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(71) Applicant: GALEN THERAPEUTICS LLC [US/US]; 4 Longfellow Place, Boston, MA 02114 (US).

(72) Inventor: TOKER, Tunc; 4 Longfellow Place, Boston, MA 02114 (US).

(74) Agent: MAHANTA, Sanjeev et al.; Arent Fox LLP, 800 Boylston Street, Prudential Tower, Boston, MA 02199 (US).

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(54) Title: APPARATUS AND METHOD FOR PROTECTING NEURONS AND REDUCING INFLAMMATION AND SCARRING

(57) Abstract: A device for protecting neurons and reducing inflammation and adhesion formation following surgery is provided. Also provided is a method for protecting neurons and reducing inflammation and adhesion formation following surgery. The device includes a bioabsorbable substrate and a layer of an oxidation inhibitor mimicking the effects of superoxide dismutase and catalase enzymes located on a surface of the substrate. Oxidation inhibitors that may be used include EUK-8, EUK-134, EUK-189, and EUK-207 (a mimetic of superoxide dismutase / catalase), monosodium luminol or phenyl N-t-butyl nitron or an analog with similar anti-oxidant properties. The oxidation inhibitors reduce oxidative stress and trigger the subject's natural anti-oxidant and anti-inflammatory defenses, thereby reducing neuron death, loss of neuron connectivity, inflammation and scarring and restoring excitatory function of neurons.



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Apparatus and Method for Protecting Neurons and Reducing Inflammation and Scarring

RELATED APPLICATIONS

5 This application claims priority to U.S. Provisional Application No. 62/717,303, filed on August 10, 2018, U.S. Provisional Application No. 62/667,834, filed on May 7, 2018, and U.S. Provisional Application No. 62/625,535, filed on February 2, 2018, each of which is hereby incorporated by reference in its entirety.

BACKGROUND

10 Oxidative stress caused by free radicals is known to modulate physiological and pathological processes across a wide spectrum of disorders and biological processes including degenerative diseases (bone, spine, neurological), autoimmune diseases, carcinogenesis, inflammation, aging, and development. Oxidative stress also plays a key role in wound healing
15 and response to injury and in anti-inflammatory responses mediated by neutrophils and macrophages. Further, oxidative stress causes damage to neurons and is associated with neuronal trauma and death, eventually resulting in pain, paralysis, and mobility restriction in a variety of disease states.

 Areas where reactive oxygen species cause damage include surgical intervention and
20 diseases of the spine such as degenerative disc disease, spondylolisthesis, spondylolysis, osteomyelitis, stenosis, disc herniation, and scoliosis. Degenerative disc disease and deformations in the spine lead to high levels of oxidative stress in the affected area. Oxidative stress is caused by the inflammation of the disc or the deformed area of the spine primarily through pro-inflammatory cytokines such as IL-1 β , IL-6, and TNF- α (Zhang et al
25 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2785020/>). These pro-inflammatory cytokines contribute to pathological pain. The degenerating disc also releases radical species as the cells continue to die, further increasing oxidative stress, and causing a domino effect.

 During surgical intervention, tissue is exposed to high level of free radicals from the environment causing oxidative stress across a multitude of complex layers of the tissue. This
30 results in a cascade of events driven by inflammatory responses to the stress. Each layer of the tissue has a different natural defense mechanism to fight oxidative stress. The exact mechanisms

of these defenses are not understood. However, it is known that a variety of radical scavenging pathways are activated upon detection of high levels of free radicals.

Many studies present clear evidence that oxidative stress contributes to pathologies of chronic neurodegenerative disease in addition to the effects of the pro-inflammatory cytokines and radical species caused by necrosis. Oxidative stress kills GABA neurons and suppresses the excitatory activity of the surviving GABA neurons. (Yowtak et al., *Pain*, 2011 Apr;152(4):844-52; Gwak et al., *Neuropharmacology*, 2011 Apr;60(5):799-808.; and Meisner et al., *J Neurotrauma*, 2010 Apr;27(4):729-37). Even if the neurons survive, the oxidative stress and suppression of the firing activity of the surviving neurons are experienced as pain by the brain.

In certain spinal injury related procedures, such as laminotomy, laminectomy and discectomy, tissue damage during surgery and biological responses to surgery can also lead to oxidative stress that in turn promote inflammation and neurological damage, which can lead to paralysis. Studies also link neurological damage to pain experienced by patients. Reducing oxidative stress can lower excess inflammation and neuronal death, slow degeneration of the disc, and restore excitatory function of GABA neurons, thereby eliminating pain and increasing motor function.

In addition to neuronal damage, surgical interventions can lead to complications including tissue and muscle damage and formations of granulation tissue commonly called scarring during recovery. These complications can also result in morbidity, pain, and motility constriction as well as scar tissue that can press on the neuron.

After spine surgery many patients experience severe pain and millions in the US and around the world live with chronic pain. Also, millions of patients experience severe limb and neck pain and live with chronic pain due to diseases of the spine including degenerative disc disease, spondylolisthesis, spondylolysis, osteomyelitis, stenosis, disc herniation, and scoliosis. There has been extensive research into pain generators that cause chronic pain as well as chronic radicular pain (commonly known as failed back surgery syndrome). Key pain generators include neuron trauma and death, loss of neuron connectivity, muscle trauma and spasms, excess inflammation, abnormal spinal nerve growth, scarring around neurons, and further degeneration of the spine. Studies indicate that a combination of these effects is what causes severe pain and it is difficult to associate pain with one single pain generator.

Various approaches for preventing neuronal damage during and after surgery and preventing excess inflammation and scarring have been explored till date. Physical therapy and

exercise is a common starting point for patients with back pain. Steroid injection into the epidural as well as the disc space is also a commonly applied technique to reduce inflammation and eliminate pain. There has been extensive research in using physical barriers to prevent tissue binding and scarring in the critical phases of recovery in the operative setting. Anti-inflammatory and anti-allergen drugs have been investigated, both as stand-alone drugs and as drugs administered together with delivery vehicles that act as physical barriers. Collagen inhibitors and proteolytic enzymes also have been investigated for preventing adhesion formation. Anti-oxidant regimens have also been researched. However, all of these approaches have fallen short of alleviating chronic pain. The effects of steroid injections are short lived and there is controversy in the medical field with respect to the presumed efficacy of this technique. The bioavailability of anti-oxidant agents that have been tested have proved to be unsatisfactory. Human clinical trials have demonstrated that adhesion barriers alone do not alleviate pain even if they can prevent scarring. Anti-inflammatory drugs alone have not been able to address the complex state of pain and mobility restriction either. There is a need for a comprehensive solution that addresses the complications caused by oxidative stress including neuron damage, inflammation and scarring simultaneously, as these complications, in concert, cause pain and mobility.

Approaches that have been tried for preventing neuronal damage include the use of anti-oxidant agent superoxide dismutase and catalase enzymes delivered on nanoparticles to protect spinal neurons via reduction of oxidative stress. However, enzymes, while shown to be effective, are proteins and as such, are difficult to manufacture, not as stable as low molecular weight synthetic molecules, and present hurdles related to bioavailability and metabolism.

There exists a need for developing improved methods that simultaneously prevent neuronal damage and reduce inflammation and scarring post-surgery and for patients with chronic back pain while also addressing bioavailability and manufacturing complexities.

SUMMARY

The present technology is directed to devices and methods for prevention of neuron damage and reduction of inflammation and scarring between tissue surfaces or cavities such as spinal canal, disc space, and joint surfaces and promote tissue recovery. The technology includes administering an oxidation inhibitor or an analog thereof in a prolonged manner to

protect neurons and inhibit formation of adhesions, reduce inflammation, and reduce pain. The oxidation inhibitor cycles radical oxygen species and transforms them into harmless agents by essentially sacrificing itself throughout the reaction process and supports body's inherent defenses to scavenge radical oxygen species. The oxygen inhibitor is delivered in a manner that ensures prolonged effect and addresses the historically challenging bioavailability issue of this class of molecules.

Such inhibitors include, but are not limited to EUK-207, a small molecule mimetic of the enzymes superoxide dismutase and catalase, monosodium luminol, and phenyl N-t-butyl nitron. These inhibitors share a similar mechanism of action. Other agents such as glycyl-L-histidyl-L-lysine (prezatide) that can reduce oxidative stress and mimic the effects of superoxide dismutase and catalase enzymes may also be used in the methods and devices described herein. The oxidation inhibitor is administered in a localized manner with the help of a delivery vehicle that makes it possible for the inhibitor to persist for prolonged periods, e.g., several weeks. Specifically, it is administered on a substrate. This method of administering an oxidation inhibitor can be used to protect neurons, reduce inflammation, and prevent adhesion formation in the spinal canal or the disc space in lieu of epidural steroid injections following laminectomy, discectomy, fusions, or other types of interventions. This method applies to pan spine applications including complications with cervical, thoracic, lumbar, sacral and coccygeal structures. The technology is useful in other contexts as well, such as hip, knee, or joint replacement surgeries; severe trauma surgeries; gastro-intestinal interventions; and reconstructive surgery; where neuropathy, tissue healing and inflammation and formation of adhesions are significant concerns.

In accordance with one embodiment of the technology, a device for reducing scarring, accelerating recovery, and protecting neurons when applicable, includes a substrate and a first layer of an oxidation inhibitor. The oxidation inhibitor may, for example, be EUK-207 or highly purified monosodium luminol or phenyl N-t-butyl nitron. The substrate has a top surface and a bottom surface and may be bioabsorbable such that it is absorbed when inserted into an incision site within a subject and when in contact with the subject's tissue. The first layer of the oxidative inhibitor may be located on the top surface or the bottom surface of the substrate. The oxidation inhibitor triggers the subject's natural anti-oxidant and anti-inflammatory defenses, cycles reactive species and thus reduces neuronal death, inflammation and scarring. The

oxidation inhibitor acts as a free radical scavenger and recycles itself allowing it to continue to act on cells restoring the electrical function, reducing inflammation. It regulates one or more key neurological proteins such as VEGF, Nrf2, and Bcl2, and acts on both pro- and anti-inflammatory cytokines. It also protects from mitochondrial induced cell death and prevents the action of neuronal damage.

The substrate can also be provided in a liquid or gel form. Accordingly, in one aspect of the technology, a method for treating pain associated with a disease of the spine in a subject in need thereof, is provided. The method requires injecting a pharmaceutical composition into a spinal space of the subject. The pharmaceutical composition comprises a bioabsorbable substrate and an oxidation inhibitor. The substrate is capable of being absorbed when injected into the spinal space and the oxidation inhibitor is capable of triggering the subject's anti-oxidant defenses, whereby the pain is reduced or eliminated. The substrate can be a gel or a foam. The gel can be in a nanoparticulate form and, in this case, the oxidation inhibitor can be encapsulated within the nanoparticles of the gel. The spinal space can be one or more spaces selected from the group consisting of: epidural space, disc space, subarachnoid space, nucleus pulposus, and intervertebral space. The disease the pain is associated with can be degenerative disc disease, spondylolisthesis, spondylolysis, osteomyelitis, stenosis, disc herniation, and scoliosis.

In some embodiments, the substrate may be customizable by a physician prior to insertion into the site of the disease. The substrate can be used as part of a minimally invasive spine surgery, open surgery or as a replacement to steroid injections as part of standard pain therapy. Additionally, the first layer of the oxidative inhibitor may be located on the bottom surface of the substrate, and may contact the subject's tissue upon insertion of the device into the site of disease of disease or complication. Alternatively, the first layer of the oxidation inhibitor may be located on the top surface of the substrate, while the bottom surface of the substrate may contact the subject's tissue upon insertion of the device into the site of disease of disease which can be the epidural, the disc space or a different location determined by the physician. In other embodiments, the device may include a second layer of the oxidation inhibitor. In such embodiments, the first layer of the oxidation inhibitor may be located on the top surface of the substrate, and the second layer of the oxidation inhibitor may be located on the bottom surface of the substrate. The second layer may contact the subject's tissue upon insertion of the device into

the site of the disease (e.g., a spinal surgery incision). The substrate may be inserted into and enclosed within the site of the disease upon suturing of the site. The substrate may be a surgical film, sponge, scaffold, mesh, suture and/or a bioabsorbable polymer, and/or bioabsorbable implants such as cages, screws, brackets and/or biomaterials used in spine surgeries such as bone
5 grafts.

In accordance with further embodiments, a method for protecting neurons, reducing inflammation and scarring is provided. The method includes providing a neuroprotective device. The device has (1) a substrate having a top surface and a bottom surface, and (2) a first layer of an oxidation inhibitor located on the top surface or the bottom surface of the substrate. The
10 method may also include injecting the patient with a syringe or catheter (when the substrate is in the form of a gel or foam) or inserting the neuroprotective device into an incision site during an operation such that the substrate covers at least a portion of the tissue exposed by the incision, and closing the incision site (e.g., suturing the site closed with sutures) to secure the neuroprotective device within the site of disease. The substrate may be bioabsorbable such that
15 it is absorbed when enclosed within the site of disease and in contact with the subject's tissue. The layer of oxidation inhibitor can reduce oxidative stress, trigger the subject's natural anti-oxidant and anti-inflammatory defenses, thereby reducing neuron death, excess inflammation and scarring.

In some embodiments, the sutures may be coated with an oxidation inhibitor.
20 Additionally, or alternatively, the sutures may be infused with an oxidation inhibitor to similarly promote tissue health. Prior to closing the incision, the method may also include cutting the substrate to a physician determined size based upon the shape and size of the incision. Inserting the drug infused device into the site of disease may include inserting the neuroprotective device such that the first layer of oxidation inhibitor contacts the subject's tissue. The exact placement
25 of the device will depend on surgeon's judgement and may differ from one case to another. The device can be planted in the epidural cavity post spine surgeries.

The device may also include a second layer of the oxidation inhibitor. The first layer of the oxidation inhibitor may be located on the top surface of the substrate, and the second layer of the oxidation inhibitor may be located on the bottom surface of the substrate. The incision site
30 may be a spinal surgery incision.

In accordance with additional embodiments, a device for protecting neurons, reducing inflammation, and scarring includes a vehicle having at least one surface. The vehicle may be bioabsorbable such that it is absorbed when in contact with the subject's tissue. The device may also include a first layer of an oxidation inhibitor located on the at least one surface of the vehicle. The first layer of the oxidation inhibitor may trigger the subject's anti-oxidant defenses. The vehicle may be a suture, a mesh, a scaffold, or a film.

The technology is further summarized by the following list of embodiments.

1. A device for protecting neurons, reducing inflammation and scarring, and accelerating tissue recovery, the device comprising: a substrate having a top surface and a bottom surface, the substrate capable of being absorbed when inserted into a site of disease within a subject where it is in contact with the subject's tissue; and a first layer of an oxidation inhibitor located on the top surface or the bottom surface of the substrate, wherein the layer is configured to trigger the subject's natural anti-oxidant defenses and cycle reactive species.

2. The device of embodiment 1, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.

3. The device of embodiment 2, wherein the oxidation inhibitor is EUK-207.

4. The device of embodiment 1, wherein the oxidation inhibitor is monosodium luminol or phenyl N-t-butyl nitron.

5. The device of embodiment 1, wherein the substrate is configured to be customizable by a physician prior to insertion into the site of disease.

6. The device of embodiment 1, wherein the first layer is located on the bottom surface of the substrate, the layer being configured to contact the subject's tissue upon insertion of the device into the site of disease.

7. The device of embodiment 1, wherein the first layer is located on the top surface of the substrate, the bottom surface of the substrate configured to contact the subject's tissue upon insertion of the device into the site of disease.

8. The device of embodiment 3, further comprising a second layer of EUK-207, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate and configured to contact the subject's tissue upon insertion of the device into the incision site.

9. The device of embodiment 4, further comprising a second layer of monosodium luminol or phenyl N-t-butyl nitron, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate and configured to contact the subject's tissue upon insertion of the device into the site of disease.

5 10. The device of embodiment 1, wherein the site of disease is degenerated or herniated disc, epidural cavity, weakened or structurally compromised lamina, space on top of dura matter or nucleus pulposus or a spinal surgery incision.

11. The device according to embodiment 1, wherein the substrate is configured to be inserted into and enclosed within the site of disease upon suturing of an incision site.

10 12. The device according to embodiment 1, wherein the substrate is a surgical film.

13. The device according to embodiment 1, wherein the substrate is a bioabsorbable polymer or a gel or a foam.

14. A method for protecting neurons and reducing inflammation and scarring in a subject, the method comprising, providing a device, the device comprising a substrate having a top surface
15 and a bottom surface, wherein a first layer of an oxidation inhibitor is located on the top surface or the bottom surface of the substrate; inserting the device into a site of disease such that the substrate covers at least a portion of the tissue at the site of the disease; and closing an incision site at the site of the disease if the substrate is applied as part of a surgery, thereby securing the device within the site of disease; wherein the substrate is capable of being absorbed when
20 inserted into the site of the disease within the subject where it is in contact with the subject's tissue, and the layer of oxidation inhibitor is configured to trigger the subject's anti-oxidant defenses, thereby protecting neurons and reducing inflammation and scarring.

15. The method of embodiment 14, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.

25 16. The method of embodiment 15, wherein the oxidation inhibitor agent is EUK-207.

17. The method of embodiment 14, wherein the oxidation inhibitor agent is monosodium luminol or phenyl N-t-butyl nitron.

18. The method of embodiment 14, wherein closing the incision site comprises suturing the incision site if the substrate is used during a surgery.

19. The method of embodiment 18, wherein the sutures are coated with one of EUK-8, EUK-134, EUK-189, EUK-207, monosodium luminol, and phenyl N-t-butyltrinitrone to further prevent neuron death and reduce scarring and inflammation.

20. The method of embodiment 19, wherein the sutures are infused with EUK-207 or monosodium luminol or phenyl N-t-butyltrinitrone to further prevent neuron death, scarring and reduce inflammation.

21. The method of embodiment 14, further comprising cutting the substrate to a physician determined size based upon a shape and size of the incision made during the surgery.

22. The method of embodiment 16, wherein the device is inserted such that the first layer of EUK-207 contacts the subject's tissue.

23. The method of embodiment 17, wherein the device is inserted such that the first layer of monosodium luminol or phenyl N-t-butyltrinitrone contacts the subject's tissue.

24. The method of embodiment 16, wherein the device further includes a second layer of EUK-207, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate.

25. The method of embodiment 17, wherein the device further includes a second layer of monosodium luminol or phenyl N-t-butyltrinitrone, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate.

26. The method according to embodiment 14, wherein the site of disease is degenerated or herniated disc, weakened or structurally compromised lamina, space on top of dura matter or nucleus pulposus or a spinal surgery incision site.

27. A device for reducing inflammation and scarring comprising, a vehicle having at least one substrate, the substrate capable of being absorbed when in contact with the subject's tissue; and a first layer of an oxidation inhibitor located on the at least one substrate of the vehicle, the first layer being configured to trigger the subject's anti-oxidant defenses, thereby reducing inflammation and scarring.

28. The device of embodiment 27, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.

29. The device of embodiment 27, wherein the oxidation inhibitor agent is EUK-207.

30. The device of embodiment 27, wherein the oxidation inhibitor agent is monosodium luminol or phenyl N-t-butyltrinitrone.

31. The device of embodiment 27, wherein the vehicle is at least one selected from the group consisting of a film, a suture, a mesh, and a scaffold.

32. A method for treating pain associated with a disease of the spine in a subject in need thereof, the method comprising, injecting a pharmaceutical composition into a spinal space of the
5 subject, the pharmaceutical composition comprising a bioabsorbable substrate and an oxidation inhibitor, wherein the substrate is capable of being absorbed when injected into the spinal space and the oxidation inhibitor is capable of triggering the subject's anti-oxidant defenses, whereby the pain is reduced or eliminated.

33. The method of embodiment 32, wherein the spinal space is one or more spaces selected
10 from the group consisting of: epidural space, disc space, subarachnoid space, nucleus pulposus, and intervertebral space.

34. The method of embodiment 32, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.

35. The method of embodiment 34, wherein the oxidation inhibitor is EUK-207.

36. The method of embodiment 32, wherein the oxidation inhibitor is monosodium luminol
15 or phenyl N-*t*-butylnitrone.

37. The method of any of the embodiments 32-36, wherein the bioabsorbable substrate is a gel or a foam.

38. The method of embodiment 37, wherein the gel is a hydrogel.

39. The method of embodiment 32, wherein the reduction or the elimination of the pain is
20 accompanied with reduction or elimination of inflammation associated with the disease.

40. The method of embodiment 32, wherein the reduction or the elimination of the pain is accompanied with reduction or elimination of neuronal injury associated with the disease.

41. The method of embodiment 32, wherein the disc space is nucleus pulposus.

42. The method of embodiment 32, wherein the disease is selected from the group consisting
25 of degenerative disc disease, spondylolisthesis, spondylolysis, osteomyelitis, stenosis, disc herniation, and scoliosis.

BRIEF DESCRIPTION OF THE DRAWINGS

The foregoing features of embodiments will be more readily understood by reference to
30 the following detailed description, taken with reference to the accompanying drawings, in which:

Figures 1A-1B schematically show one embodiment of a coated film, in accordance with various embodiments of the present technology.

Figure 2 schematically shows an alternative coated film, in accordance with additional embodiments of the present technology.

5 Figure 3 schematically shows an additional alternative embodiment of a coated film in accordance with further embodiments of the present technology.

Figures 4A-4C show an incision site with the coated films of Figs. 1-3 inserted in accordance with some of the embodiments of the present technology. Fig. 4B is modified from a Figure in the article "Lumbar Spinal Stenosis," Orthopod®, <https://eorthopod.com/lumbar-spinal-stenosis/>, last accessed 2-2-2018. Fig. 4C is modified from a Figure in the article "Explore Spinal Canal, The Nerve, and more!," Pinterest, <https://www.pinterest.com/pin/561964859731841791/>, last accessed 2-2-2018.

Figure 5 schematically shows the incision site of Figure 4A demonstrating the application of the substrate as part of a surgery with the coated film inserted at the site of the disease in accordance with some embodiments of the present technology.

Figure 6A is a schematic diagram showing examples of pain generators in post-laminectomy syndrome that can be targeted using the methods and devices of the present technology. Figure 6B depicts how oxidative stress is involved in post-laminectomy syndrome.

Figure 7 is a schematic diagram listing examples of conditions in which reducing oxidative stress will neutralize relevant pain generators.

Figure 8 is a schematic diagram showing dispensing of oxidation inhibitor through a polymer-based film in the spinal canal.

Figure 9 shows results from prior art for the effectiveness of EUK-189 and EUK 207 in neuroprotection and tissue healing, respectively.

DETAILED DESCRIPTION

Figures 1A and 1B schematically show one illustrative embodiment of a coated vehicle 100 (e.g., a film) for protecting neurons and reducing inflammation and scarring within a patient. As shown in the Figures, the coated vehicle **100** includes a substrate **110** having a first surface **112** (e.g., a bottom surface), a second surface **114** (e.g., a top surface), and a number of side surfaces or edges **116A-D**. In some embodiments, the substrate **110** may be bioabsorbable such

that the substrate **110** is absorbed when inserted into a patient and in contact with the patient's tissue. For example, the substrate **110** may be an adhesion barrier that may be placed at the site of disease (discussed in greater detail below) to separate the internal tissue of the patient or on the epidural surface in the spine to protect neurons and prevent scarring and inflammation in the spinal canal. The exact application would vary from procedure to procedure.

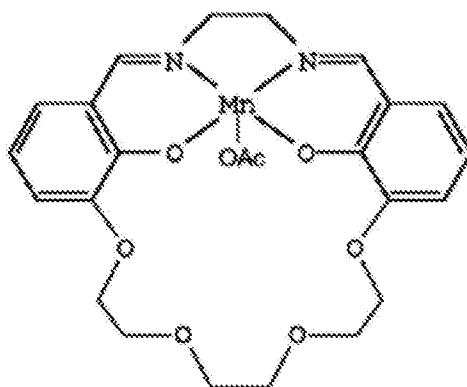
The substrate **110** may be made from any number of material including bioabsorbable polymers. In particular, the substrate may be polycaprolactone, polylactic acid, polyglycolic acid, polyethylene glycol, polyethylene glycol, polyvinyl alcohol, glycerine, salts or a water soluble crystalline solid, silica, hydroxyapatite, calcium phosphate, or bioglass (or a combination thereof) to name but a few examples. Delivery systems based on biodegradable polymers or gels include syringes, catheters, pumps, fibers, films, foams, or filaments, comprising the active agents, or analogs thereof. Substrate **110** can also be hydrogel or fibrin based, including PHEMA/PHPMA, HAMC or agarose hydrogels, solidified gels, natural hydrogens such as protein hydrogel fibrins, or synthetic hydrogels such as PEG or electrospun fibers including collagen fibers. Such films, gels, collagens, sutures, fibers, foams, and filaments and particles can be prepared by a variety of processes known to those skilled in the art. Examples of substrates that may be used in the devices described herein are SYNVISIC (Biomatrix, Inc., Ridgefield, N.J), Interceed (Johnson and Johnson), Tephaflex (Tepha Medical Devices), SEPRAFILM (Genzyme Corporation), and SprayGel by Covidien. It should be noted that, although Figures 1A and 1B show substrate **110** as being rectangular, the substrate may have any shape and its size may vary. For example, substrate **110** may be round, square, triangular, or elliptical. As discussed in greater detail below, substrate **110** may also be physically customizable at the time of insertion into the patient (e.g., it may be cut or otherwise modified by the physician to suit the needs of the individual patient and/or procedure). The substrate may also have the form of a gel.

As noted above, the coated vehicle **100** may be used to promote neuron health, slow degeneration (e.g., disc degeneration) or reduce scarring and inflammation at the site of disease. To that end, one or more of the surfaces of substrate **110** may be coated with a drug/molecule. For example, the top surface of the substrate **110** may be coated with a layer of EUK-207 or monosodium luminol or phenyl N-t-butyl nitron, compounds known to exhibit anti-oxidant, anti-inflammatory, and neuro-protective effects.

EUK-207 is a member of a class of synthetic low molecular weight compounds known as salen Mn complexes. Other members of this class of compounds include EUK-8, EUK-134 and EUK-189. A brief overview of the biological effects of Salen Mn complexes can be found in Doctrow SR et al., *Current Inorganic Chemistry*, 2012, 2, 325-334 and references cited therein.

Salen Mn complexes mimic the antioxidant enzymes superoxide dismutase (SOD) and catalase and scavenge superoxide and hydrogen peroxide, respectively. Salen Mn complexes have been shown to also scavenge reactive nitrogen species (RNS). Their low molecular weight, catalytic scavenging mechanism, and activity against multiple damaging species make them preferred antioxidants compared to other antioxidants such as noncatalytic ROS scavengers or proteinaceous antioxidant enzymes. Compared with proteinaceous antioxidant enzymes, these low-molecular-weight synthetic complexes are expected to have better stability and bioavailability. Also, their catalytic mode of action makes them more potent than traditional low molecular-weight antioxidant compounds.

Salen Mn complexes EUK-8, EUK-134, and EUK-189 have for long been known to exhibit cytoprotective effects in different systems. EUK-207 (see structure below) is a “second generation” cyclized salen Mn complex.



EUK-207

Its catalytic properties are equivalent to those of EUK-134 and EUK-189, but it has greater stability. Salen Mn complexes have been demonstrated to exhibit beneficial effects in many *in vivo* models of disease/injury. In some of these models, in addition to being protective, they have been found to suppress biochemical indicators of oxidative stress, such as oxidative modifications of protein, lipids and nucleic acids. Furthermore, lipid peroxidation in isolated cardiac mitochondria has been found to be reduced in hearts treated with EUK-207. Reactive

oxygen species are also known to be produced by inflammatory cells. The salen Mn complex, EUK-207, has been shown to reduce excessive inflammatory and cell death responses associated with immunopathogenic response to influenza virus infection. Reactive oxygen species are produced by mitochondria too. At the same time, mitochondria are also a target of oxidative injury. In this regard, salen Mn complexes have been shown to also possess “mito-protective” activity, i.e., an ability to attenuate mitochondrial injury, in several experimental systems.

EUK-207 is also believed to acts as a stabilizer and regulator of the Nrf2 pathway (Clausen et al <https://www.ncbi.nlm.nih.gov/pubmed/22406441>) which is involved in the upregulation of cellular antioxidant defenses of the human body. The Nrf2 pathway has been demonstrated, for example, to be critically involved in the regulation of the basal expression and chemical induction of several antioxidants and phase 2 enzymes in cardiac fibroblasts, and an important factor in controlling cardiac cellular susceptibility to reactive oxygen and nitrogen species-induced cytotoxicity (Zhu et al., *FEBS Lett.* 2005 Jun 6;579(14):3029-36.). Specifically, the Nrf2 pathway was shown to be required for the 3H-1,2-dithiole-3-thione (D3T) mediated induction in cardiac fibroblasts of superoxide dismutase, catalase, reduced glutathione, glutathione reductase, glutathione peroxidase, GSH S-transferase, and NAD(P)H:quinone oxidoreductase-1. Thus, EUK-207 is expected boost and prolong the anti-oxidant defenses (e.g., the natural anti-oxidant defenses) of the body through scavenging free radicals.

Monosodium luminol or phenyl N-t-butyl nitron too are thought to stabilize and regulate the Nrf2 pathway and as such, can boost the body's anti-oxidant defenses.

Further, in a study testing the effects of EUK134, another synthetic superoxide dismutase/catalase mimetic, several indices of oxidative stress and neuropathology produced in the rat limbic system by seizure activity elicited through systemic kainic acid (KA) administration were found to be reduced (Rong et al., *Proc. Natl. Acad. Sci. USA* Vol. 96, pp. 9897–9902, August 1999). Specifically, pretreatment of rats with EUK-134 was found to produce a reduction in increased protein nitration, activator protein-1- and NF-kB-binding activity, and spectrin proteolysis, as well as in neuronal damage resulting from seizure activity in limbic structures. It had been previously shown that DNA-binding activity of activator protein-1 and NF-kB, generally considered to be markers of cellular insults, was increased in these structures after KA induced seizure activity in adult rats (Rong, Y. & Baudry, M. (1996) *J. Neurochem.* 67, 662–668).

In light of the oxidative exposure of the skin and tissue during surgical intervention and the fact that oxidation inhibitors such as EUK-207, monosodium luminol, or phenyl N-t-butyl nitron trigger natural anti-oxidant and anti-inflammatory defenses of the human body, these oxidation inhibitors are believed to accelerate recovery and prevent formation of excessive fibroblasts and protect from neuronal damage. Additionally, with the use of a polymer-based delivery vehicle such as a film, gel, mesh, or scaffold, the concentration and effectiveness of the oxidation inhibitors is expected to remain sufficiently high throughout the most critical days post operation. In this manner, the coated vehicle is expected to significantly prevent neuron death, restore excitatory function of neurons, and reduce scar tissue and inflammation, compared to recovery without the aid of oxidation inhibitors.

Salen Mn complexes have certain advantageous features. For example, these complexes are low molecular weight synthetic compounds and as such, can be expected to have better stability and bioavailability in addition to being easier to manufacture, and like proteinaceous antioxidant molecules such as superoxide dismutase and catalase, they have a catalytic mode of action. Also, these complexes (based on results obtained from EUK-207 studies), can upregulate the basal expression and chemical induction of a number of antioxidants and phase 2 enzymes, which points to the preferability of using these complexes over enzymes for inhibiting oxidative stress.

Although the layer of oxidation inhibitor is discussed above as being applied to the top surface **114** of the substrate **110**, in some embodiments, the layer of oxidation inhibitor may be applied to the bottom surface **112** of the substrate. Additionally, or alternatively, as shown in Figure 2, the coated vehicle **100** can include a first layer **120** of oxidation inhibitor located on the top surface **114** and a second layer **122** of oxidation inhibitor located on the bottom surface **112** of the substrate **110**. In still further embodiments, the substrate **110** may be fully coated (e.g., the substrate **110** may have layers of oxidative inhibitor **120/122/124/126** on both the top and bottom surfaces **112/114** and on each of the side surfaces/edges **116A-D**). It should be noted that the oxidation inhibitor may be applied to the substrate **110** in several ways. For example, the EUK-207, Monosodium Luminol, or phenyl N-t-butyl nitron may be applied to the substrate using solvent-based coating processes, direct deposition coating processes, or other coating processes known in the art.

As noted above, various embodiments of the present technology may be used to reduce scarring and inflammation at surgical sites (e.g., incisions). As shown in Figure 4A, one such incision/surgical site **405** may be the site of spinal surgery. During spinal surgery, the physician must cut through numerous layers of the patient's tissue to gain access to the spine **440** (including disks **450**). For example, the physician must cut through the skin **410**, fat **420**, and muscle **430**.

Once the physician has completed his work on the spine **440**, to help prevent neuron death, excess inflammation and scarring at the incision site, the physician may introduce the coated vehicle **100** into the site of disease **405** or directly on spine and lumbar or in epidural space or in disc space. To that end, the physician may first cut the vehicle **100**/substrate **110** to the appropriate size and shape (e.g., based on the size and shape of the incision, the type of procedure being performed, patient characteristics, etc.). Then, the physician may place the coated substrate **110** into the site of disease **405** such that it rests against the exposed tissue of the patient or lumbar depending on physician's best judgement (Figs. 4A, 4B, and 4C).

It is important to note that the physician may determine, based on the site of disease, patient and type of vehicle (e.g., if the substrate **110** is coated on the top, bottom, or both the top and bottom), at the time of the procedure or as part of standard pain therapy, the most appropriate manner in which to apply the coated vehicle **100**. For example, the physician may apply the coated vehicle **100** directly on the epidural space during a laminectomy, discectomy, laminotomy, or fusion, and between abdominal tissue layers during gastro-intestinal surgery. Furthermore, the physician may slightly fold the substrate **110** and place the vehicle **100** into the site of disease such that the one portion of the vehicle **100** (e.g., the portion **520** on one side of the fold **510**) rests against the tissue on one side of the incision and another portion of the vehicle **100** (e.g., the portion **530** on the other side of the fold **510**) rests against the tissue on the other side of the incision. Alternatively, the physician may only apply the coated vehicle **100** to one side of the incision or may cut two separate pieces and apply one piece to one side of the incision and the other to the other side of the incision. Alternatively, the physician may apply the substrate as part of an injection targeted at the site of disease housed in a syringe or catheter or pump wherein the substrate can be in gel, foam or liquid form. Alternatively, the physician may apply the substrate as part of a minimally invasive procedure wherein the substrate is housed in a robotic appliance.

In addition to determining the most appropriate way to apply the coated vehicle **100** to the incision site/tissue (e.g., folding the substrate, using one piece, using two pieces, etc.), the physician may also determine at the time of surgery the best orientation of the film within the site of disease. For example, if the coated vehicle **100** has only a single layer **120** of oxidation inhibitor on either the top **114** or bottom **112** surface of the substrate, the physician may
5 determine whether it is best to apply the coated vehicle **100** with the coated side facing and contacting the tissue or facing away from the tissue.

Once the coated vehicle **100** is in place within the site of disease, the physician may close and suture the incision (e.g., using sutures **540**; Fig. 5) if applied as part of a surgery. At this
10 point, the coated vehicle **100** is trapped/enclosed within the closed incision **405** and is located between the two sides of the tissue that was cut during the incision (e.g., between the two sides of the skin, fat, muscle, etc.). As with Figs. 4A-4C, it should be noted that the vehicle **100**/substrate **110** is applied on the dura matter, in the spinal canal itself. As noted above, the substrate **110** may be bioabsorbable. Therefore, when the incision **405** is closed, the substrate
15 **110** will begin to break down and will allow the layer(s) of oxidation inhibitor to contact the tissue at the site of disease. The oxidation inhibitor will then begin to trigger the patient's natural anti-oxidant and anti-inflammatory defenses to accelerate recovery and prevent neuron death, excessive inflammation, and formation of fibroblasts.

The coated vehicle **100** provides numerous additional benefits to the patient. For
20 example, because the oxidation inhibitor prevents neuron death, excess inflammation, and formation of excessive fibroblasts, the present technology also reduces pain either as part of standard pain therapy or post procedure and potentially prevents paralysis, increases mobility, decreases post-op complications, and accelerates recovery.

It should be noted that the example given above (e.g., a spinal surgery) is just one
25 example of surgery/procedure in which embodiments of the present technology may be used. Various embodiments of the present technology may be used for any number of surgeries/procedures including, for example, gastro-intestinal surgeries, knee surgeries, hip surgeries, caesarean sections, shoulder surgeries, to name but a few. Additionally, embodiments of the present technology may similarly be used for injuries. For example, if a patient/subject
30 suffers a significant cut/laceration, the physician may insert the coated vehicle **100** into the cut/laceration prior to stitching up the injury.

It is also important to note that, although vehicle **100** is discussed above as being a coated film, other embodiments of the present technology may utilize different structures and/or substrates. For example, the vehicle/substrate may be a syringe, a catheter, a pump, a mesh, a scaffold, a gel or suture, for example, depending on the exact nature of the procedure or therapy. Additionally, in some embodiments, the oxidative inhibitor may be infused into the material of the vehicle/substrate (e.g., in addition to or instead of the oxidation inhibitor layer(s) discussed above), particularly in gel embodiments used in syringes.

Furthermore, one or more embodiments of the present technology may be used in conjunction with one another to further protect neurons and reduce scarring and inflammation. For example, in the spinal surgery example provided above, the sutures **540** used to close the incision **405** may be coated and/or infused with an oxidation inhibitor. Additionally, or alternatively, an oxidation inhibitor infused gel may be applied to the site of disease before and/or after closing the incision. In such cases, various embodiments of the present technology may help to protect tissue (e.g., the substrate **110**/vehicle **100** may protect tissue between the fat **420**, muscle **430**, etc.) and reduce the external scarring (e.g., the sutures **540** and/or gel may reduce the scarring at the skin **410**).

EXAMPLES

Example 1. Prevention of neuron death by administering anti-oxidant agents

Inhibition of neuron death using one of the anti-oxidant agents described above is examined in a spinal injury model as described below. The oxidation inhibitor used is phenyl-N-tert-butyl nitrone, a ROS scavenger. Peripheral nerve injury is induced by tightly ligating the L5 spinal nerve under isoflurane anesthesia (2 % induction and 1.5 % maintenance). Seven days after SNL, mice are randomly divided into treatment and control groups. Mice belonging to one treatment group are injected by one of two different routes with phenyl-N-tert-butyl nitrone, PBN (Sigma, St. Louis, MO). Doses of PBN used are 150 mg/kg (i.p., 0.1 ml) or 100 µg (i.t., 5 µl), dissolved in saline at a concentration of 20 mg/ml. Mice in the control groups are treated with the same volume of saline. Non-ligated mice are divided into four groups, three injected intrathecally with 0.05, 0.10, or 0.25 µg of an ROS donor, an organic hydroperoxide, and tert-butyl hydroperoxide (t-BOOH) (Sigma) dissolved in 5 µl saline and the remaining group being injected intrathecally with 5 µl saline alone to serve as control.

Effect of administering PBN on Gabaergic neurons is also tested using the GABAA receptor antagonist bicuculline (1(S), 9(R)-(-)-Bicuculline methiodide), the GABAA receptor antagonist. Seven days after SNL, mice are randomly divided into two treatment groups and one control group. The treatment group mice receive one of two doses (0.05 µg or 0.10 µg dissolved in 5 µl saline) of bicuculline (Sigma) intrathecally. The control group mice receive 5 µl saline intrathecally. Immediately after the intrathecal injection, all groups receive an intraperitoneal injection of 150 mg/kg PBN dissolved in 0.1 ml saline.

Pain behavior is tested by assessing mechanical hyperalgesia of the affected hind paw. All experiments are conducted by a person blind with respect to the different groups.

Mechanical hyperalgesia of the hind paw is measured by determining the frequency of foot withdrawals to 10 stimuli applied with a von Frey (vF) filament (Stoelting, Wood Dale, IL). Mice are placed in a plastic box (4 × 4 × 12 cm) on a metal grid floor and acclimated to the box for 8-10 minutes prior to testing. The vF filament is applied from underneath the skin on the left hind-paw between the 3rd and 4th digits. The hind-paw is stimulated with the filament vF# 3.0, which is equivalent to 0.1 grams of bending force. The vF filament is applied perpendicularly for 2-3 seconds with enough force to bend it slightly. A positive response consists of an abrupt withdrawal of the foot during or immediately after stimulation. Response rates are calculated as a percentage of the number of positive responses/10 stimuli.

PBN treated mice are expected to withdraw their foot less abruptly reflecting reduced experience of pain, which would be consistent with reduction of oxidative stress and the resulting protection of GABA neurons. Oxidative stress kills GABA neurons and protection of GABA neurons is known to reduce sensation of pain. Conversely, mice treated with bicuculline in addition to PBN are expected to withdraw their foot relatively fast reflecting increased experience of pain, given that bicuculline is a competitive antagonist of GABAA transmission in the spinal cord.

For cellular studies, lumbar spinal cord of the experimental mouse is removed under anesthesia (1.5 g/kg, urethane administered i.p.) and placed in pre-oxygenated, cold (< 4°C) artificial cerebrospinal fluid (ACSF) (composition in mM: NaCl, 117; KCl, 3.6; CaCl₂, 2.5; MgCl₂, 1.2; NaH₂PO₄, 1.2; NaHCO₃, 25; glucose 11), saturated with 95% O₂ and 5% CO₂ mixed gas. The spinal cord is trimmed and embedded in a 3% agar block and sliced transversely at a thickness of 350 µm using a vibratome (Leica, VT1000S) in order to perform

electrophysiological recordings. The spinal cord slices are incubated for 1 hour in ACSF at 33 °C. An individual slice is placed in a recording chamber and fixed with a grid of parallel nylon threads supported by a U-shaped stainless-steel weight. The ACSF saturated with 95% O₂ – 5% CO₂ is perfused into the chamber at 2 ml/min. Signals are recorded with a Multiclamp 700B amplifier (Axon Instruments; Union City, CA), digitized at 10 kHz with a DigiDATA (Axon Instruments; Union City, CA), and filtered at 1-2 kHz. The data files are saved in a PC-based computer using the pCLAMP9 acquisition software (Molecular Devices; Union City, CA).

For whole-cell recordings, conventional whole-cell patch recording is made at room temperature, with patch pipettes (4-6 MΩ) filled with a potassium gluconate internal solution (composition in mM: K-gluconate, 120; KCl, 10; Mg-ATP, 2; Na-GTP, 0.5; EGTA, 0.5; HEPES, 20; phosphocreatine, 10). The position of neurons in lamina II is identified using differential-interference contrast optics (DIC) at 40× magnification. In every voltage clamp recording, an equilibration period of 10 to 15 min is allowed after whole cell access is established and the recording reaches a steady state. The recording is discarded if the monitored input resistance changed >15%. Miniature excitatory post-synaptic currents (mEPSCs) are recorded in the presence of 1 μM TTX and 10 μM bicuculline at a holding potential of -70 mV. Miniature inhibitory post-synaptic currents (mIPSCs) are recorded in the presence of 1 μM TTX, 20 μM CNQX, and 50 μM D-AP5 (D-2-amino-5-phosphonopentanoic acid, Sigma) at a holding potential of 0 mV. The mIPSCs are isolated into GABAA-receptor mediated and glycine-receptor mediated mIPSCs by 0.5 μM strychnine and 10 μM bicuculline, respectively, at a holding potential of 0 mV.

PBN treated mice are expected to demonstrate superior action potential discharge (excitatory) pattern for surviving neurons since oxidative stress not only kills GABA neurons but also suppresses firing activity of surviving GABA neurons. As discussed above, suppression of GABA transmission leads to pain. PBN treatment is expected to restore excitability and prevent suppression of firing activity. Bicuculline is expected to counter the effect of PBN.

Next, varying amounts of PBN are applied as a layer on different samples of bioabsorbable substrates (Fig. 1) for implanting into the incision sites of laminectomized rats. These PBN amounts are chosen based on the positive results (less abrupt foot withdrawal and/or superior excitatory action potential discharge) resulting from PBN injection. The PBN containing substrates are inserted into the incision sites of laminectomized rats. Control

laminectomized rats are implanted with bioabsorbable substrate not containing PBN. The incisions are closed, and the pain behavior is measured several times during the first four to five weeks.

The procedure described above is repeated using EUK-207 or monosodium luminol as the oxidation inhibitor.

Example 2. Inhibition of adhesion formation by the oxidation inhibitors

The method to achieve inhibition of neuron death and excess inflammation and adhesion formation by administering an oxidative inhibitor post-laminectomy is carried out as described in the following. The oxidation inhibitor used is EUK-207. Laminectomy is performed on rats and the ability of the administered EUK-207 to reduce scar tissue formation in the epidural space is examined. Towards this, histological analysis is used to determine the differences in epidural fibrosis (EF) thickness between the treated and control groups of rats.

A total of 36 young adult Sprague Dawley male rats (Charles River Lab; 350–375g) are randomly assigned to three experimental groups (n = 12/group): Group A Control-Vehicle only, Group B Experimental – Hi Dose EUK-207, Group C Experimental – Lo Dose EUK-207. The rats are anesthetized by intraperitoneal injection of ketamine (35 mg/kg) and xylazine (10 mg/kg). Adequate depth of anesthesia is assessed by lack of withdrawal to hindlimb pinch and loss of eyeblink reflex. Once anesthetized, animals receive cefazolin sodium for infection prevention (~40 mg/kg, i.p.) and buprenorphine (~0.1 mg/kg, s.c.) for minimizing pain and discomfort. Sodium Chloride ophthalmic ointment (e.g. Muro 128 Sterile Ophthalmic 5% Ointment) is applied to the eyes before surgery. All animals undergo laminectomy.

The lower back of each rat is shaved, and the surgical area is sterilized using povidone iodine. A midline skin incision from L-2 to L-5 is performed. The lumbosacral fascia is incised and the paraspinous muscles dissected to expose the L3–5 laminae. A total L-3-5 Laminectomy is carried out and ligamentum flavum and epidural fat are removed. Hemostasis is managed using surgical sponges when necessary. Care is taken to avoid injury to the dura.

At the time of laminectomy, a subcutaneous pocket for placing a pump (Alzet implantable pump # 2006) is created next to the laminectomy site by dissection. A PE 10 tube is attached to the pump and the tip of the tube is sutured to the paraspinous muscles such that EUK-207 is delivered directly to the exposed dura covering the spinal cord at the rate of 0.15 µl/hr for

28 days. The underlying fascia is closed in layers with suture and the skin closed with surgical staples. The Alzet pump serves the same purpose as the substrate (bioabsorbable film) would, i.e., allows EUK-207 to be delivered precisely on the epidural surface in the spinal canal. The film is placed in the spinal canal.

5 On day 28, the rats are sacrificed and the lumbar dura extending between L3 to L5 level are removed en bloc and placed in 10% buffered formalin. After decalcification and dehydration, paraffin blocks are prepared. Next, axial 8- μ m-thick sections of dura are cut and stained with toluidine blue and mounted on slides for analysis.

Slide specimens are analyzed using Image Pro Plus (Media Cybernetics software) to
10 measure the density of epidural fibrosis. The following formula is used to measure the adhesion profile.

Epidural fibrosis thickness (m) = Epidural fibrosis thickness + Dural thickness. Statistical Analysis of Variance (ANOVA) is used to test differences in thickness between the means of all groups

15 Inhibition of adhesion formation is achieved if the measured EF thickness is of a lower magnitude in the treated rats as compared to the control rats. Next, varying amounts of EUK-207 are applied as a layer on different samples of bioabsorbable substrates for implanting into the incision sites of laminectomized rats. These EUK-207 amounts are chosen based on the positive results (lower EF thickness in treated mice) of the pump- delivered EUK-207 described
20 above. The EUK-207 containing substrates are inserted into the incision sites of laminectomized rats. Control laminectomized rats are implanted with bioabsorbable substrate not containing EUK-207. The incisions are closed and the EF thickness in each mouse is measured after 28 days.

The procedure described above is repeated using monosodium luminol or phenyl N-t-
25 butylnitrone as the oxidation inhibitor.

Example 3. Slowing disc degeneration by administering extended release anti-oxidant agent via gel in the disc space:

Oxidative stress plays a role in the complex pathology of degenerative disc disease.

30 Treatment with an anti-oxidant may slow the progression of disc degeneration. Slowing degeneration of the disc using one of the anti-oxidant agents described above is examined in a

disc injury model. The model involves percutaneous needle puncture in rats which induces degenerative signs in discs similar to those of human discs. The short duration of action of anti-oxidant small molecules is prolonged by using a controlled release poloxamer gel formulation which can house the drug agent up to 4 weeks. Twenty four Wistar rats are used. EUK 207, a ROS scavenger is used as the oxidation inhibitor. Preoperative radiograph and MRI scans are conducted as a baseline measurement of selected disc heights for all rats. Rats are anesthetized. Disc injury is induced by needle puncture at coccygeal intervertebral levels Co6-7 and Co8-9. Tail puncture model permits simple, efficient and inexpensive way of modeling disc degeneration without the need for surgery. A 20-gauge needle is inserted at the level of the annulus fibrosus of Co6-7 (proximal) and Co8-9 (distal), crossing the nucleus pulposus up to the contralateral annulus fibrosus. After full penetration, the needle is rotated 360° twice and held for 30 seconds to induce damage to the disc material. Simultaneously, the poloxamer gel containing 100 µg/mL of EUK 207 is injected into the selected discs of 12 rats in the intervention group, and saline is injected into the selected disks of the 12 rats in the control group. EUK 207 gel and saline injections into the disc space are repeated every four weeks. Reduction of disc height is measured in the intervention vs control groups by radiograph and MRI scans after 4 and 12 weeks.

After 12 weeks, rats are sacrificed and histological assessment is conducted. Histological and image measurements include disc space narrowing, decreased disc height, water content reduction, and histological disorganization.

Anti-oxidant drug provided via a gel formulation in the disc space is expected to (i) decrease or prevent the narrowing of the disc space, (ii) reduce or prevent the decrease in disc height, and (iii) lead to the discs having higher water content relative to the control group. The inflammation, as assessed by histological and image assessments, is also expected to be reduced.

Example 4. Reducing inflammation and scarring in stenosis by persistent anti-oxidant agents in the epidural space

Anti-oxidant molecules may reduce inflammation and scarring. Reducing pain generating inflammatory chemicals that result from stenosis using one of the anti-oxidant agents described above is examined in a spine injury model as described below. Chronic compression of the dorsal root ganglion method is used to mimic the effects of stenosis in rats. 24 young male

Sprague Dawley rats, each weighing 200-250g, are used. EUK 207, a ROS scavenger, is used as the oxidation inhibitor. Rats are anesthetized. L4/L5 intervertebral foramina are exposed via incision. Stainless steel rods are implanted unilaterally, one rod for each vertebra to chronically compress the lumbar dorsal root ganglion. An L-shaped needle is inserted into the intervertebral
5 foramen at 30° with respect to the dorsal midline and 10° with respect to the vertebral horizontal line. The needle is withdrawn upon a twitch from the hind leg. Then, a fine, L-shaped stainless-steel rod, 4 mm in length and 0.5mm in diameter, is inserted along the path of the needle.

The intraforaminal implantation of the rods results in inflammatory reactions and disruptions in the excitatory action of neurons causing spontaneous action potentials which are in
10 turn experienced as pain by the animals, mimicking the pain caused by stenosis in humans.

Post implantation surgery, an epidural catheterization is performed at T13–L1 intervertebral space. A polyethylene tube is inserted into the epidural space and gently advanced ~3.0 cm in a caudal direction to place its tip between the L4 and L5 levels. All animals are allowed to recover for 3 days after epidural catheterization.

15 12 rats in the intervention group receive 10 µg/mL of EUK 207 daily via injection in the epidural space. In the control group, 12 rats receive saline for 4 weeks in the epidural space.

Behavioral testing is performed every day during daytime to measure mechanical threshold and motor function which are assessed on a four-level scale. 1 = normal gait with no foot deformities; grade 2 = normal gait with a marked foot deformity; grade 3 = slight gait
20 disturbance in which a foot drop was present; and grade 4 = severe gait disturbance with motor paresis. The rats are monitored for behavioral changes including posture, lameness, and change in eating habits.

Rats are sacrificed after 4 weeks. Adhesion and inflammation around the neural foramen are assessed via histological analysis.

25 Relative to untreated animals, repeated anti-oxidant treatment in the epidural space in a disease of the spine is expected to result in reduced inflammation and scarring leading to reduction in pain and increased motor function and.

OTHER EMBODIMENTS

30 All of the features disclosed in this specification may be combined in any combination. Each feature disclosed in this specification may be replaced by an alternative feature serving the

same, equivalent, or similar purpose. Thus, unless expressly stated otherwise, each feature disclosed is only an example of a generic series of equivalent or similar features.

From the above description, one skilled in the art can easily ascertain the essential characteristics of the present technology, and without departing from the spirit and scope thereof,
5 can make various changes and modifications of the technology to adapt it to various usages and conditions. Thus, other embodiments are also within the scope of the following claims.

CLAIMS

What is claimed is:

1. A device for protecting neurons, reducing inflammation and scarring, and accelerating tissue recovery, the device comprising:
 - a substrate having a top surface and a bottom surface, the substrate capable of being absorbed when inserted into a site of disease within a subject where it is in contact with the subject's tissue; and
 - a first layer of an oxidation inhibitor located on the top surface or the bottom surface of the substrate, wherein the layer is configured to trigger the subject's natural anti-oxidant defenses.
2. The device of claim 1, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.
3. The device of claim 2, wherein the oxidation inhibitor is EUK-207.
4. The device of claim 1, wherein the oxidation inhibitor is monosodium luminol or phenyl N-t-butyl nitron.
5. The device of claim 1, wherein the substrate is configured to be customizable by a physician prior to insertion into the site of disease.
6. The device of claim 1, wherein the first layer is located on the bottom surface of the substrate, the layer being configured to contact the subject's tissue upon insertion of the device into the site of disease.
7. The device of claim 1, wherein the first layer is located on the top surface of the substrate, the bottom surface of the substrate configured to contact the subject's tissue upon insertion of the device into the incision site.

8. The device of claim 3, further comprising a second layer of EUK-207, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate and configured to contact the subject's tissue upon insertion of the device into the incision site.

9. The device of claim 4, further comprising a second layer of monosodium luminol or phenyl N-t-butyl nitron, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate and configured to contact the subject's tissue upon insertion of the device into the site of disease.

10. The device of claim 1, wherein the site of disease is degenerated or herniated disc, epidural cavity, weakened or structurally compromised lamina, space on top of dura matter or nucleus pulposus or a spinal surgery incision.

11. The device according to claim 1, wherein the substrate is configured to be inserted into and enclosed within the site of disease upon suturing of the incision site.

12. The device according to claim 1, wherein the substrate is a surgical film.

13. The device according to claim 1, wherein the substrate is a bioabsorbable polymer or a gel or a foam.

14. A method for protecting neurons and reducing inflammation and scarring in a subject, the method comprising,

providing a device, the device comprising a substrate having a top surface and a bottom surface, wherein a first layer of an oxidation inhibitor is located on the top surface or the bottom surface of the substrate;

inserting the device into a site of disease such that the substrate covers at least a portion of the tissue at the site of disease; and

closing an incision site at the site of the disease if the substrate is applied as part of a surgery, thereby securing the device within the site of disease;

wherein the substrate is capable of being absorbed when inserted into the site of disease within the subject where it is in contact with the subject's tissue, and the layer of oxidation inhibitor is configured to trigger the subject's anti-oxidant defenses, thereby protecting neurons and reducing inflammation and scarring.

15. The method of claim 14, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.

16. The method of claim 15, wherein the oxidation inhibitor agent is EUK-207.

17. The method of claim 14, wherein the oxidation inhibitor agent is monosodium luminol or phenyl N-t-butyl nitron.

18. The method of claim 14, wherein closing the incision site comprises suturing the incision site if the substrate is used during a surgery.

19. The method of claim 18, wherein the sutures are coated with one of EUK-8, EUK-134, EUK-189, EUK-207, monosodium luminol, and phenyl N-t-butyl nitron to further prevent neuron death and reduce scarring and inflammation.

20. The method of claim 19, wherein the sutures are infused with EUK-207 or monosodium luminol or phenyl N-t-butyl nitron to further prevent neuron death, scarring and reduce inflammation.

21. The method of claim 14, further comprising cutting the substrate to a physician determined sized based upon a shape and size of the incision made during the surgery.

22. The method of claim 16, wherein the device is inserted such that the first layer of EUK-207 contacts the subject's tissue.

23. The method of claim 17, wherein the device is inserted such that the first layer of monosodium luminol or phenyl N-t-butyl nitron contacts the subject's tissue.
24. The method of claim 16, wherein the device further includes a second layer of EUK-207, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate.
25. The method of claim 17, wherein the device further includes a second layer of monosodium luminol or phenyl N-t-butyl nitron, the first layer being located on the top surface of the substrate, and the second layer being located on the bottom surface of the substrate.
26. The method according to claim 14, wherein the site of disease is degenerated or herniated disc, weakened or structurally compromised lamina, space on top of dura matter or nucleus pulposus or a spinal surgery incision site.
27. A device for reducing inflammation and scarring comprising,
a vehicle having at least one substrate, the substrate capable of being absorbed when in contact with the subject's tissue; and
a first layer of an oxidation inhibitor located on the at least one substrate of the vehicle, the first layer being configured to trigger the subject's anti-oxidant defenses, thereby reducing inflammation and scarring.
28. The device of claim 27, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.
29. The device of claim 27, wherein the oxidation inhibitor agent is EUK-207.
30. The device of claim 27, wherein the oxidation inhibitor agent is monosodium luminol or phenyl N-t-butyl nitron.

31. The device of claim 27, wherein the vehicle is at least one selected from the group consisting of a film, a suture, a mesh, and a scaffold.

32. A method for treating pain associated with a disease of the spine in a subject in need thereof, the method comprising,

injecting a pharmaceutical composition into a spinal space of the subject, the pharmaceutical composition comprising a bioabsorbable substrate and an oxidation inhibitor, wherein the substrate is capable of being absorbed when injected into the spinal space and the oxidation inhibitor is capable of triggering the subject's anti-oxidant defenses, whereby the pain is reduced or eliminated.

33. The method of claim 32, wherein the spinal space is one or more spaces selected from the group consisting of: epidural space, disc space, subarachnoid space, nucleus pulposus, and intervertebral space.

34. The method of claim 32, wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207.

35. The method of claim 34, wherein the oxidation inhibitor is EUK-207.

36. The method of claim 32, wherein the oxidation inhibitor is monosodium luminol or phenyl N-*t*-butylnitrone.

37. The method of any of claims 32-36, wherein the bioabsorbable substrate is a gel or a foam.

38. The method of claim 37, wherein the gel is a hydrogel.

39. The method of claim 32, wherein the reduction or the elimination of the pain is accompanied with reduction of elimination of inflammation associated with the disease.

40. The method of claim 32, wherein the reduction or the elimination of the pain is accompanied with reduction or elimination of neuronal injury associated with the disease.
41. The method of claim 32, wherein the disc space is nucleus pulposus.
42. The method of claim 32, wherein the disease is selected from the group consisting of degenerative disc disease, spondylolisthesis, spondylolysis, osteomyelitis, stenosis, disc herniation, and scoliosis.

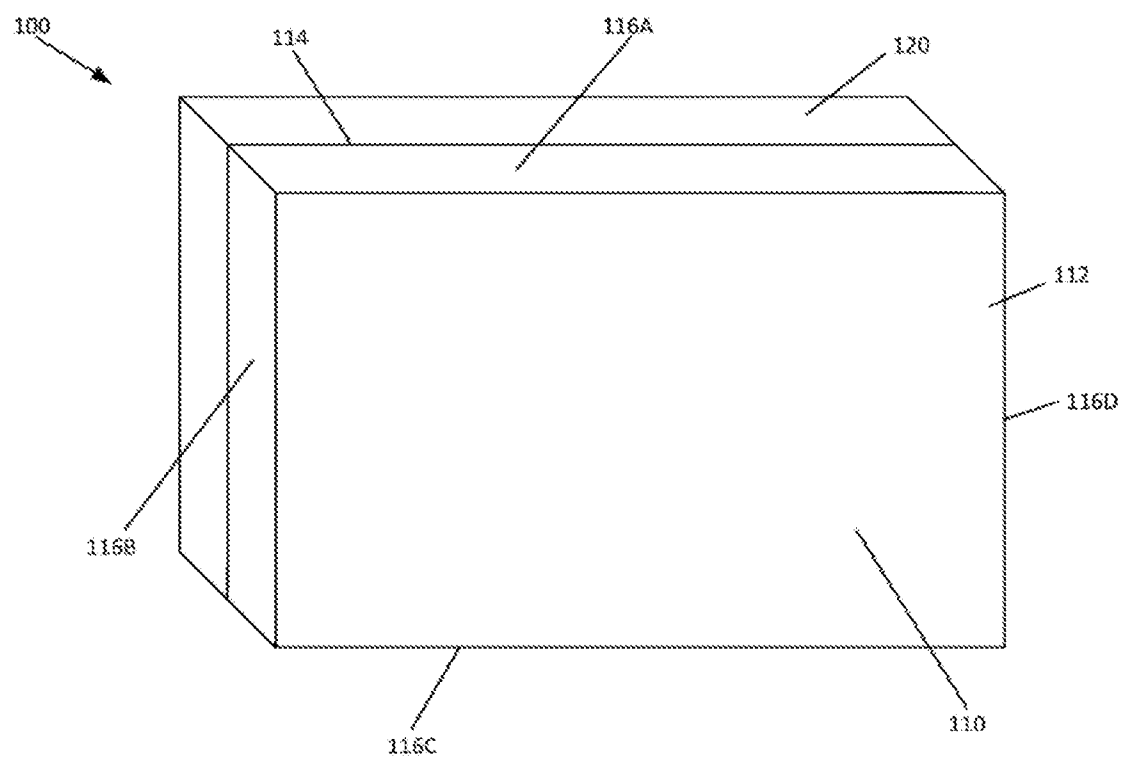


FIG. 1A

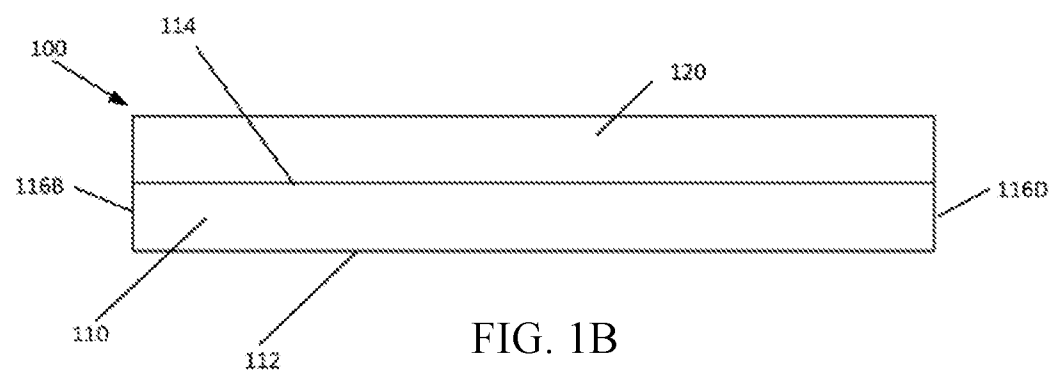


FIG. 1B

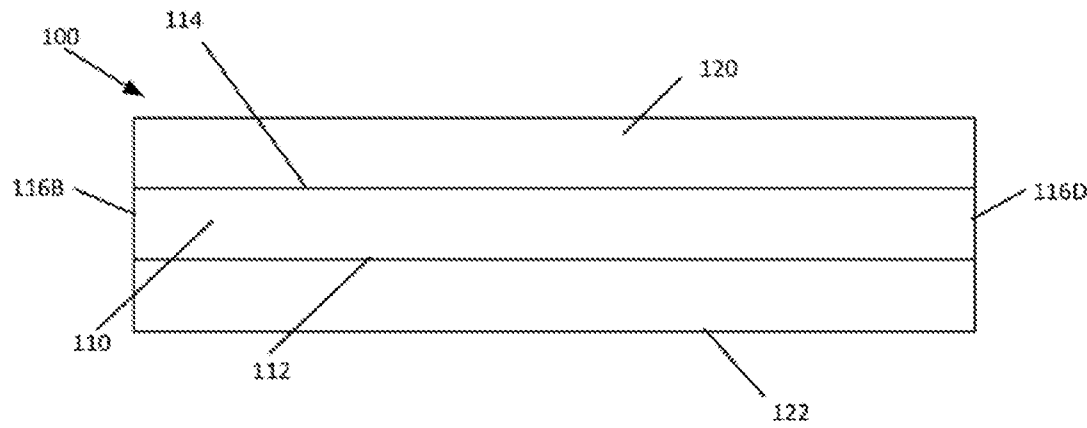


FIG. 2

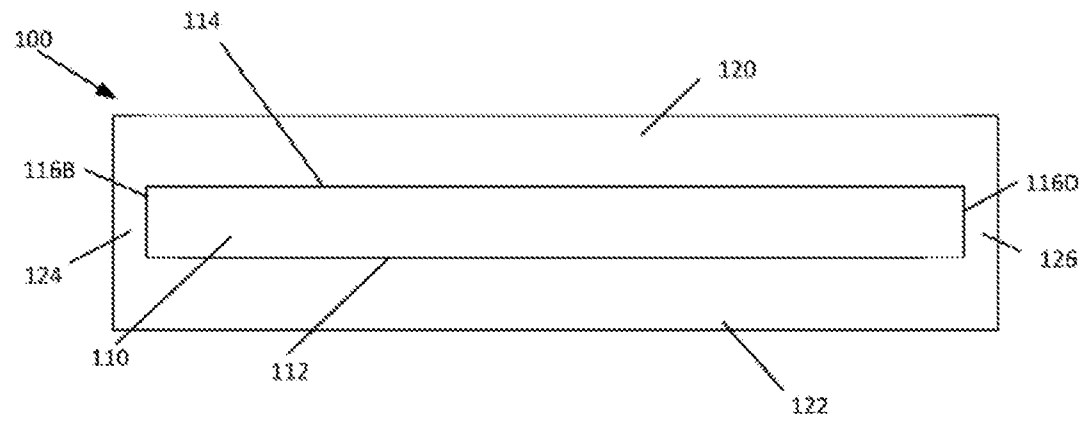


FIG. 3

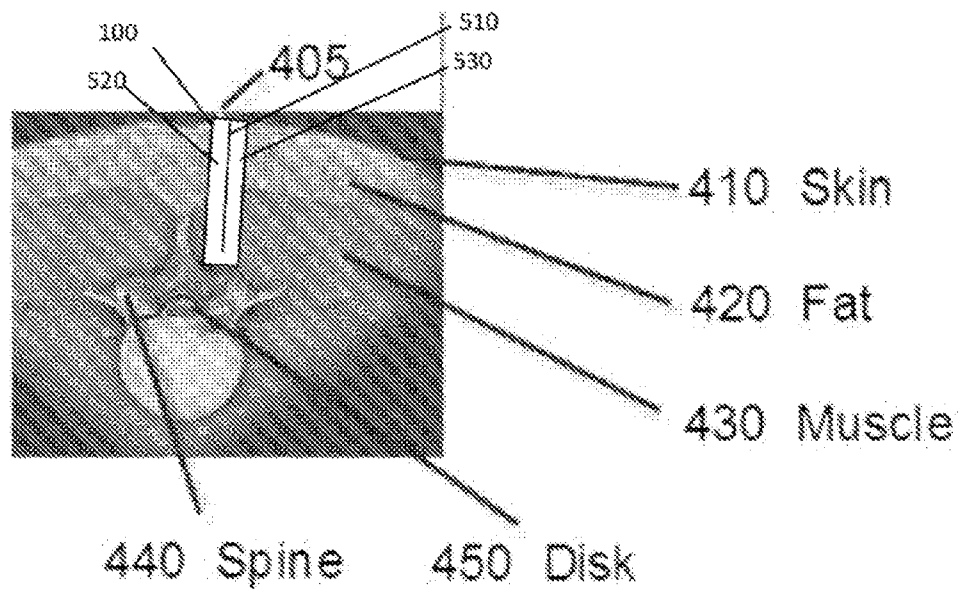


FIG. 4A

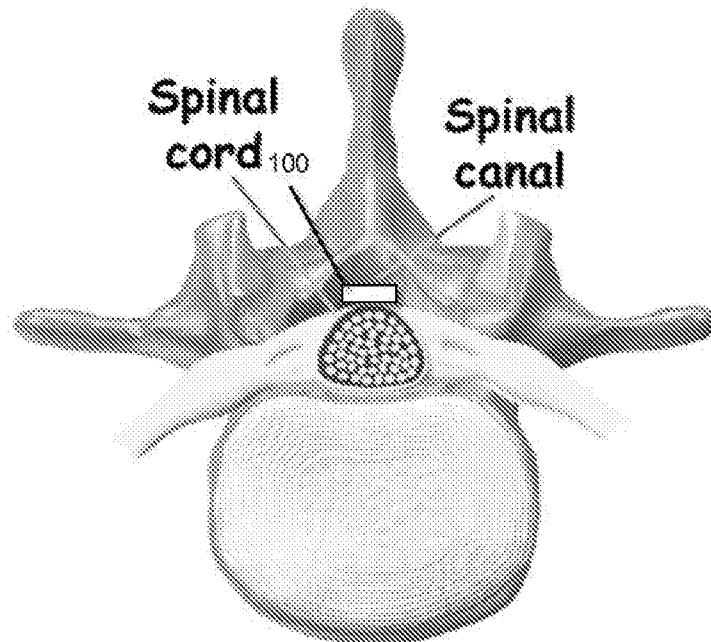


FIG. 4B

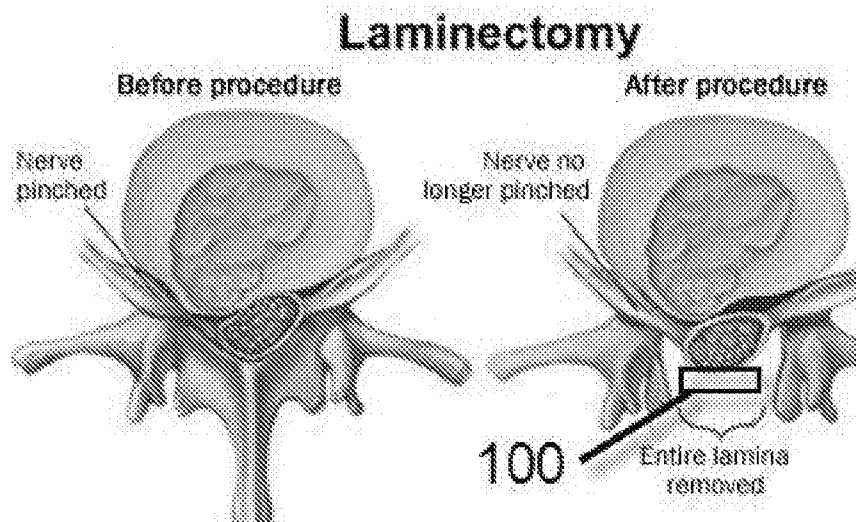
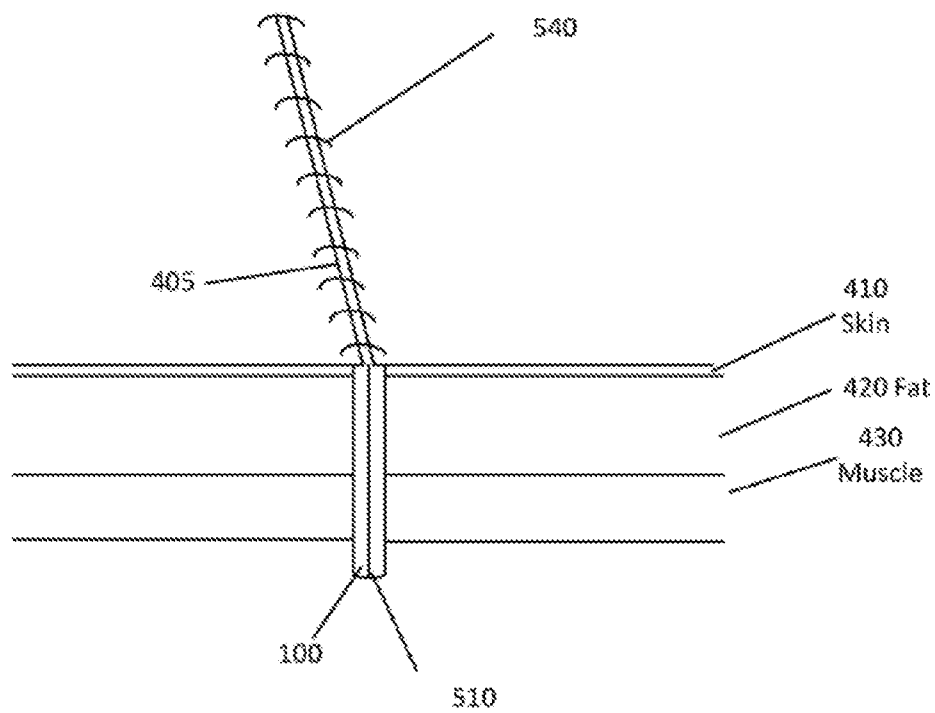


FIG. 4C



F FIG. 5

There are targetable pain generators in post-laminectomy syndrome

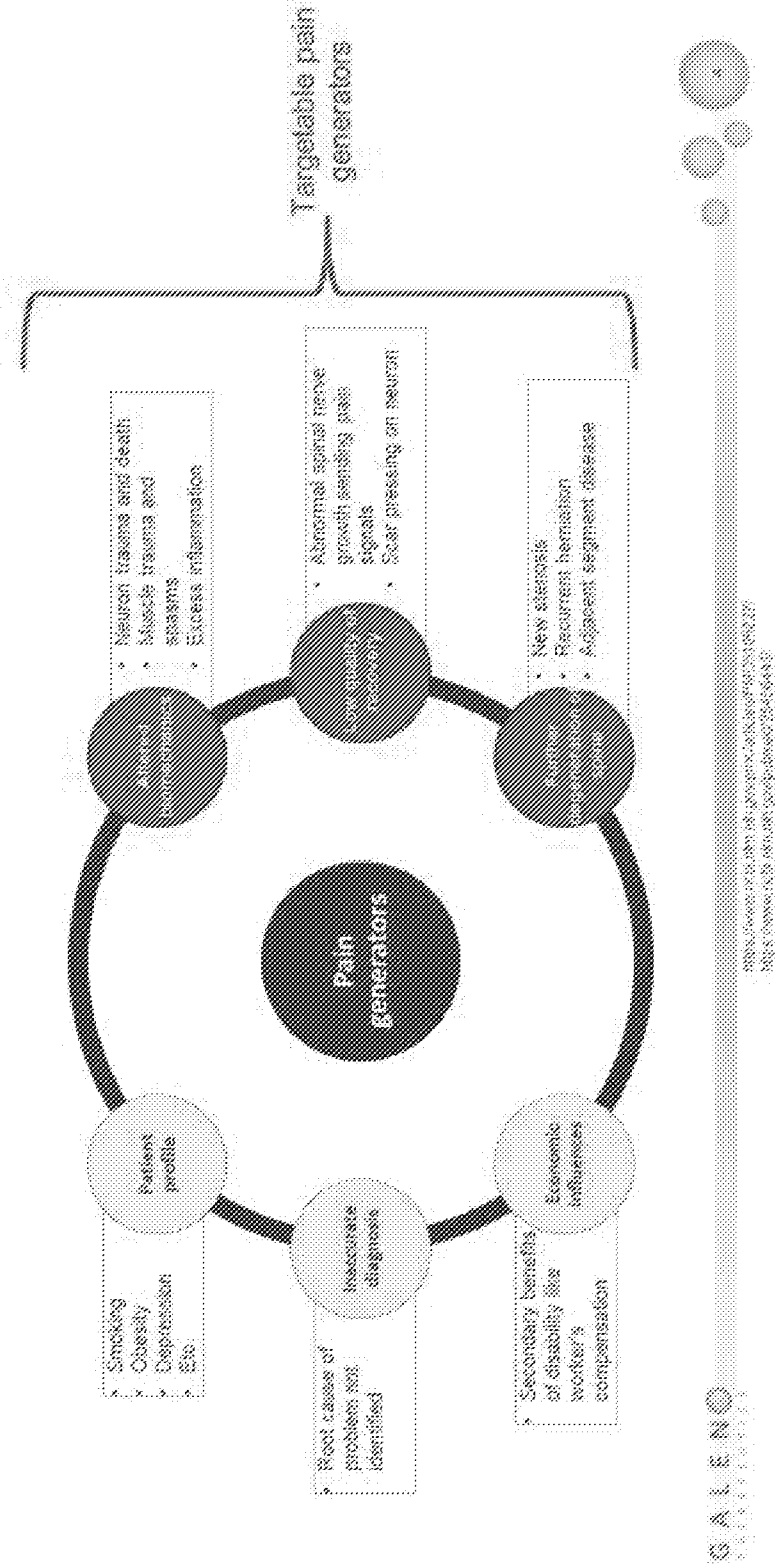


FIG. 6A

Oxidative stress is highly involved in post-laminectomy syndrome

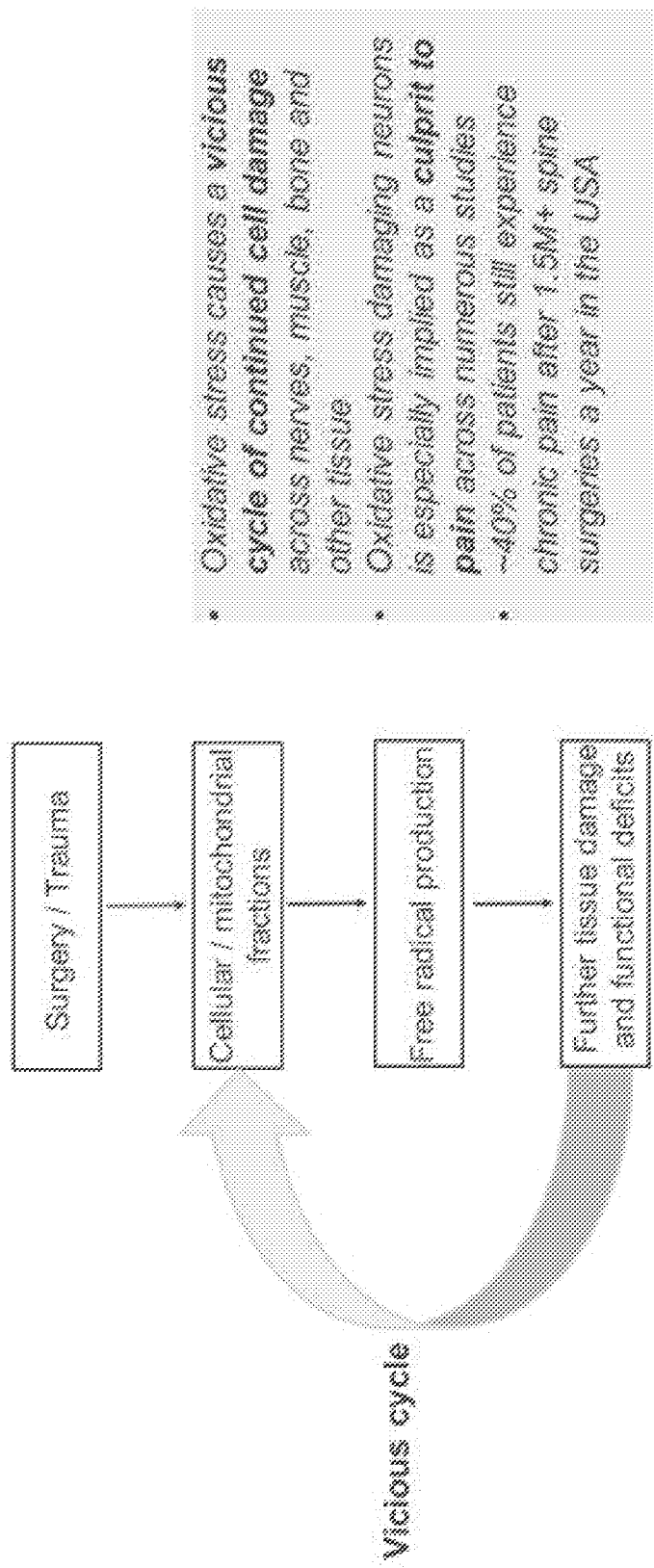
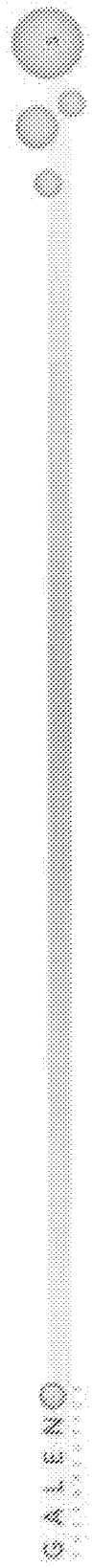


FIG. 6B



Strong evidence that reducing oxidative stress will neutralize the relevant pain generators

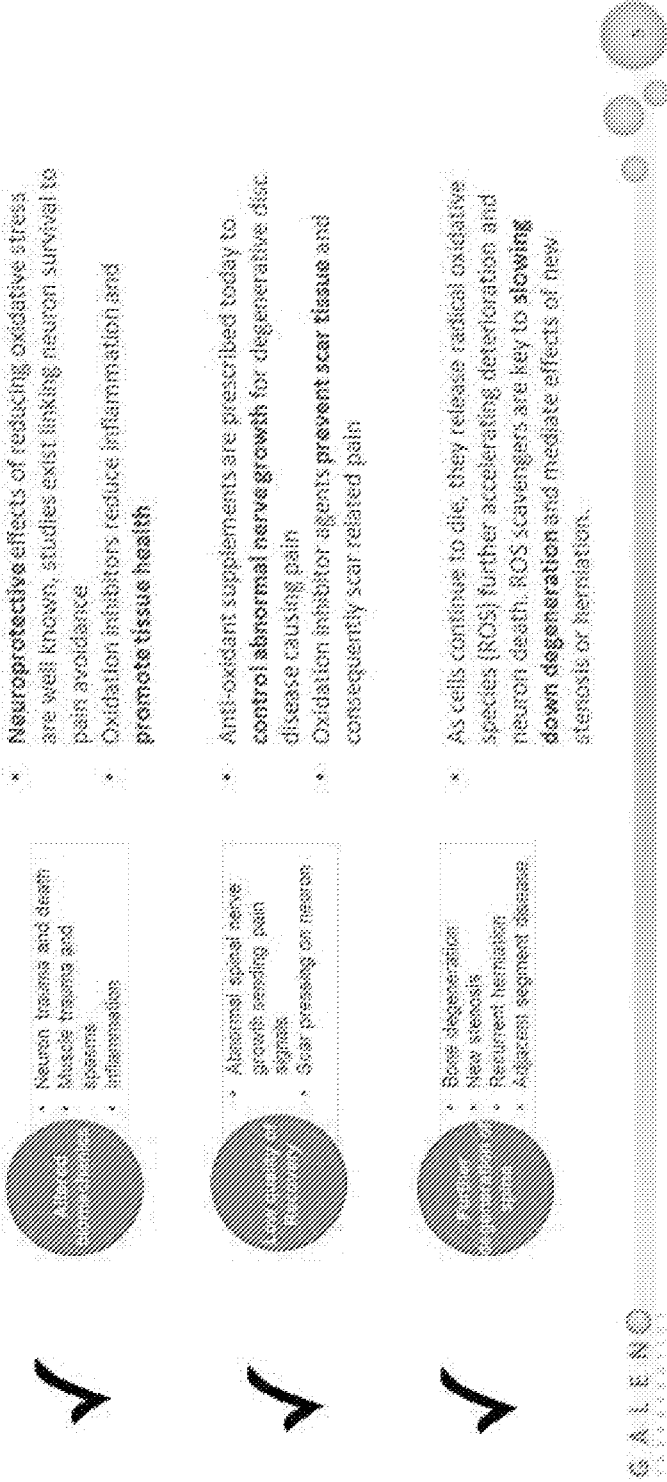


FIG. 7

Our solution is an oxidation inhibitor dispensed via polymer based film in the spinal canal

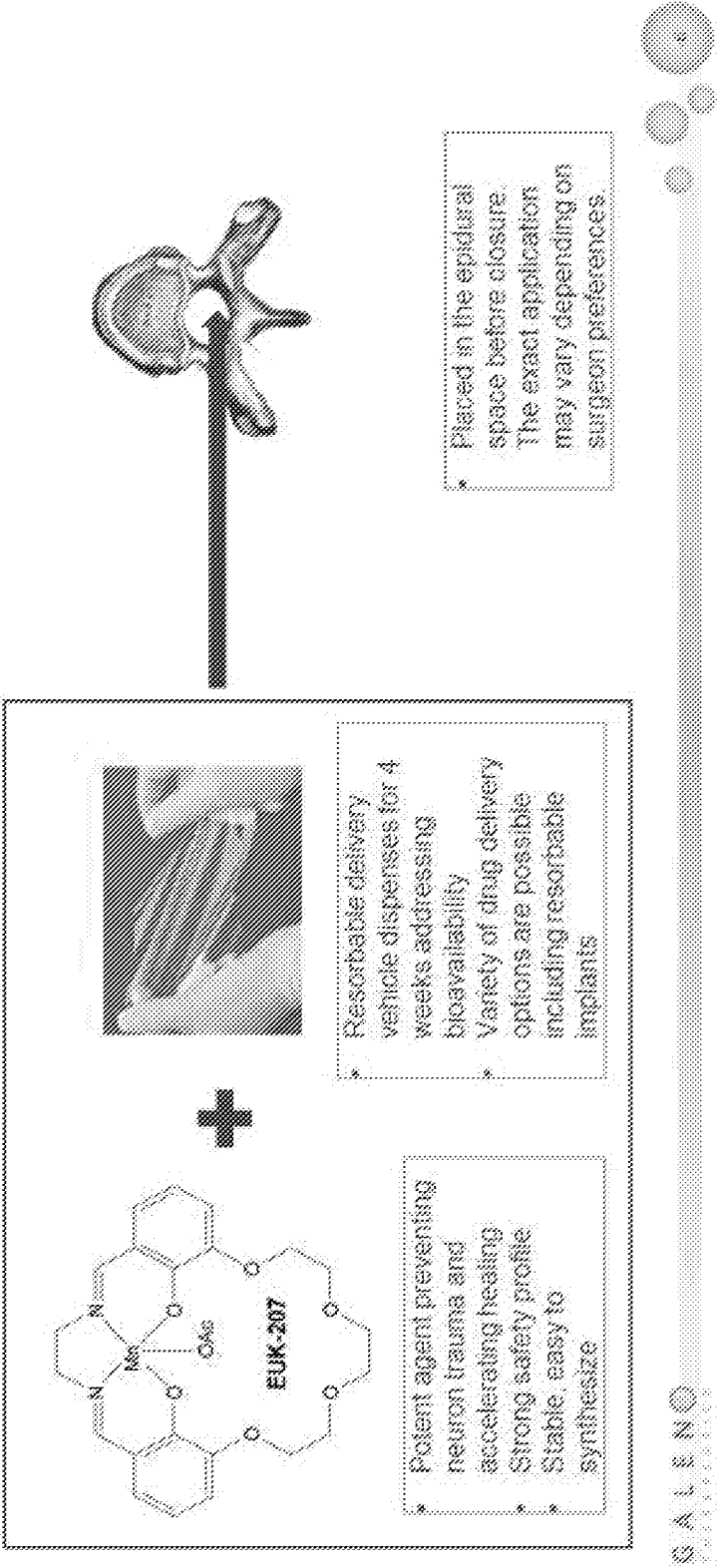


FIG. 8

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 19/16494

A. CLASSIFICATION OF SUBJECT MATTER
 IPC(8) - B81B 3/00, G01S 15/02, G01S 7/521 (2019.01)
 CPC - B81B 2201/018, B81B 2201/0214, B81B 2201/0285

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)

See Search History Document

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

See Search History Document

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

See Search History Document

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X --- Y	US 2003/0228346 A1 (Herrmann) 11 December 2003 (11.12.2003) Abstract, para [0012]-[0013], [0016]-[0017], [0022], [0025], [0028], [0032]-[0036], [0051], [0054], [0057], [0059]-[0060].	1, 5-7, 10, 13, 27 ----- 2-4, 8-9, 11-12, 28-31
Y	Doctrow, et al. "Salen Mn complexes are superoxide dismutase/catalase mimetics that protect the mitochondria." Current Inorganic Chemistry 2.3 (1 September 2012): 325-334. Abstract, pg 325 col 1 para 1 - col 2 para 1; pg 330 col 2 para 1.	2-3, 8, 28-29
Y	Reddy, et al. "Neuroprotective effects of the drug GVT (monosodium luminol) are mediated by the stabilization of Nrf2 in astrocytes." Neurochemistry international 56.6-7 (1 May 2010): 780-788. Abstract, pg 9 para 5 - pg 10 para 1	4, 9, 30
Y	US 2009/0131377 A1 (Salvemini) 21 May 2009 (21.05.2009) para [0009], [0028], [0084]-[0085]; and Figure 10.	11
Y	US 2014/0155916 A1 (Covidien LP) 5 June 2014 (05.06.2014) Abstract, para [0024]-[0025], [0027], [0032], [0034], [0045], [0050], [0054]-[0055]; Figure 1A; and Figure 1B.	12, 31
A	Khansari, et al. "Chronic inflammation and oxidative stress as a major cause of age-related diseases and cancer." Recent patents on inflammation & allergy drug discovery 3.1 (1 January 2009): 73-80. Abstract, pg 74 col 2 para 6 - pg 75 col 1 para 1.	1, 27
A	US 2004/0059107 A1 (Malfroy-Camine et al.) 25 March 2004 (25.03.2004) Abstract, para [0022], [0036], [0092].	1



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent 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 2019

Date of mailing of the international search report

14 JUN 2019

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US, Commissioner for Patents
 P.O. Box 1450, Alexandria, Virginia 22313-1450
 Facsimile No. 571-273-8300

Authorized officer:

Lee W. Young

PCT Helpdesk: 571-272-4300
 PCT OSP: 571-272-7774

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 19/16494

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:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box 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 Supplemental Box

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 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.:
1-13, 27-31

Remark on Protest

- ☐ 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.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 19/16494

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	Melov, et al. "Extension of life-span with superoxide dismutase/catalase mimetics." Science 289.5484 (1 September 2000): 1567-1569. Abstract, pg 1567 col 1 para 2, pg 1568 col 3 para 2.	1, 27
A	US 2010/0196481 A1 (Pritchard et al.) 5 August 2010 (05.08.2010) Entire Document.	1-13, 27-31
A	US 2005/0173245 A1 (Feldman et al.) 11 August 2005 (11.08.2005) Entire Document.	1-13, 27-31

Lack of Unity Box III:

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be searched, the appropriate additional search fees must be paid.

Group I: Claims 1-13 and 27-31, directed to a device for reducing inflammation and scarring, comprising a first layer of an oxidation inhibitor located on a substrate.

Group II: Claims 14-26, directed to a method for protecting neurons and reducing inflammation and scarring in a subject, the method comprising: providing a device, inserting the device into a site of disease, and closing an incision site at the site of the disease.

Group III: Claims 32-42, directed to a method for treating pain associated with a disease of the spine in a subject in need thereof, the method comprising injecting a pharmaceutical composition into a spinal space of the subject.

The group of inventions listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Special Technical Features:

Group I requires the special technical feature of a device for accelerating tissue recovery, not required by groups II-III.

Group II requires the special technical feature of a method, comprising providing a device; inserting the device into a site of disease such that the substrate covers at least a portion of the tissue at the site of disease; and closing an incision site at the site of the disease if the substrate is applied as part of a surgery, thereby securing the device within the site of disease, not required by groups I and III.

Group III requires the special technical feature of a method for treating pain associated with a disease of the spine in a subject in need thereof, the method comprising, injecting a pharmaceutical composition into a spinal space of the subject, the pharmaceutical composition comprising a bioabsorbable substrate and an oxidation inhibitor, wherein the substrate is capable of being absorbed when injected into the spinal space, whereby the pain is reduced or eliminated, not required by groups I-II.

Common technical features:

Groups I-II share the technical feature of a device for protecting neurons and reducing inflammation and scarring, comprising a substrate having a top surface and a bottom surface, the substrate capable of being absorbed when inserted into a site of disease within a subject where it is in contact with the subject's tissue; and a first layer of an oxidation inhibitor located on the top surface or the bottom surface of the substrate, wherein the layer is configured to trigger the subject's anti-oxidant defenses.

These common technical features, however, do not provide a contribution over the prior art, as being obvious over US 2003/0228346 A1 to Robert A. Herrmann (hereinafter Herrmann). Herrmann teaches a device for reducing inflammation (Abstract, An implantable or insertable medical device is provided which comprises (a) a superoxide dismutase mimic and (b) a polymeric release region. Upon administration to a patient, the polymeric release region controls the release of the superoxide dismutase mimic, which is beneficially selected from a metal-chelate superoxide dismutase mimic; and para [0013], The medical devices of the present invention can be administered in the treatment of a number of diseases and conditions, including restenosis, gastrointestinal inflammation, and inflammatory processes involving the vasculature or other lumens within the body (e.g., duct inflammation); and para [0025], As one example, and without wishing to be bound by theory, superoxide dismutase mimics can be used to address the presence of overabundant superoxide in atherosclerotic lesions following stent implantation. By addressing this basic issue, it is believed that the inflammatory response to the stent is suppressed and restenosis is limited; See Instant Specification, pg 32, Abstract, The device includes a bioabsorbable substrate and a layer of an oxidation inhibitor mimicking the effects of superoxide dismutase), comprising: a substrate having a top surface and a bottom surface (para [0022], Implantable or insertable medical devices are provided that comprise a polymer release region for a superoxide dismutase mimic. Typically, the superoxide dismutase mimic is (a) disposed within the polymer release region, in which case the polymer release region may be referred to herein as a polymer matrix; and para [0051], In some solvent-based techniques, a solution comprising solvent and polymer is applied to a substrate. The substrate can be, for example, all or a portion of a medical device to which the polymer release region is applied as a coating; and para [0034], In many preferred embodiments, a polymer release region is provided in the form of a layer, for example, a coating on a medical device surface, including internal and/or external surfaces. The medical device surface or surfaces upon which the polymer release region is disposed can constitute a wide variety of materials, including... polymer; See Instant Specification, Figure 1A; and Figure 1B; and pg 11 ln 27 - pg 12 ln 7, Figures 1A and 1B schematically show one illustrative embodiment of a coated vehicle 100 (e.g., a film) for protecting neurons and reducing inflammation... The coated vehicle 100 includes a substrate 110 having a first surface 112 (e.g., a bottom surface), a second surface 114 (e.g., a top surface)... The substrate 110 may be made from any number of material including bioabsorbable polymers), the substrate capable of being absorbed when inserted into a site of disease within a subject wherein it is in contact with the subject's tissue (para [0032], Medical devices made in accordance with the present invention can be placed in a variety of bodily locations for contact with bodily tissue and/or fluid; and para [0017], The superoxide dismutase mimics are released to surrounding tissue, allowing the surrounding material to be treated; and para [0035], Polymer materials for use in forming the polymer release region... is compatible with the superoxide dismutase mimic, is compatible with the medical device, allows for the release of the superoxide dismutase mimic, is compatible with the administration site, and so forth; and para [0036], Exemplary polymers include... polyvinyl alcohols... polymers of lactide... including glycolic acid... copolymer of polylactic acid and polycaprolactone; See Instant Specification, pg 12 ln 6-8, The substrate 110 may be made from any number of material including bioabsorbable polymers. In particular, the substrate may be polycaprolactone, polylactic acid, polyglycolic acid... polyvinyl alcohol);

Continued on Supplemental Page

and a first layer of an oxidation inhibitor located on the top surface or the bottom surface of the substrate (para [0022], Implantable or insertable medical devices are provided that comprise a polymer release region for a superoxide dismutase mimic. Typically, the superoxide dismutase mimic is (a) disposed within the polymer release region, in which case the polymer release region may be referred to herein as a polymer matrix, or (b) disposed beneath the polymer release region, in which case the polymer release region may be referred to herein as a polymer barrier layer; and para [0051], In some solvent-based techniques, a solution comprising solvent and polymer is applied to a substrate. The substrate can be, for example, all or a portion of a medical device to which the polymer release region is applied as a coating; and para [0034], In many preferred embodiments, a polymer release region is provided in the form of a layer, for example, a coating on a medical device surface, including internal and/or external surfaces; and para [0028], Preferred metal-dependent superoxide dismutase mimics are metal-chelate compounds and include... (h) salen-metal superoxide dismutase mimics, including salen-Mn... complexes; See Instant Specification, Figure 1A, 112; and Figure 1B, 112; and pg 15 In 19-21, Although the layer of oxidation inhibitor is discussed above as being applied to the top surface 114 of the substrate 110, in some embodiments, the layer of oxidation inhibitor may be applied to the bottom surface 112 of the substrate; and pg 32, Abstract, The device includes a bioabsorbable substrate and a layer of an oxidation inhibitor mimicking the effects of superoxide dismutase; and pg 13 In 5-6, Salen Mn complexes mimic the antioxidant enzymes superoxide dismutase (SOD) and catalase and scavenge superoxide and hydrogen peroxide, respectively; and pg 13 In 14-15, Salen Mn complexes EUK-8, EUK-134, and EUK-189 have for long been known to exhibit cytoprotective effects in different systems; and See Instant Claim 2, Wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207), but does not specifically teach a device for protecting neurons and scarring, and an oxidation inhibitor configured to trigger the subject's anti-oxidant defenses. However, it is known in the art that reducing inflammation will result in reduced scarring and reduced oxidative stress (See the article "Chronic Inflammation and Oxidative Stress as a Major Cause of Age-Related Diseases and Cancer" to Khansari et al., Abstract, Chronic inflammation is a pathological condition characterized by continued active inflammation response and tissue destruction... Inflammatory process induces oxidative stress and reduces cellular antioxidant capacity; and pg 74 col 2 para 6 - pg 75 col 1 para 1, Inflammation is the primary immune system reaction to eliminate pathogens or other stimuli in order to restore the cells to normal state or replace destroyed tissue with scar; See Instant Specification, pg 32, Abstract, The oxidation inhibitors reduce oxidative stress... thereby reducing... inflammation and scarring). Further, it is known in the art that Salen-metal compounds such as Salen-Mn compounds may provide means for protecting neurons (See US 2004/0059107 A1 to Malfroy-Camine et al., Abstract, This invention provides antioxidant cyclic salen-metal compounds, compositions of such antioxidant cyclic salen-metal compounds having superoxide activity... to treat or prevent a disease associated with cell or tissue damage; and para [0022], The pharmaceutical compositions of the present invention comprise an efficacious dosage of at least one species of a cyclic salen-metal complex of Formulae I or II, typically a salen-manganese complex such as a salen-Mn(III) complex; and para [0036], The present invention provides methods for therapy and prophylaxis of free radical-associated disease comprising administering to a patient a therapeutically effective dose of an antioxidant salen-metal complex pharmaceutical composition. In preferred embodiments, the method is used for preventing, arresting, or treating (1) neurological damage such as Parkinson's disease or Alzheimer's disease... (3) autoimmune neurodegeneration (e.g., encephalomyelitis)... (5) neuronal damage resulting from ischemia (e.g., stroke, drowning, brain surgery) or trauma (e.g., concussion or cord shock); See Instant Specification, pg 13 In 14-15, Salen Mn complexes EUK-8, EUK-134, and EUK-189 have for long been known to exhibit cytoprotective effects in different systems; and See Instant Claim 2, Wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207). Further, it is known in the art that superoxide dismutase mimetics, specifically the Salen-Mn compounds EUK-8 and EUK-134, augment the natural antioxidant defenses within an organism (See the Article "Extension of Life-Span with Superoxide Dismutase/Catalase Mimetics" to Melov et al. (hereinafter Melov), Abstract, We augmented the natural antioxidant systems of *Caenorhabditis elegans* with small synthetic superoxide dismutase/catalase mimetics; and pg 1567 col 1 para 2, We tested the effect of two mimetics, EUK-8 and EUK-134, on lifespan in *Caenorhabditis elegans*. In vitro, these compounds exhibit both SOD- and catalase-like activities (they are SOD/catalase mimetics). EUK-134 is an analog of EUK-8, with increased catalase activity and equivalent SOD activity (13); and pg 1568, col 3, para 2, We demonstrated that treatment of adult hermaphrodite worms with SOD/catalase mimetics causes a large increase in life-span... We propose that EUK-8 and EUK-134 extend life-span by augmenting natural antioxidant defenses without having any overt effects on other traits. These results suggest that endogenous oxidative stress is a major determinant of the rate of aging; See Instant Specification, pg 13 In 14-15, Salen Mn complexes EUK-8, EUK-134, and EUK-189 have for long been known to exhibit cytoprotective effects in different systems; and See Instant Claim 2, Wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207). Therefore, it would have been obvious to one of ordinary skill in the art to use the device as taught by Herrmann, but to test the effectiveness of using various superoxide dismutase mimics, specifically Salen-Mn compounds for example EUK-8 and EUK-134, by routine experimentation, in order to test the effectiveness of the device, and in order to provide a device which simultaneously is effective in protecting neurons, reducing inflammation and scarring, and triggering the subject's anti-oxidant defenses.

Groups I-III share the technical feature of a device or a pharmaceutical composition, comprising: a substrate which is capable of being absorbed within a subject, and an oxidation inhibitor capable of triggering the subject's anti-oxidant defenses.

These shared technical features, however, do not provide a contribution over the prior art, as being obvious over Herrmann. Herrmann teaches a device or a pharmaceutical composition (Abstract, An implantable or insertable medical device is provided which comprises (a) a superoxide dismutase mimic and (b) a polymeric release region. Upon administration to a patient, the polymeric release region controls the release of the superoxide dismutase mimic),

Continued on Supplemental Page

comprising: a substrate which is capable of being absorbed within a subject (para [0060], In accordance with the present invention, superoxide dismutase mimic is released via the polymer release region to a bodily tissue or bodily fluid upon contacting the same; and para [0022], Implantable or insertable medical devices are provided that comprise a polymer release region for a superoxide dismutase mimic. Typically, the superoxide dismutase mimic is (a) disposed within the polymer release region, in which case the polymer release region may be referred to herein as a polymer matrix; and para [0051], In some solvent-based techniques, a solution comprising solvent and polymer is applied to a substrate. The substrate can be, for example, all or a portion of a medical device to which the polymer release region is applied as a coating; and para [0034], In many preferred embodiments, a polymer release region is provided in the form of a layer, for example, a coating on a medical device surface, including internal and/or external surfaces. The medical device surface or surfaces upon which the polymer release region is disposed can constitute a wide variety of materials, including... polymer; and para [0035], Polymer materials for use in forming the polymer release region... is compatible with the superoxide dismutase mimic, is compatible with the medical device, allows for the release of the superoxide dismutase mimic, is compatible with the administration site, and so forth; and para [0036], Exemplary polymers include... polyvinyl alcohols... polymers of lactide... including glycolic acid... copolymer of polylactic acid and polycaprolactone; See Instant Specification, Figure 1A; and Figure 1B; and pg 11 ln 27 - pg 12 ln 7, Figures 1A and 1B schematically show one illustrative embodiment of a coated vehicle 100 (e.g., a film) for protecting neurons and reducing inflammation... The coated vehicle 100 includes a substrate 110 having a first surface 112 (e.g., a bottom surface), a second surface 114 (e.g., a top surface)... The substrate 110 may be made from any number of material including bioabsorbable polymers; and pg 12 ln 6-8, The substrate 110 may be made from any number of material including bioabsorbable polymers. In particular, the substrate may be polycaprolactone, polylactic acid, polyglycolic acid... polyvinyl alcohol), and an oxidation inhibitor (para [0022], Implantable or insertable medical devices are provided that comprise a polymer release region for a superoxide dismutase mimic; and para [0028], Preferred metal-dependent superoxide dismutase mimics are metal-chelate compounds and include... (h) salen-metal superoxide dismutase mimics, including salen-Mn... complexes; See Instant Specification, pg 32, Abstract, The device includes a bioabsorbable substrate and a layer of an oxidation inhibitor mimicking the effects of superoxide dismutase; and pg 13 ln 5-6, Salen Mn complexes mimic the antioxidant enzymes superoxide dismutase (SOD) and catalase and scavenge superoxide and hydrogen peroxide, respectively; and pg 13 ln 14-15, Salen Mn complexes EUK-8, EUK-134, and EUK-189 have for long been known to exhibit cytoprotective effects in different systems; and See Instant Claim 2, Wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207), but does not specifically teach an oxidation inhibitor capable of triggering the subject's anti-oxidant defenses. However, it is known in the art that superoxide dismutase mimetics, specifically the Salen-Mn compounds EUK-8 and EUK-134, augment the natural antioxidant defenses within an organism (See Melov, Abstract, We augmented the natural antioxidant systems of *Caenorhabditis elegans* with small synthetic superoxide dismutase/catalase mimetics; and pg 1567 col 1 para 2, We tested the effect of two mimetics, EUK-8 and EUK-134, on lifespan in *Caenorhabditis elegans*. In vitro, these compounds exhibit both SOD- and catalase-like activities (they are SOD/catalase mimetics). EUK-134 is an analog of EUK-8, with increased catalase activity and equivalent SOD activity (13); and pg 1568, col 3, para 2, We demonstrated that treatment of adult hermaphrodite worms with SOD/catalase mimetics causes a large increase in life-span... We propose that EUK-8 and EUK-134 extend life-span by augmenting natural antioxidant defenses without having any overt effects on other traits. These results suggest that endogenous oxidative stress is a major determinant of the rate of aging; See Instant Specification, pg 13 ln 14-15, Salen Mn complexes EUK-8, EUK-134, and EUK-189 have for long been known to exhibit cytoprotective effects in different systems; and See Instant Claim 2, Wherein the oxidation inhibitor is selected from the group consisting of EUK-8, EUK-134, EUK-189, and EUK-207). Therefore, it would have been obvious to one of ordinary skill in the art to use the device as taught by Herrmann, but to test the effectiveness of using various superoxide dismutase mimics, specifically Salen-Mn compounds for example EUK-8 and EUK-134, by routine experimentation, in order to test the effectiveness of the device, and in order to provide a device which is effective in triggering the subject's anti-oxidant defenses.

As the technical features were known in the art at the time of the invention, this cannot be considered a special technical feature that would otherwise unify the groups.

Groups I-III therefore lack unity under PCT Rule 13 because they do not share a same or corresponding special technical feature.