 A1 (HOKKAIDO TECH LICENSING OFFICE [JP]) 2 May 2007 (2007-05-02) claims 1-14	42-62
A	MYUNG ET AL: "Biomimetic strain hardening in interpenetrating polymer network hydrogels" POLYMER, ELSEVIER SCIENCE PUBLISHERS B.V, GB LNKD- DOI:10.1016/J.POLYMER.2007.06.070, vol. 48, no. 18, 16 August 2007 (2007-08-16), pages 5376-5387, XP022201302 ISSN: 0032-3861 * abstract	42-62
A	LEE S J ET AL: "Interpenetrating polymer network hydrogels based on poly(ethylene glycol) macromer and chitosan" CARBOHYDRATE POLYMERS, APPLIED SCIENCE PUBLISHERS, LTD. BARKING, GB LNKD-DOI:10.1016/S0144-8617(99)00088-0, vol. 41, no. 2, 1 February 2000 (2000-02-01), pages 197-205, XP004244348 ISSN: 0144-8617 * abstract	42-62
A	WO 02/26848 A2 (PRAXIS LLC [US]) 4 April 2002 (2002-04-04) page 1, paragraph 1-2 claims 1-17	1-41
A	US 2007/225823 A1 (HAWKINS MICHAEL E [US] ET AL) 27 September 2007 (2007-09-27) paragraph [0002] claims 1,2,9,18,21-26	1-41
А	US 6 376 742 B1 (ZDRAHALA RICHARD J [US] ET AL) 23 April 2002 (2002-04-23) column 1, lines 8-15 claims 1-16	1-42

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INTERNATIONAL SEARCH REPORT

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)
This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely: Authority
Claims Nos.: because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)
This International Searching Authority found multiple inventions in this international application, as follows:
see additional sheet
As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.
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.:
The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee. The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation. X No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

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

1. claims: 1-41

A method of attaching an implant to a bone, the implant comprising a hydrated polymer comprising a lubricious hydrated surface and an attachment surface comprising accessible chemical functional groups, the method comprising: i) treating the implant or the bone with an isocyanate-containing compound; ii) placing the attachment surface in apposition to the bone; and iii) allowing the isocyanate-containing compound to cure to bond the implant to the bone.

The reaction product of the isocyanate material is a is a thermoplastic polyurethane.

The method comprising applying a solvent to the attachment surface to at least partially dissolve the attachment surface and cause a dissolved portion of the attachment surface to flow into the bone.

2. claims: 42-62

- A method of attaching an implant to a bone, the implant comprising a hydrated polymer comprising a lubricious hydrated surface and an attachment surface comprising a thermoplastic material, the method comprising: i) placing the attachment surface in apposition to the bone; and ii) applying an infrared-radiation to cause the thermoplastic material to flow into and bond to the bone.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2009/037979

Patent document cited in search report		Publication date	Patent family Publication member(s) date
WO 0043050	A1	27-07-2000	AU 2730600 A 07-08-2000 BR 0007644 A 08-01-2002 CA 2358565 A1 27-07-2000 CN 1341032 A 20-03-2002 EP 1146917 A1 24-10-2001 JP 2002535046 T 22-10-2002 ZA 200105842 A 16-10-2002
WO 200706769	7 A2	14-06-2007	AU 2006321809 A1 14-06-2007 CA 2632120 A1 14-06-2007 EP 1957124 A2 20-08-2008 JP 2009518135 T 07-05-2009
US 5795353	Α	18-08-1998	NONE
EP 1779875	A1	02-05-2007	W0 2006013612 A1 09-02-2006 US 2008119930 A1 22-05-2008
WO 0226848	A2	04-04-2002	AU 9472701 A 08-04-2002 CA 2423952 A1 04-04-2002 EP 1335690 A2 20-08-2003 JP 2004525660 T 26-08-2004 US 6524327 B1 25-02-2003
US 200722582	3 A1	27-09-2007	AU 2007230657 A1 04-10-2007 CA 2646286 A1 04-10-2007 EP 1998823 A2 10-12-2008 JP 2009531083 T 03-09-2009 WO 2007112305 A2 04-10-2007
US 6376742	B1	23-04-2002	NONE