

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
PATENTS COURT

HP-2014-000037

BETWEEN:

HOSPIRA UK LIMITED

Claimant

-v-

CUBIST PHARMACEUTICALS INC

Defendant

AMENDED CLAIMS AS REFERRED TO IN
STATEMENT OF REASONS IN SUPPORT
OF APPLICATION TO AMEND
EUROPEAN PATENT (UK) NO. 1 115 417

1. Use of a-daptomycin for the manufacture of a medicament for treating a bacterial infection in a human patient in need thereof, wherein a dose for said treating is 3 to 75-10 mg/kg of daptomycin, wherein said dose is repeatedly administered in a dosage interval of once every 24 hours ~~to once weekly~~.
2. ~~The use according to claim 1, wherein the dosage interval is once every 24 hours.~~
3. ~~The use according to claim 1, wherein the dosage interval is once every 48 hours to once every 96 hours.~~
4. ~~The use according to claim 1, wherein the dosage interval is once every 48 hours.~~
5. ~~The use according to claim 1, wherein the dosage interval is once every 72 hours.~~
6. ~~The use according to claim 1, wherein the dosage interval is once every 96 hours.~~
7. The use according to claims 1 ~~to 6~~, wherein the dose is 3 to 42-10 mg/kg ~~but excluding 3~~ mg/kg.

83. The use according to claim 71, wherein the dose is 3, 4, 5, 6, 7, 8 or 9, 10, 11 or 12 mg/kg.
9. ~~The use according to claims 1 to 6, wherein the dose is 10 to 25 mg/kg.~~
10. ~~The use according to claim 9, wherein the dose is 10, 11, 12, 13, 14, 15, 16, 20 or 25 mg/kg.~~
11. ~~The use according to claims 1 to 6, further comprising an antibiotic other than daptomycin for the manufacture of the medicament for treating the bacterial infection in the patient.~~
12. ~~The use according to claim 11, wherein said antibiotic is selected from the group consisting of penicillins and related drugs, carbapenems, cephalosporins and related drugs, aminoglycosides, bacitracin, gramicidin, mupirocin, chloramphenicol, thiamphenicol, fusidate sodium, lincomycin, clindamycin, macrolides, novoblocin, polymyxins, rifamycins, spectinomycin, tetracyclines, vancomycin, telcoplanin, streptogramins, anti-folate agents including sulfonamides, trimethoprim and its combinations and pyrimethamine, synthetic antibacterials including nitrofurans, methenamine mandelate and methenamine hippurate, nitroimidazoles, quinolones, fluoroquinolones, isoniazid, ethambutol, pyrazinamide, para-aminosalicylic (PAS), cycloserine, capreomycin, ethionamide, prothionamide, thiacetazone and viomycin.~~
13. ~~The use according to claim 11, wherein said antibiotic is selected from the group consisting of imipenem, amikacin, netilmicin, fosfomycin, gentamicin and telcoplanin.~~
14. ~~The use according to claim 11, wherein the dose is an oral, subcutaneous or intravenous dose.~~
15. ~~The use according to claim 11, wherein the dose is 3 to 12 mg/kg.~~
16. ~~The use according to claim 15, wherein the dose is 3, 4, 5, 6, 7, 8, 9, 10, 11 or 12 mg/kg.~~
17. ~~The use according to claim 11, wherein the dose is 10 to 25 mg/kg.~~
18. ~~The use according to claim 17, wherein the dose is 10, 11, 12, 13, 14, 15, 16, 20 or 25 mg/kg.~~
19. ~~The use according to claims 1 to 6, wherein the dose is 25 to 75 mg/kg.~~
20. ~~The use according to claim 19, wherein the dose is 25, 50 or 75 mg/kg.~~
244. The use according to claim 83 or 16, wherein the dose is 4 mg/kg.

225. The use according to claim ~~83~~ or 16, wherein the dose is 6 mg/kg.

236. The use according to claim ~~83~~ or 16, wherein the dose is 8 mg/kg.

247. The use according to claim ~~812~~ or 16, wherein the dose is 10 mg/kg.

~~25. The use according to claims 1 to 6, wherein the dose is an oral, subcutaneous or intravenous dose.~~

~~26. The use according to claims 1 to 6, wherein the daptomycin is administered for 3 days to 6 months.~~

~~27. The use according to claims 1 to 6, wherein the daptomycin is administered for 7 to 28 days.~~

~~28. The use according to claims 1 to 6, wherein the daptomycin is administered for 7 to 14 days.~~