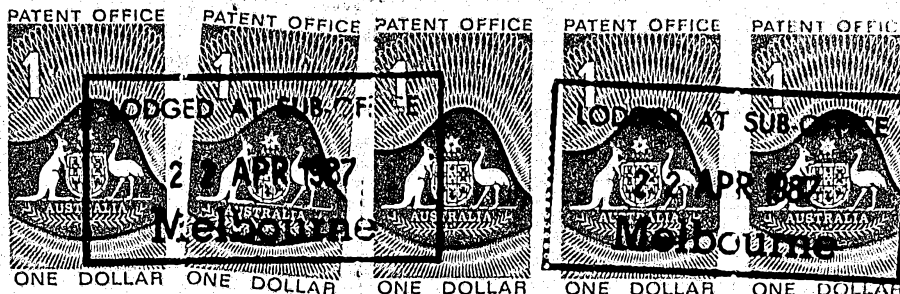


(CONVENTION. B)



CONVENTION APPLICATION FOR A PATENT

593094



LODGED AT SUB-OFFICE
22 APR 1987
Melbourne

SECTION 34(4)(a) DIRECTION SEE FOLIO 6
NAME DIRECTED COLLAGEN CORPORATION (DELAWARE CORPORATION) 2500 FABER PLACE, PALTO ALTO, CALIFORNIA 94303 U S A

(2) Here insert Title of Invention.

hereby apply for the grant of a Patent for an invention entitled: ⁽²⁾

MARROW/COLLAGEN/MINERAL MATRIX FOR BONE DEFECT REPAIR

(3) Here insert number(s) of basic application(s)

which is described in the accompanying complete specification. This application is a Convention application and is based on the application numbered ⁽³⁾

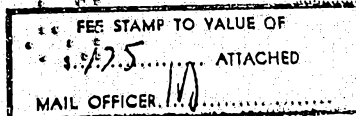
855,004

(4) Here insert Name of basic Country or Countries, and basic date or dates

for a patent or similar protection made in ⁽⁴⁾ United States of America on 22nd April 1986

APPLICATION ACCEPTED AND AMENDMENTS

ALLOWED 14.11.89



My address for service is Messrs. Edwd. Waters & Sons, Patent Attorneys, 50 Queen Street, Melbourne, Victoria, Australia.

DATED this 21st day of April 1987

(5) Signature (s) of Applicant (s) or Seal of Company and Signatures of its Officers as prescribed by its Articles of Association.

(5)

COLLAGEN CORPORATION

BY Ian A. Scott

Ian A. Scott

Registered Patent Attorney

To:

THE COMMISSIONER OF PATENTS.

COMMONWEALTH OF AUSTRALIA

Patents Act 1952-1969

DECLARATION IN SUPPORT OF A CONVENTION
APPLICATION FOR A PATENT OR PATENT OF ADDITION(1) Here
insert (in
full) Name of
Company.In support of the Convention Application made by⁽¹⁾
COLLAGEN CORPORATION(2) Here
insert title
of Invention.(hereinafter referred to as the applicant) for a Patent
for an invention entitled:⁽²⁾
MARROW/COLLAGEN/MINERAL MATRIX FOR BONE DEFECT REPAIR(3) Here
insert full Name
and Address,
of Company
official
authorized
to make
declaration.I, ⁽³⁾ ☒ KARL A. PIEZ
of 2500 FABER PLACE, PALO ALTO, CALIFORNIA 94303,
UNITED STATES OF AMERICA

do solemnly and sincerely declare as follows:

1. I am authorised by the applicant for the patent
to make this declaration on its behalf.(4) Here
insert basic
Country or
Countries
followed by
date or dates
and basic
Applicant or
Applicants.2. The basic application as defined by Section 141 of the Act was
made in⁽⁴⁾ UNITED STATES OF AMERICA
on the 22ND day of APRIL 1986, by
KARL A PIEZ and JACK E. PARR
on the _____ day of _____ 19____, by _____(5) Here
insert (in
full) Name
and Address
of Actual
Inventor or
Inventors.3. ⁽⁵⁾ Karl A. PIEZ, of 1120 Bay Laurel Drive, Menlo Park,
California 94025, and Jack E. PARR, of Rural Route 2, Box
133B, North Webster, Indiana 46551, United States of America.~~are~~ are the actual inventor s of the invention and the facts upon which the applicant
is entitled to make the application are as follow:The applicant is the assignee of the invention from the
actual inventors.4. The basic application referred to in paragraph 2 of this Declaration
was _____ the first application made in a Convention country in
respect of the invention the subject of the application.DECLARED at Palo Alto, California
this ☒ 5th day of July 1989

(6) Signature.

(6)

(12) PATENT ABRIDGMENT (11) Document No. AU-B-71856/87
(19) AUSTRALIAN PATENT OFFICE (10) Acceptance No. 593094

- (54) Title
MARROW/COLLAGEN/MINERAL MATRIX FOR BONE DEFECT REPAIR
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- (74) Attorney or Agent
WATERMARK MELBOURNE
- (57) Claim

1. A composition for the repair of defects in both stress-bearing and nonstress-bearing bone, which comprises a matrix ^{which comprises} ~~consisting essentially~~ of autogeneic bone marrow in admixture with a collagen/mineral preparation containing reconstituted fibrillar atelopeptide collagen and a calcium phosphate mineral component and sufficient ^{aqueous} fluid to obtain a malleable preparation.

6. A method for effecting the repair of defects in both stress-bearing and nonstress-bearing bone, which comprises implanting the composition of claim 1 into a bone defect.

7. A method to prepare a matrix ^{which comprises} ~~consisting essentially~~ of an autogeneic bone marrow, reconstituted fibrillar atelopeptide collagen and a calcium phosphate mineral component ^{which comprises mixing autogeneic bone marrow with a previously prepared mixture of collagen and mineral.}

593094

COMMONWEALTH OF AUSTRALIA

PATENTS ACT 1952-69

COMPLETE SPECIFICATION

(ORIGINAL)

Application Number:
Lodged:

71856/87

Class

Int. Class

Complete Specification Lodged:

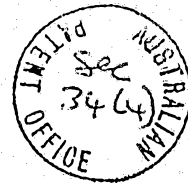
Accepted:

Published:

Priority:

Related Art:

This document contains the
amendments made under
Section 49 and is correct for
printing.



Name of Applicant:

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EDWD. WATERS & SONS,
50 QUEEN STREET, MELBOURNE, AUSTRALIA, 3000.

Complete Specification for the invention entitled:

MARROW/COLLAGEN/MINERAL MATRIX FOR BONE DEFECT REPAIR

The following statement is a full description of this invention, including the best method of performing it known to:

us

A MARROW/COLLAGEN/MINERAL MATRIX FOR
BONE DEFECT REPAIR

Technical Field

5 The invention relates to bone repair materials,
in particular to bone repair materials which are
composites of living and nonliving components.
Specifically, the invention concerns the use of
autogeneic bone marrow in combination with collagen and
10 mineral extenders as a bone repair matrix.

Background Art

 The use of autogeneic bone particles and/or
bone marrow is widespread and well known in the art.
See, for example, Salama, R., et al, J Bone Joint Surg
15 (Br) (1973) 55: 402-417. Bone marrow has also been
combined with biodegradable ceramic for periodontal
defect repair (Levin, M.P., et al, J Biomed Mater Res
(1975) 9: 183-195). The marrow or cancellous bone
appears quite effective in mediating repair. However,
20 the use of marrow alone is limited because of its fluid
nature.

 While it seems clear that bone or bone marrow
derived from the same individual, or, at worst, from an
individual closely related, is helpful in repairing bone
injuries or defects, it is a problem to obtain
sufficient material to effect the desired repair. Due
to the immunogenicity of foreign tissue, it is necessary
to restrict the bone marrow or bone chips to those which
25 are derived from the same individual or from genetically
close relatives. With such a limited source, the
scarcity-of-supply problem becomes acute. It would
therefore be helpful to find a method to extend the
healing effects of these biological materials by
30

providing a suitable carrier. One carrier which shows promise is collagen per se, which has been used in bone repair in view of its role as the major organic substituent of bone.

5 The use of collagen preparations for the repair of bone defects has also been extensively reported. The use of Collagenfleece®, in particular, which is a freeze-dried, pepsin-treated preparation from pig skin, sterilized by gamma irradiation (as described in US 4,066,083) has been reported by Krekeler, B.G., et al, J Oral Surg (1981) 10:suppl. 1: 151; Joos, U., et al, Biomaterials (1980) 1: 23-26; Zetzmann, D., et al, Schweiz Mschr Sabnhelik (1982) 92: 119; and Springorum, H.W., et al, Z Orthop (1977) 115: 686. Other collagen preparations were used by Jaffee, A., et al, Arch Oral Biol (1978) 23: 415; ibid (1982) 27: 999, and by Cucin, R.L., et al, NY State J Med (1979) 1856. The use of atelopeptide fibrillar bovine collagen as a composition for conductive bone repair was disclosed in U.S. Serial No. 752,447, filed 5 July 1985, assigned to the same assignee, and incorporated herein by reference. In addition, collagen has been used in conjunction with a factor extractable from bone which mediates inductive bone repair as disclosed by Jeffries in U.S. 4,394,370 and in U.S. Serial No. 664,158, filed 24 October 1984, assigned to the same assignee and incorporated herein by reference. Bone marrow has also been admixed with collagen alone (U.S. Serial No. 829,809, filed 14 February 1986, assigned to the same assignee and incorporated herein by reference).

While bone marrow or cancellous bone may be extended with a collagen suspension for some purposes, the strength and handling properties of compositions based on collagen alone as a matrix or carrier are not

always suitable. Attempts have been made to extend cancellous bone implants using calcium phosphate minerals; one such attempt appears to have been successful (Moore, D.C., M.S. Thesis, U.C.-Davis (1985)). Therefore, the addition of a mineral component to alter the physical properties of the collagen-based matrix containing bone marrow may be desirable.

Reports of attempts to use a collagen suspension/mineral combination are numerous. For example, Lemons, J., et al., reported at the Second World Congress of Biomaterials in Washington, D.C., 27 April-1 May 1984, on attempts to utilize collagen along with commercial hydroxyapatite and calcium phosphate to repair artificially created lesions in rabbits. The use of these mixtures did not result in re-union of the lesions. A control experiment using fresh autogenous bone, however, was successful in producing a union. Similarly, Levy, P., et al., J Periodontol (1981), 303-306, were unsuccessful in their attempts to utilize collagen/mineral gel implants to repair intra-bony defects in root canals of canine or monkey teeth. Gross, B.C., et al., Oral Surg (1980), 49:21-26, reported limited success in using mixtures of reconstituted lyophilized calfskin collagen in admixture with a hydroxyapatite preparation to induce bone growth through sub-periosteal implants in monkeys. Various others have reported use of forms of collagen which clearly contain telopeptides, a major source of immunogenicity of collagen, in combination with minerals in bone repair. See, for example, Hayashi, K. et al., Arch Orthop Traumat Surg (1982) 99:265-269; Battista, U.S. Patent 4,349,490 (using a hydrated gelatin); Cruz, Jr., U.S. Patent 3,767,437 (using a calcium-precipitated form of collagen); and Battista, et al., U.S. Patent

3,443,261 (utilizing, in addition to calcium phosphate, a "new form" of collagen which contains microcrystals of aggregated tropocollagen units.

5 Miyata, et al., U.S. Patent 4,314,380, utilized
a mineral backbone prepared directly by treatment of
animal bone to remove all organic materials, which was
then coated with an atelopeptide collagen. Japanese
Application J58/058041, published 6 April 1983,
10 discloses a spongy porous calcium phosphate material
having pores treated with atelopeptide collagen. The
collagen derives from collagen-in-solution having a
concentration of not more than 2% by weight. The
Japanese application reports the advance of osteoblasts
into the pores of the material and new bone growth.
15 European Patent Application, Publication No. 030583,
published 24 June 1981, discloses use of
Collagenfleece® in admixture with hydroxyapatite in
bone repair. This collagen material is a commercial
product, is obtained from animal hide by proteolytic
20 digestion of noncollagenous impurities, and is
lyophilized and sterilized by gamma irradiation. This
collagen preparation forms a soft membrane-like material
but does contain telopeptides and is partially degraded
by the processing.

25 The invention provides compositions wherein
autogeneic bone marrow is extended with a collagen
preparation, and its handling properties are improved by
the addition of a mineral component.

30 Disclosure of the Invention

The invention provides a composition for repair
of bone defects that permits the advantages inherent in
natural tissue bone marrow to be utilized while
overcoming the problems of shortage of supply and

difficulty in handling. It has been found that compositions containing suitable reconstituted fibrillar collagen preparations as carriers are capable of performing the function of extending the supply of compatible tissue to effect bone repair efficiently and in a manner comparable to the effects of these tissues alone. By the addition of a calcium phosphate mineral component, the handling properties of the composition are made suitable for repair of stress-bearing defects as well as those which are not subject to compression or torsion.

Accordingly, in one aspect, the invention is directed to a method to mediate the repair of bone defects which utilizes a composition containing, in addition to autogeneic bone marrow, an extender and strengthener which consists of reconstituted fibrillar atelopeptide collagen and calcium phosphate mineral particles along with sufficient physiological saline to malleability. In another aspect, the invention relates to compositions which are useful in this method, and to processes for preparing these compositions.

Modes of Carrying Out the Invention

A. The Bone Marrow Component

The compositions for use in the method of the invention comprise matrices which consist essentially of an autogeneic bone marrow component and a collagen/mineral extender/strengthener component. The autogeneic bone marrow is preferably derived from the same individual who bears the defect to be repaired, or, if this is not possible, from an individual sufficiently closely related genetically that the materials derived from this individual are not immunogenic in the

recipient. It is recognized that, except for the same individual or an identical twin, the degree of genetic relatedness represents a continuum, and that methods for predicting in advance whether or not sufficient close relationship is present to prevent immunogenicity are not entirely precise. However, current practice does operate within these parameters and attempts to evaluate genetic matching for surgical transplantation procedures, have been made with varying degrees of success. In general, as used herein, "autogeneic" refers to material either derived from the same person (or his twin) or from an individual judged by standard and commonly practiced techniques and criteria to be sufficiently closely related to provide a workable source of such material.

The methods of obtaining this evaluation of "autogeneic" character and/or excising bone marrow from such individuals are standard in the art and do not form part of the invention. The bone marrow, prepared in these routine ways, is mixed immediately before implantation with the collagen/mineral extender/strengthener mixture. The bone marrow may be used as removed.

B. The Collagen

The collagen portion of the preparation is a nonimmunogenic form of a reconstituted fibrillar preparation, such as, for example, commercially available preparations used for soft tissue repair. These preparations include Zyderm® Collagen Implant (ZCI), which is available from Collagen Corporation, Palo Alto, CA, in concentrations of 35 mg/ml and 65 mg/ml. In general, these collagen preparations are prepared from animal skins, although any source of

predominantly type I collagen can be used. The preparation will include treatment with a suitable proteolytic enzyme to remove the telopeptide portions extending beyond the triple helical segments, which telopeptide portions are responsible for the native cross-linking between helices and for at least a portion of the immunogenicity of the preparation.

In a suitable procedure, a mammalian skin preparation, preferably bovine skin, is cleaned, depilated, and ground or minced to form a finely divided preparation which is solubilized under nondenaturing conditions by dispersing it in an aqueous medium and digesting with a proteolytic enzyme other than a collagenase, preferably an enzyme that is active at low pH. Dilute acid solutions of, for example, HCl or of carboxylic acids, such as acetic, malonic, or lactic acids, are used at low temperature with a pH normally in the range of 1.5-5, depending on the enzyme used. A preferred procedure is to disperse the comminuted tissue in HCl to a concentration of 1-5 g/l at a pH of about 2 at 20°C. After the tissue is dispersed, the enzyme is added and the mixture is incubated to permit the enzyme to digest the telopeptide and other solubilizable components of the tissue. Suitable enzymes for the digestion of the telopeptides which do not attack the triple helical portion of the collagen include pepsin, papain and trypsin, preferably pepsin, with an enzyme concentration in the range of 0.1%- 10% by weight based on the collagen content of the tissue. The incubation period can last from about 2 days to 2 weeks and the process of solubilization may be monitored by determining the viscosity of the solution. Once the viscosity reaches a substantially constant level, the

solubilization is complete, and the enzyme is deactivated and removed.

After denaturation of the enzyme, the solution is treated to remove the denatured enzyme and the digested portions of the tissue by various techniques, and combinations thereof including, for example, dialysis, sedimentation, or filtration. The soluble components including the collagen are segregated from sedimented or filtered solids and concentrated, optionally fractionated by precipitation or ion exchange chromatography, and further concentrated to produce a substantially pure atelopeptide collagen solution. Collagen is quite soluble in weak acid, such as 0.01 N HCl, and typical concentration levels of the collagen in the solution are 1-10 mg/ml.

The collagen in solution is reconstituted to a fibrillar form by neutralizing the solution at reduced temperatures, preferably about 10-25° C., preferably under hypotonic conditions relative to physiological ionic strength. The neutralizing solution may be added directly or, preferably, by dialysis of the solubilized collagen against it. Ionic strengths of about 0.03-0.1, preferably 0.06, are used, and the pH is raised by adding an appropriate base or buffer such as disodium phosphate or sodium hydroxide to a level at which the collagen in solution reaggregates into fibrils. Fibril formation occurs under these conditions at a pH in the range of about 5-10, and the final pH is preferably in the range of 7-8. The duration of the fibril formation step is normally in the range 1/2-18 hours.

Optionally, the reconstituted atelopeptide collagen gel suspension may be cross-linked with a cross-linking agent such as, for example, various aldehydes such as formaldehyde, acetaldehyde,

glyoxalpyruvic aldehyde, and dialdehyde starch, preferably glutaraldehyde. During the cross-linking reaction, the collagen concentration is kept at about 1-10 mg/ml, preferably 2-5 mg/ml. Following cross-linking, the reaction may be quenched with compounds which have functional groups that react with the functional groups of the cross-linking agent to form water soluble adducts. In particular, compounds containing free amino groups, such as, for example, glycine, are usable in this respect. The excess cross-linking agent may also be removed by washing.

The collagen suspension that results (with or without cross-linking) is typically a suspension in aqueous solution at a concentration of 10-100 mg/ml, preferably about 30-70 mg/ml. A favorable suspension medium is isotonic saline, but other buffer solutions or aqueous solutions which permit the collagen suspension to be stabilized are also acceptable.

The foregoing general preparation procedures are typical of those used to prepare suitable collagen for the composition of the invention. However, the specific procedure used is not significant so long as the resulting preparation is substantially free of the telopeptide portions, has been reconstituted, is fibrillar, and is basically pure collagen uncontaminated with materials coexisting with the collagen in its native environment.

Thus, "reconstituted" collagen refers to collagen which has been disassembled into individual native triple helical molecules brought into solution and then regrouped into "fibrillar" forms. In this form, the fibrils consist of long, thin collagen molecules staggered relative to one another by multiples of about one-fourth their length. This results in a

banded structure similar to native fibrillar collagen which can be further aggregated into fibers.

One suitable collagen component is an atelopeptide collagen which is reconstituted into fibrillar form and supplied as a gel. Such reconstituted atelopeptide collagen gels are available commercially as Zyderm® Collagen Implant (ZCI) in preparations containing 35 mg/ml collagen or 65 mg/ml collagen in saline, manufactured by Collagen Corporation, Palo Alto, California. For use in the compositions of the inventions the ZCI preparations are used without lidocaine or other sedative drugs. As used herein, "ZCI" refers to the aqueous collagen dispersion, rather than to the collagen component per se.

C. The Mineral Component

As used herein, "calcium phosphate mineral" materials refers to those materials composed of Ca^{+2} and phosphate ions, regardless of the microstructure, protonation status of the phosphate, or extent of hydration. Calcium phosphate mineral materials include a variety of forms, such as the commercially available forms of tricalcium phosphate (TCP), for example, Synthograft® tricalcium phosphate, or of hydroxyapatite (HA) such as Periograf®, Alveograf®, OrthoMatrix™ HA-1000™, or OrthoMatrix™ HA-500™ hydroxyapatite particulate preparations. The hydroxyapatite or tricalcium phosphate may also be prepared by known methods, such as those disclosed by Termine, et al., Arch Biochem Biophys (1970) 140:307-325, or by Hayashi, K. et al., Arch Orthop Trauma Surg (supra). The preparations may have varying degrees of porosity and various densities. Halogenated analogs of calcium phosphate, such as calcium

fluorophosphate are also included. Any biocompatible calcium phosphate mineral may be used, but mixtures of TCP and HA are preferred.

It should be noted that the mineral preparations used in the invention may have a range of porosities, and the porosity of course affects the density of the material. Commercially available calcium phosphate mineral preparations vary in bulk density in the range of 0.5-3.16 g/ml.

D. The Mixture

The matrix portion of the compositions of the invention are preferably formed by simple mixing of the suspensions of the bone marrow, with a mixture previously prepared from the suspension of the fibrillar collagen and the calcium phosphate mineral. (In the alternative, other permutations may be used; for example, the autogeneic material may first be mixed with the collagen and the mineral then added; however, as the autogeneic material is usually supplied fresh from a donor, it is advantageous to have the remainder of the composition mixed in advance.)

The suspensions of the autogeneic material and the collagen/mineral may be mixed in a volume ratio containing as little as 5% of the marrow. It is known in the art that the autogeneic material is effective when supplied alone if kept in the defect, and the object of the invention is to reduce the amount of this material required and to improve its handling properties. It is thus apparent that an upper limit on the percentage of the autogeneic component is entirely arbitrary. For definiteness, however, it is considered that a range of of 5-50% by volume of marrow in admixture with the collagen/mineral suspension provides

a sufficient decrease in the need for the autogeneic material to represent a contribution to the ability of the art to effect bone defect repair. Since the collagen suspension used to prepare the composition may vary severalfold in collagen concentration, and since the mineral component of the collagen/mineral matrix may vary over a sixfold range in density, this results in a considerable range of solid compositions based on dry weight. The final composition must be of such consistency so as to form a malleable mass, and the foregoing volume percentages assume that both the marrow and the mixture of collagen/mineral are supplied as suspensions of such concentrations that this is the result. The effective range of solid ingredients is therefore fairly wide.

The collagen/mineral mixture itself is prepared to be a malleable composition with sufficient collagen suspension to fully wet the mineral. When the collagen is supplied as a suspension of reasonable concentration, for example 3-7%, such as 3.5% or 6.5%, and the mineral is supplied in dry form, weight ratios of the collagen suspension to the mineral of 80:20 to 30:70 will be workable depending on the porosity of the mineral component, both with respect to supplying the correct amount of fluid and the correct amount of collagen to the finished mixture. Of course, the collagen and mineral could also be mixed while dry, and fluid added to the mixture to give an equivalent composition. Since the collagen concentration is small, 3 to 7%, the weight ratio of mineral to fluid will also be about 80:20 to 30:70. The collagen by dry weight will then be in the range of 0.9 to 5.6 parts per 100.

The preferred ratios depend on a number of factors, including the nature of the bone materials



used, the nature of the defect, the size of the defect, the metabolism of the subject, and judgment of the practitioner repairing the defect. As set forth above, the compositions of the invention comprise a wide range of ratios of bone materials to the collagen/mineral carrier.

In addition to the matrix materials, the compositions as used in the repair of the defects may also contain minor amounts of other ingredients, such as binders, buffers, medicaments, excipients and the like.

E. Use of the Compositions

The compositions of the invention are implanted into a bone defect using standard surgical procedures typified by those used in supplying bone marrow or cancellous bone preparations alone. Such procedures are well known to orthopedic and dental surgery practitioners and are applied using the generally understood practices of these professions.

Defects which are suitable subjects for implantation by the compositions of the invention include bone fractures, congenital bone defects, surgically created bone defects, bone structures requiring supplementation, such as alveolar ridge augmentation, and periodontal defects. Any defect which is a suitable substrate for filling with autogeneic cancellous bone, presently the material of choice, may be suitable for the composition of the invention, except that the increased availability of materials in the composition of the invention may make possible the treatment of defects which were too large and require too much material to permit filling with autogeneic bone.

In summary, the methods employ compositions which contain a matrix consisting essentially of a

suspension of a bone material which comprises bone marrow, in admixture with a suspension of an atelopeptide pure reconstituted fibrillar collagen mixed with a calcium phosphate mineral. The bone marrow must be autogeneic as defined above; that is, they must be derived from the same individual or from an individual sufficiently closely related that the preparations are nonimmunogenic in the recipient. The collagen and mineral portion, on the other hand, may be derived from any source. The removal of the telopeptides diminishes the immunogenicity of the collagen sufficiently that even xenogeneic sources may be used; it is known that calcium phosphate minerals such as HA and TCP are biocompatible. The reconstituted fibrillar nature of the collagen preparation permits conduction of the bone growth which is initiated by the bone marrow in the composition; the physical properties of the mineral permit more convenient handling and the use of the matrix in a wider range of defects than bone marrow alone. The mixture mimics cancellous bone but is more readily available.

The following examples are to illustrate the invention, but do not limit its scope.

Example 1

Preparation of Marrow/Collagen/Mineral Matrix

A mixture is prepared as follow: 4.8 cc of 65 mg/ml ZCI were thoroughly mixed with 2.5 g of the TCP/HA mixture (70% porosity, $d = 0.6$ g/ml, 4.2 cc). The volume of the resulting mixture was 5.6 cc. It contains about 4% collagen, 34% mineral and 62% saline by weight. To this mixture was added 1.4 cc of bone marrow, to obtain 7 cc of composition (20% of the

composition by volume). The resulting composition is thus about 16% marrow, 3% collagen, 52% saline and 29% mineral by weight.

Example 2

Use of the Matrix in Bone Repair

The matrix prepared in Example 1 is compared to a matrix of reconstituted fibrillar collagen with mineral but without marrow, and a matrix of reconstituted fibrillar collagen with bone marrow in effectiveness as a bone graft material using a canine model.

The model is as follows: Eighteen adult mongrel dogs (2-5 years old, 20-30 kg) are verified to have mature skeletal structure by radiography and divided into three groups of 6 dogs each for the study. For surgery, each dog is anesthetized with halothane and a 2.5 cm segment of the distal ulna, taken a standard distance from the styloid process is excised. The segments of the ulna are then connected with an intermedullary pin, and the test bone graft material implanted in the defect. The soft tissue and skin are closed in a standard manner.

In addition, a 9.5 x 20 mm defect is made in the cancellous bone of the proximal humerus with a water cooled trephine (Carb biopsy needle), this defect is also filled with the test bone graft material, and the soft tissue and skin are closed in a standard manner.

When bone marrow is to be a part of the test bone graft material, it is obtained by aspiration from the ipsilateral femur. Its cell count in the marrow of the various cell types is also obtained.

After recovery, the dogs are returned to their runs for routine housing and observation without

external fixation of the operated limb or any restraint on activity.

At four week intervals, the dogs are anesthetized and radiographs taken to assess the amount of osteogenesis, degree of fusion, and extent of modeling. At various intervals, serum samples are taken and bone fluorescent labeling is effected by injection of appropriate dye, specifically tetracycline, calcein green, xylene orange or alazarin red.

After 24 weeks, the dogs are sacrificed by injection of barbiturate and the repaired bone defects assessed by histology and by mechanical testing. Histology is performed by examination of thin slices embedded in methyl methacrylate; mechanical valuation is by Burstein-Frankel torque tester (Burstein, A.H., et al, J Biomechanics (1971) 4:155-158). Mechanical strength is based on load to failure, displacement to failure, load/displacement slope, and energy absorption.

The results show the preparation of Example 1 to be effective in mediating the regeneration of usable bone in both the ulna and humerus defects.

THE CLAIMS DEFINING THE INVENTION ARE AS FOLLOWS:

XXXXXX
~~Claims~~

1. A composition for the repair of defects in
5 both stress-bearing and nonstress-bearing bone, which
comprises a matrix ^{which comprises} ~~consisting essentially~~ of autogeneic
bone marrow in admixture with a collagen/mineral
preparation containing reconstituted fibrillar
10 atelopeptide collagen and a calcium phosphate mineral
component and sufficient ^{aqueous} fluid to obtain a malleable
preparation.

15 2. The composition of claim 1 wherein the
matrix is 5-50% autogeneic bone marrow volume.

3. The composition of claim 1 wherein the
collagen/mineral preparation is 20-70% ^{wt/wt} mineral and
30-80% ^{wt/wt} fibrillar collagen suspension.

20 4. The composition of claim 1 wherein the
collagen is supplied as a suspension of 30-70 mg/ml.

25 5. The composition of claim 1 wherein the
mineral is selected from HA, TCP, or mixtures thereof
having bulk densities of 0.5-3.16 g/cc.

30 6. A method for effecting the repair of
defects in both stress-bearing and nonstress-bearing
bone, which comprises implanting the composition of
claim 1 into a bone defect.

7. A method to prepare a matrix ^{which comprises} ~~consisting~~
~~essentially~~ of an autogeneic bone marrow, reconstituted
fibrillar atelopeptide collagen and a calcium phosphate



mineral component which comprises mixing autogeneic bone marrow with a previously prepared mixture of collagen and mineral.

5 8. A method of enhancing stress bearing and non stress bearing bone repair which comprises application or administration of a composition ~~on the components thereof~~ as claimed in any one of claims 1 to ⁵16.

10 9. A method of treatment of defects in or repair of stress bearing and non stress bearing bone which comprises application or administration of a composition ~~on the components thereof~~ as claimed in any one of claims 1 to ⁵16.

15 DATED this 21st day of April 1987.,

COLLAGEN CORPORATION (DELAWARE CORPORATION)

EDWD. WATERS & SONS
PATENT ATTORNEYS
50 QUEEN STREET
MELBOURNE. VIC. 3000.

