

Targeted Genome Editing

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### **EXECUTIVE SUMMARY**

- Although CRISPR was known to have an important role in bacterial immunity for over a decade, it is only in the last 5 years that it has garnered interest as a gene editing tool
- Increasing investment in this field is indicative of global market opportunities for CRISPR-Cas9 over existing alternatives
- Academic and research institutes lead currently in patent filing, indicating that this is an early stage technology
  - The Broad Institute of MIT and Harvard, University of California and their collaborators are among the top filing assignees
  - Intellia Therapeutics, CRISPR Therapeutics, Editas Medicine, ERS Genomics and Caribou
  - Biosciences are among the list of commercialization partners that have broad and exclusive rights to CRISPR technologies
  - Institute of Genetics and Developmental Biology, Institute of Genetics and Developmental Biology takes the lead in research related to gene editing in crops and plants
  - Several industrial players including DowDuPont, Regeneron Pharmaceuticals are carving out their own CRISPR patent estates
- Around one fourth of the total filings in CRISPR-Cas9 is in the classification codes for ribonucleases and nucleic acids that modulate gene expression
  - Significant number of filings are listed under the classification related to vectors for gene editing and introduction of foreign DNA into chromosomes
- PCT filings outnumbered the filings from any single jurisdiction, emphasizing the global market for this technology
- Current clinical trials revolving around CRISPR-Cas9 originate from China
  - A handful number of clinical studies starting from Aug 2016 are identified in which CRISPR-Cas9 is used as an intervention
- Although CRISPR-Cas9 is revolutionizing the field of genome editing, it still remains a stochastic process
  with a lot of random indels
  - New approaches by researchers at Harvard show promise in solving shortcomings in the technology

### **INTRODUCTION**

#### Genome Editing and CRISPR

Genetic and epigenetic control of cells with genome engineering technologies allows a broad range of applications from basic biology to biotechnology, medicine and agriculture. It was in 2012 that Jennifer Doudna and Emmanuelle Charpentier first filed for a patent application for the CRISPR-Cas9 gene editing system. The Inventors had re-engineered the Cas9 endonuclease into a more manageable two-component system by fusing the two RNA molecules into a "single-guide RNA" that, when combined with Cas9, could find and cut the DNA target specified by the guide RNA. Several groups including Feng Zhang and colleagues from the Broad Institute of MIT and Harvard followed suit with filings. Fast forward to 2018, the stakes continue to rise with CRISPR being increasingly applied in gene editing and therapeutics. On January 23, 2018 NIH released news declaring that it would launch an effort aimed at removing barriers that slow the adoption of genome editing for treating patients. "Genome editing technologies such as CRISPR/Cas9 are revolutionizing biomedical research", said NIH Director Francis S. Collins, M.D., Ph.D. Researchers will be awarded with about <u>\$190 million</u> over six years beginning 2018, pending availability of funds. Pharmaceutical companies find it increasingly challenging in navigating the evolving and uncertain patent landscape.

CRISPR-Cas9 allows more precision, ease-of-use, and is inexpensive when compared to other existing techniques such as ZFN, TALEN and Meganuclease for gene editing. For its varied applications, CRISPR was named the Breakthrough of the Year in December, 2015 by <u>Science Magazine</u>. According to a survey conducted by <u>Elsevier</u>, CRISPR has gained scientific momentum among both researchers and corporates in the last few years as shown below:

Technique	Scholarly Output (2011-2015)	Average citations per paper	Average citations per paper with corporate collaborations
CRISPR	2339	26.5	95.3
Meganuclease	132	16.9	2.7
TALEN	783	23.6	30.6
ZFN	1180	11.1	26

The main components of the CRISPR-Cas9 system are two biological macromolecules: i) guide RNA, which guides the endonuclease to the target site and ii) the endonuclease, which causes the nick at the precise location in target DNA.

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Gene editing using CRISPR-Cas9 has high specificity because guide RNA molecules can be synthesized for precise homologous binding at target sites. These molecules guide the Cas9 endonuclease to specific sites to perform the nick. Cas9 requires a separate crRNA (CRISPR RNA) and tracrRNA (transactivating CRISPR RNA) that are annealed to each other through homology domains to form a crRNA:tracrRNA guide RNA complex. Sometimes, the crRNA and tracrRNA are combined with a short linker loop into a chimeric single-guide RNA (sgRNA), which is widely used in experiments. The Cas9 protein has 1368 amino acids, and is composed of <u>six domains</u> - REC I, REC II, Bridge Helix, PAM Interacting, HNH and RuvC.



Source: Tufts.edu

One of the shortcomings of the CRISPR-Cas9 system is the occurrence of off-target edits and the reduced efficiency of the gene editing process in the laboratory. Researchers are working to improve the target specific specificity and nicking efficiency of the CRISPR-Cas9 system. New approaches by David Liu and colleagues employ a technology called base editing which uses modified Cas9 nucleases that replace a single nucleotide without the need for a NHEJ or HDR, thereby reducing the chances for errors. These nucleobase editors could lead to the next breakthrough within CRISPR mediated gene editing paving way for CRISPR 2.0

### Applications of CRISPR-Cas9

Since its inception, CRISPR-Cas9 has been increasingly applied in therapeutics, diagnostic kits and assays for screening, plant cell modifications, designing vectors for delivery, non-human animal models for experiments including swine, mice among other animals and viruses for gene delivery.

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#### Market Research

The global CRISPR market by application generated revenue was <u>\$361 million</u> in 2016, and is anticipated to be several billion in a few years, growing at a <u>CAGR of 36.79%</u> during the forecasted period of 2017-2025. The NIH and other organizations have increased their funding for CRISPR-focused research. On the commercial side, contract research organizations (CROs) have increased their use of the technique to genetically engineer model animals and cell lines for research purposes. The market is extremely fragmented, with numerous smaller companies vying for market share. More than 50% of the market is comprised of companies that hold only 8% or less market share. The growth of the CRISPR-Cas9 market will largely depend on improved funding landscape and overcoming regulatory hurdles.

#### Funding

Since its announcement as a breakthrough technology, CRISPR mediated gene editing has received ample funding for research and development.

- NIH announced in January 2018 that it is launching an effort to remove barriers that slow down the adoption of genome editing for therapy, the program is funded by NIH's Common Fund. Funding opportunity announcements for this program amount to about <u>\$190m</u>
- <u>Inscripta</u>, a CRISPR start-up has raised \$55.5m Series C round in February 2018 to create gene-editing tools such as instruments, reagents, and software, and to create a market for these tools
- Beam Therapeutics announced in May 2018 that it has raised up to \$87 million in Series A financing and it aims to develop the technology of base editing in the genome with the most promising off-shoot of CRISPR developed so far, called <u>base editor</u>

### **SCOPE & METHODOLOGY**

#### Search & Process

The objective of this study is to explore the market and patenting activity in CRISPR-Cas9 gene editing technology. This study considers issued patents and pending published applications related to CRISPR-Cas9 published since January 1, 2007. Search strategies using various combinations of keywords, classification codes, and prominent assignees resulted in more than 10K patent families. The hits were then refined by semi-automated techniques to arrive at 4800 unique patent applications that spread across ~1750 INPADOC families. These 1750 patent families were analyzed for trends and patterns to identify IP investment, key players, licensing activity and prolific inventors.

#### Taxonomy

The 1750 patent families were categorized into different clusters as shown in the chart below based on their areas of applications. Categorizing the shortlisted patent documents under these broad applications revealed that a huge percentage of documents disclose vectors and other delivery vehicles to be the leading focus. Apart from these, gene therapy and modification of the guide RNA and nuclease enzyme have been the focus of several studies as well.



\* There is some overlap in the categorization as many of the patent families fall in multiple categories.

#### **Investment Trend**

The 1740 patent families were plotted by earliest priority year of any family member



- Publications claiming their priority from 2015 and 2016 account for over 60 percent of all publications, hinting at several upcoming grants in the near future
- The dip in 2017 is likely due to the 18-month publication lag
- Few of the early filings include:
  - US20150283265A1 claiming priority as early as 2005 discloses a method for editing or regulating gene in target cells by administering nanoparticles coated with CRISPR/Cas9
  - US20170157038A1 from 2007 claims a method of treatment by eliminating a gene in the eye using CRISPR Cas9 system
  - US20150218587A1 elaborates on a genetic recombination technique by securing, cutting, transporting and micro-beam welding of genetic material to create a combined genetic material

#### **Geographical Analysis**

All members of the 1740 patent families were plotted by countries in which patent family members have been filed. The top filers are illustrated in the map below:



- Priority applications primarily originate from US (828) and CN (840)
- Chinese IP activity is mostly restricted to domestic filings
- Though the art has been developed primarily in the US, there is a strong development profile in Asian countries (CN, AU, IN, SG, JP, KR)
- Entities seek multinational patent protection by filing PCT and EP applications

#### **Geographical Filing Trend**

All members of 1740 patent families were plotted by rate of filings in countries against the filing year



- Increased number of filings through PCT in the recent years shows the global market opportunity for CRISPR-Cas9 system
- There is a steady increase in patent filings in the major markets including CN, US and EP

#### **Primary Assignee Analysis**

The 1740 patent families were plotted by the assignees



- US and Chinese academic and institutional entities are actively involved in CRISPR research
- Harvard, MIT and the Broad Institute collaborate with one another in many of the filings

#### **Assignee Investment Pattern**

The 1740 patent families were plotted by top assignees vs filing year



- Harvard, Broad institute, University of California, Inst of Genetics & Dev Bio, China and NIH have accelerated their filings in the recent years
- Several new assignees such as Cellectis, CRISPR Therapeutics, Editas, Pioneer Hi-Bred and Univ Shanghai Jiaotong have filed applications in 2015-2017

#### Prolific Inventors in the Domain

The 1740 patent families were plotted by the top inventors vs filing year



- Among the top inventors in the technology are several researchers from the US including Feng Zhang, George Church, Ante Sven Lundberg, Jennifer Doudna and Andrew Cigan highlighting the patent-friendly research environment in US
- Feng Zhang from the Broad Institute has the most number of patent families
- Emmanuelle Charpentier (not in the top list) has collaborated with Jennifer Doudna in some of the pioneering work related to the CRISPR technology

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#### Legal Disputes

University of California, The Broad Institute and researcher Emmanuelle Charpentier are involved in <u>legal disputes related to the technology</u>. US. PTAB ruled in favor of the Broad Institute in Feb., 2017. <u>US8697359B1</u> (The Broad Institute) is one of the several <u>patents</u> that was under dispute.

Most of the pioneering patents under CRISPR related gene editing is owned by the following firms, Institutes and Universities: Intellia Therapeutics, University of California, Berkeley, Caribou Biosciences, CRISPR Therapeutics, ERGS Genomics, Editas Medicine and The Broad Institute.

#### **Technology Categorization**

The 1740 patent families were categorized as per the taxonomy. There may be overlap as many of the



### Top Assignees Vs Technology Segmentation

	Detection/ Assay/ Kit	Guide RNA / Nuclease	Animal Models	Plants	Treatment	Vector / Delivery	Virus	Yeast
BROAD INST INC	21	7	12	9	43	49	39	2
CARIBOU BIOSCIENCES	12			2	6	8	8	2
CELLECTIS	6	6		3	16	11	13	
CRISPR THERAPEUTICS		1		1	24	22	18	1
EDITAS	18	24	2	2	25	25	21	3
HARVARD	18	34	4	32	24	29	36	38
INST OF GENETICS & DEV BIO	8	5		31		21	3	
MASSACHUSETTS INST TECH	8	12	1	3	9	14	7	2
NIH	13	11	10	1	14	14	14	2
PIONEER HI BRED	3	9		25	3	4	4	10
REGENERON	9	9	22	4	8	18	10	
UNIV BEIJING	5	6		2	1	9	4	
UNIV CALIFORNIA	26	11	14	16	21	31	24	6
UNIV CHINA AGRICULTURAL	5	6	13	21		17		
UNIV SHANGHAI JIAOTONG	2	9		5	3	15	4	1

The 1740 patent families were plotted by top assignees vs technology segmentation.

A detailed split of the filing trend of the top assignees across the major technology segmentation is depicted in the following sections.

### Top Assignees Vs Technology Segmentation

Harvard



# University of California



#### • Broad Institute



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#### Technologies/ Uses Based on IPC Codes

Enzymes, Proenzymes, Compositions thereof, Processes for preparing, activating, inhibiting, separating, or purifying enzymes...Hydrolases...ac ting on ester bonds...Ribonucleases

A01h-001/00 (28) (A01h-005/00 (150) (A01k-067/027 (155) (A01k-031/7088 (67) (A61k-031/7105 (39) (A61k-035/17 (49) (A61k-035/17 (29) (A61k-038/46 (73) (A61k-048/00 (22) (A61k-031/21 (27) (A61p-031/18 (27) (A61p

Mutation or genetic engineering; DNA or RNA concerning genetic engineering, vectors, e.g. plasmids, or their isolation, preparation or purification; Use of hosts therefor ...

Recombinant DNAtechnology... Introduction of foreign genetic material using vectors; Vectors; Use of hosts therefor; Regulation of expression...

Vectors or expression systems specially adapted for eukaryotic hosts... for animal cells Mutation or genetic engineering; DNA or RNA concerning genetic engineering, vectors, e.g. plasmids, or their isolation, preparation or purification; Use of hosts therefor ...Recombinant DNA-

technology...Introduction of foreign genetic material using processes not otherwise provided for...Stable introduction of foreign DNA into chromosome

Mutation or genetic engineering; DNA or RNA concerning genetic engineering, vectors, e.g. plasmids, or their isolation, preparation or purification; Use of hosts therefor ... Recombinant DNA-technology...DNA or RNA fragments; Modified forms thereof...Non-coding nucleic acids modulating the expression of genes, e.g. antisense oligonucleotides

### Top Cited US Art

The 1740 patent families were screened for US patents or pending applications with the highest cited-by counts/year.

Publication #	Title	Assignee	Year Issued/ Published	Cited by	Average cites/year
<u>US8697359B1</u>	CRISPR-Cas systems and methods for altering expression of gene products	Massachusetts Institute of Technology   Broad Institute Inc	2014	199	50.97
<u>US20140068797A1</u>	Methods and compositions for RNA-directed target DNA modification and for RNA- Directed modulation of Transcription	Universitaet Wien   University of California	2014	195	48.58
<u>US8993233B2</u>	Engineering and optimization of systems, methods and compositions for sequence manipulation with functional domains	Harvard College   Massachusetts Institute of Technology   Broad Institute Inc	2015	142	48.21
<u>US8771945B1</u>	CRISPR-Cas systems and methods for altering expression of gene products	Massachusetts Institute of Technology   Broad Institute Inc	2014	154	41.91
<u>US8865406B2</u>	Engineering and optimization of improved systems, methods and enzyme compositions for sequence manipulation	Massachusetts Institute of Technology   Broad Institute Inc	2014	139	41.04
<u>US8795965B2</u>	CRISPR-Cas component systems, methods and compositions for sequence manipulation	Massachusetts Institute of Technology   Broad Institute Inc	2014	145	40.3
<u>US8871445B2</u>	CRISPR-Cas component systems, methods and compositions for sequence manipulation	Harvard College   Massachusetts Institute of Technology   Broad Institute Inc	2014	129	38.31
<u>US20140179770A1</u>	Delivery, engineering and optimization of systems, methods and compositions for sequence manipulation and therapeutic applications	Massachusetts Institute of Technology   Broad Institute Inc	2014	93	25.08
<u>US20140186843A1</u>	Methods, systems, and apparatus for identifying target sequences for CAS enzymes or CRISPR-CAS systems for target sequences and conveying results thereof	Massachusetts Institute of Technology   Broad Institute Inc	2014	80	21.69
<u>US20140189896A1</u>	CRISPR-CAS component systems, methods and compositions for sequence manipulation	Harvard College   Rockefeller University   Massachusetts Institute of Technology   Broad Institute Inc	2014	73	19.79

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### Products in the Market

A web search for CRISPR Cas9 products available for gene editing in the market revealed the following results:

Company Name	Product Name	Product Description
<u>Takara Bio USA, Inc.</u>	<u>Guide-it™ CRISPR/Cas9 System</u>	This product is a <b>subject of the following patents</b> - <b>US8697359 and US8771945</b> . The Guide-it CRISPR/Cas9 Systems are kits for the cloning and expression of target single guide RNAs (sgRNAs) for mammalian genome editing using CRISPR/Cas9 technology. The vector in this system simultaneously expresses Cas9 nuclease, a target-specific sgRNA, and an exceptionally bright fluorescent protein for monitoring transfection efficiency and/or for further enriching/isolating transfected cells by flow cytometry (ZsGreen1 and tdTomato versions are available). Generating a plasmid that expresses a sequence-specific sgRNA with this system is simple; a pair of user-provided oligos corresponding to the target genomic sequence of interest are annealed to form a duplex, and the duplexed oligos are inserted into the pre-linearized vector using the included high-efficiency ligation mix. The kit also includes Stellar competent cells to ensure high efficiency transformation.
Integrated DNA Technologies	<u>Alt-R<sup>®</sup> CRISPR-Cas9 System</u>	The Alt-R <sup>®</sup> CRISPR-Cas9 System includes all of the reagents needed for successful genome editing based on the natural S. pyogenes CRISPR-Cas9 system. Benefit from the latest improvements in on- and off-target design and chemical modifications, as well as easy ordering of custom or predesigned guide RNAs. Get optimal editing with high on-target potency and reduced off-target activity with Alt-R HiFi CRISPR-Cas9 nuclease. Precisely control editing with efficient delivery of the RNP by lipofection or electroporation
System Biosciences	<u>EF1α-T7-hspCas9-Nickase-T2A-</u> <u>RFP-H1-gRNA All-in-one Cas9</u> <u>SmartNickase™</u>	All-in-one Cas9 and gRNA plasmids are an excellent way to simplify delivery of your CRISPR/Cas9 Nickase system by providing both Cas9 Nickase and gRNA from a single vector, and the addition of coordinate expression of RFP for monitoring transfection efficiencies helps make genome engineering projects more user-friendly. SBI's EF1 $\alpha$ -T7-hspCas9-Nickase-T2A-RFP-H1-gRNA All-in-one Cas9 SmartNickase Plasmid includes a number of additional features that make it a great All-in-one choice for any genome engineering project involving transfectable cells
<u>ThermoFisher</u> <u>Scientific</u>	TrueGuide Synthetic gRNA	Invitrogen TrueGuide Synthetic gRNAs are ready-to-transfect synthetic gRNAs designed and validated to work with the Invitrogen suite of genome editing tools to provide consistent high efficiency editing. Invitrogen is utilizing Synthego's high performance oligo manufacturing to bring you TrueGuide Synthetic gRNAs. Whether you need an economical solution for routine editing tasks or you want to drive maximum editing efficiency, particularly in primary or stem cells, TrueGuide Synthetic gRNAs offer the reagents you require to introduce your specific edit in your cell line.
<u>ThermoFisher</u> <u>Scientific</u>	TrueCut Cas9 Protein v2	Invitrogen TrueCut Cas9 Protein v2, a wild type Cas9 in protein form designed to deliver consistently higher editing efficiency across a range of gene targets and cell types.
Sigma-Aldrich	<u>CRISPR Integration Kit</u>	All-in-one, ready-to-use Cas9 and guide RNA (gRNA) expression plasmids for use with monocots and dicots. CRISPR Plant Cas9 products are intended for Agrobacterium-mediated plant transformation or biolistic microparticle bombardment or protoplast transformation. The products are based on the type IIA CRISPR-Cas9 derived from Streptococcus pyogenes. The native Cas9 coding sequence is codon optimized for expression in monocots and dicots, respectively. The monocot Cas9 constructs contain a monocot U6 promoter for sgRNA expression, and the dicot Cas9 constructs contain a dicot U6 promoter. The plant selection markers include: hygromycin B resistance gene, neomycin phosphotransferase gene, bar gene (phosphinothricin acetyl transferase)
<u>GeneCopoeia</u>	Target site PCR Kit (version 2.0), 200 rxns*	PCR reagents for amplifying region flanking CRISPR/TALEN target site, prior to T7 Endonucle- ase I digestion*

### **Clinical Trials**

Search on the clinical trials database (<u>www.clinicaltrials.gov</u>) where CRISPR Cas9 is the intervention revealed the following list:

Trial ID	Title	Sponsors	Start Date
NCT03081715	PD-1 Knockout Engineered T	Hangzhou Cancer Hospital Anhui	20-Mar-2017
	Cells for Advanced Esophageal	Kedgene Biotechnology Co.,Ltd	
	Cancer	Location: Hangzhou Cancer Hospital,	
NCT03398967	A Feasibility and Safety Study	Chinese PLA General Hospital	02-lan-2018
	of Universal Dual Specificity	Location: Biotherapeutic Department	02 Juli 2010
	CD19 and CD20 or CD22 CAR-T	and Hematology Department of Chinese	
	Cell Immunotherapy for	PLA General Hospital, Beijing, Beijing,	
	Relapsed or Refractory	China	
NCT02466070	Leukemia and Lymphoma	Chinasa DIA Canand Usanital	01 km 2017
NC103166878	A Study Evaluating UCAR1019	Chinese PLA General Hospital	01-Jun-2017
	Refractory CD19+ Leukemia	and Hematology Department of Chinese	
	and Lymphoma	PLA General Hospital, Beijing, Beijing,	
		China	
NCT02863913	PD-1 Knockout Engineered T	Peking University   Cell Biotech Co., Ltd.	01-Sep-2016
	Cells for Muscle-invasive	Location:Department of Urology Peking	
	Bladder Cancer	University First Hospital, Beijing, Beijing, China	
NCT02867345	PD-1 Knockout Engineered T	Peking University Cell Biotech Co., Ltd.	01-Nov-2016
	Cells for Castration Resistant	Location:Department of Urology Peking	
	Prostate Cancer	University First Hospital, Beijing, Beijing,	
		China	
NCT02867332	PD-1 Knockout Engineered T	Peking University   Cell Biotech Co., Ltd.	01-Nov-2016
	Cells for Metastatic Renal Cell	Location: -	
NCT02793856	PD-1 Knockout Engineered T	Sichuan University/Chengdu	01-Aug-2016
110102755050	Cells for Metastatic Non-small	MedGenCell. Co., Ltd.	01/105 2010
	Cell Lung Cancer	Location: West China Hospital, Sichuan	
		University, Chengdu, Sichuan, China	
NCT03044743	PD-1 Knockout EBV-CTLs for	Yang Yang   The Affiliated Nanjing Drum	07-Apr-2017
	Advanced Stage Epstein-Barr	Tower Hospital of Nanjing University	
	Virus (EBV) Associated	Niedical School	
	Manghancies	Center of Naniing Drum Tower Hospital.	
		Nanjing, Jiangsu, China The	
		Comprehensive Cancer Center of	
		Nanjing Drum Tower Hospital, Nanjing,	
NGT02057042		Jiangsu, China	45 1. 2010
NC103057912	A Safety and Efficacy Study of	First Affiliated Hospital, Sun Yat-Sen	15-Jan-2018
	Treatment of HPV-related	Technology	
	<u>Cervical Intraepithelial</u>	Location: The First Affiliated Hospital of	
	Neoplasiaâ	Sun Yat-sen University, Guangzhou,	
		Guangdong, China	
NCT03164135	Safety of Transplantation of	Affiliated Hospital to Academy of	30-May-2017
	CRISPR CCR5 Modified CD34+	Military Medical Sciences Peking	
	With Hematological	University Capital Medical University	
	Malignances	Hospital of Academy to Military Medical	
		Sciences), Beijing, Beijing, China	

#### Licenses

Since the pioneering work in this technology is held by Research institutes and Universities, collaborations and licensing is abundant among the top inventors:

- Broad Institute of Harvard and MIT runs a collaborative research program using an approach they developed called "inclusive innovation" model. Under this model, Broad Institute has exclusively licensed the technology to their commercial partner - Editas Medicine, Inc
- UC Berkeley have exclusively licensed their technology to their commercial partners <u>Caribou Biosciences</u>, Intellia Therapeutics, and CRISPR Therapeutics
- In 2014, Caribou granted Novartis an option for a non-exclusive, worldwide license. Novartis exercised its option for an internal research license in 2016. Caribou receives maintenance payments for the license to Novartis
- Caribou entered into a multi-year strategic research with Genus PLC in 2016 under which Caribou has provided Genus with exclusive access to technology for the development of new traits in pigs, cattle, and potentially other livestock species.
- Caribou has granted Integrated DNA Technologies, Inc. (IDT) a non-exclusive license agreement in 2016 to commercialize CRISPR-Cas9 reagents. IDT is a producer of custom synthetic oligonucleotide-based technologies
- In 2016 Caribou granted The Jackson Laboratory non-exclusive, worldwide rights to create genetically engineered mice for research purposes.
- Caribou and Pioneer Hi-Bred International, Inc., an affiliate of <u>E.I. du Pont de Nemours and Company</u>, announced a license agreement and multi-year collaboration in 2015, including the cross-licensing of key intellectual property. Pioneer recently entered into an exclusive licensing deal with ERS Genomics for all agricultural uses and applications in plants. With a series of such deals, DowDuPont has now emerged as single biggest owner of CRISPR estate globally
- MPEG LA, LLC initiated a patent pool licensing model for CRISPR-Cas9 patents with the aim of making the technology accessible under a single non-exclusive, transparent license. It remains to be seen if non-exclusive licenses will have any takers amongst those firms working on CRISPR-based human therapeutics which require a significant amount of investment
- In June 2017, in a mail correspondence from The Broad Institute to MPEG LA (a firm that licenses patent pools), The Broad mentioned that CRISPR tools, knowledge and other IP for genome editing tools would continue to be freely available for academic and non-profit communities. CRISPR IP would be non-exclusively licensed to companies for their own commercial research. The Broad Institute also submitted a list of US and EP patents for evaluation of eligibility to participate in discussions.

#### **1. Exemplary Patent**

(12)	United States Patent <sup>Zhang</sup>	(10) Patent No.: US 8,697,359 B1 (45) Date of Patent: *Apr. 15, 2014	genomic locus
(54)	CRISPR-CAS SYSTEMS AND METHODS FOR ALTERING EXPRESSION OF GENE PRODUCTS	(56) References Cited U.S. PATENT DOCUMENTS	
(71)	Applicants: <b>The Broad Institute Inc.</b> , Cambridge, MA (US); <b>Massachusetts Institute of</b> <b>Technology</b> , Cambridge, MA (US)	2010/0076057         A1         3/2010         Sontheimer et al.           2011/0189776         A1         8/2011         Terns et al.           2011/0223638         A1         9/2011         Wiedenheft et al.           2013/0130248         A1         5/2013         Haurwitz et al.	genomic target 5'
(72)	Inventor: Feng Zhang, Cambridge, MA (US)	FOREIGN PATENT DOCUMENTS	synthetic guide RNA (sgRNA) 5'
(73)	Assignees: <b>The Broad Institute, Inc.</b> , Cambridge, MA (US); <b>Massachusetts Institute of</b> <b>Technology</b> , Cambridge, MA (US) Notice: Subject to any disclaimant the term of this	WO         WO/2008/108989         9/2008           WO         WO/2010/054108         5/2010           WO         WO/2012/164565         12/2012           WO         WO/2013/098244         7/2013           WO         WO/2013/176772         11/2013           OTHER PUBLICATIONS         CHER PUBLICATIONS	FIG. 1
(*)	Force. Subject to any discanner, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days. This patent is subject to a terminal disclaimer.	Makarova et al., "Evolution and classification of the CRISPR-Cas systems" 9(6) Nature Reviews Microbiology 467-477 (1-23) (Jun. 2011).* Wiedenheft et al., "RNA-guided genetic silencing systems in bacteria and archnea" 482 Nature 331-338 (Feb. 16, 2012).* Gauinase et al., "Conference DNA phycochrometeric immediate architection and archnea" 482 (2010).	US8697359B1 Priority Date: 12 D
(21)	Appl. No.: 14/054,414	Gasunas et al., Cass-crkNA honorcoprotein complex mediates specific DNA cleavage for adaptive immunity in bacteria" 109(39) Proceedings of the National Academy of Sciences USA E2570.	
(22)	Filed: Oct. 15, 2013	E2586 (Sep. 4, 2012).* Jinek et al., "A Programmable Dual-RNA-Guided DNA	
	Related U.S. Application Data	Endonuclease in Adaptive Bacterial Immunity" 337 Science 816-821 (Aug. 17, 2012).* Carroll, "A CRISPR Approach to Gene Targeting" 20(9) Molecular	
(60)	Provisional application No. 61/842,322, filed on Jul. 2, 2013, provisional application No. 61/736,527, filed on Dec. 12, 2012, provisional application No. 61/748,427, filed on Jan. 2, 2013, provisional application No. 61/791,409, filed on Mar. 15, 2013, provisional application No. 61/835,931, filed on Jun. 17, 2013.	Interapy 105a-1000 [Sep. 2012.)* IUS: Appl. No. 611652.0866, filed May 25, 2012 69 pages.* Al-Attar et al., Chustered Regularly Interspaced Short Palindromic Repears (CIRSPR): The Hallmark of an Ingenious Antrivial Defense Mechanism in Prokaryotes, <i>Biol Chem.</i> (2011) vol. 392, Issue 4, pp. 277-289. Hale et al., Essential Features and Rational Design of CRISPR RNAs That Function With the Cas RAMP Module Complex to Cleave RNAs. <i>Molecular Cell.</i> (2012) vol. 45, Issue 3, 292-302. Erik Sontheimer, Project 7: Establishing RNA-Directed DNA Tar-	
(10)	Int.C.1.           CI20 1/68         (2006.01)           CI2N 9/14         (2006.01)           CI2N 9/22         (2006.01)           CI2N 9/52         (2006.01)           CI2N 15/00         (2006.01)           COTH 21/02         (2006.01)           COTH 21/04         (2006.01)           A61K 38/43         (2006.01)           A61K 38/47         (2006.01)	geting in Eukaryotic Cells; Project dates: Nov. 16, 2011 to Dec. 31, 2012 (Feb. 4, 2012). * cited by examiner — Anne Gussow Assistant Examiner — Nancy J Leith (74) Attorney, Agent, or Firm — Vedder Price P.C.; Thomas J. Kowalski; Smitha B. Uthaman (57) ABSTRACT The invention provides for systems, methods, and composi- tions for alloging argument and the end of the system	
(52)	U.S. CL USPC	uons for aftering expression of target gene sequences and related gene products. Provided are vectors and vector sys- tems, some of which encode one or more components of a CRISPR complex, as well as methods for the design and use of such vectors. Also provided are methods of directing CRISPR complex formation in eukaryotic cells and methods for utilizing the CBEBRD Construction.	
	None	for utilizing the CRISPR-Cas system.	

This patent filed by the Broad Institute and MIT addresses the need for robust systems and techniques for sequence targeting. This patent provides CRISPR CAS related gene editing techniques and acts as one of the foundations on which several inventors have based their work. This technology removes the requirement for the generation of customized proteins to target specific sequences but instead uses a single Cas enzyme that is programmed by a short RNA molecule to recognize a specific DNA target

#### 2. Exemplary Patent Application

#### Site-directed modifying polypeptid PAM (19) United States (12) Patent Application Publication (10) Pub. No.: US 2014/0068797 A1 Target DNA Doudna et al. (43) Pub. Date: Mar. 6, 2014 Mołecule one "targeter-RNA" Mołecule two activator-RNA" DNA-targeting RNA 61/757,640, filed on Jan. 28, 2013, provisional appli-(54) METHODS AND COMPOSITIONS FOR (double-molecule) RNA-DIRECTED TARGET DNA MODIFICATION AND FOR RNA-DIRECTED cation No. 61/765,576, filed on Feb. 15, 2013. Second segment "Protein-binding segment" Publication Classification MODULATION OF TRANSCRIPTION First segment "DNA-targeting segment" (51) Int. Cl. (71) Applicants: Jennifer A. Doudna, Berkeley, CA (Jenniter A. Doudna, Berkeley, CA (US); Martin Jinek, Berkeley, CA (US); Emmanuelle Charpentier, Berkeley, CA (US); Krzysztof Chylinski, Berkeley, CA (US); James Harrison Doudna Cate, Berkeley, CA (US); Wendell Lim, San Francisco, CA (US); Let QA Alberry, CA (US); C12N 15/90 (2006.01) C12N 15/113 (2006.01) в Site-directed modifying C12N 9/22 (2006.01) polypeptide (52) U.S. Cl. CI2N 15/907 (2013.01); CI2N 9/22 (2013.01); CI2N 15/113 (2013.01) CPC PAM Lei Qi, Albany, CA (US) USPC 800/18; 536/23.1; 435/320.1; 435/199; 435/325; 435/243; 435/252.3; 435/419; Target DNA (72) Inventors: Jennifer A. Doudna, Berkeley, CA 435/257.2; 435/349; 435/352; 435/353; Jennier A. Doudna, Berkeley, CA (US); Humanuelle Charpentier, Berkeley, CA (US); Emmanuelle Charpentier, Berkeley, CA (US); Krzysztof Chylinski, Berkeley, CA (US); James Harrison Doudna Cate, Berkeley, CA (US); Wendell Lim, San Francisco, CA (US); Lei Ot Albeav, CA (US); 435/354; 435/363; 435/366; 435/462; 435/91.53; 435/375; 536/24.5; 506/16; 800/298; DNA-targeting RNA (single-molecule) (single guide RNA: sgRNA) 800/13; 800/19; 514/44 R; 424/93.21; 424/93.2 ABSTRACT (57)inker nucleotides' irst segment "DNA targeting segment" The present disclosure provides a DNA-targeting RNA that Lei Qi, Albany, CA (US) comprises a targeting sequence and, together with a modify-ing polypeptide, provides for site-specific modification of a target DNA and/or a polypeptide associated with the target Second segment "Protein-binding segment" (73) Assignees: UNIVERSITY OF VIENNA, Vienna (AT); THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, DNA. The present disclosure further provides site-specific FIG. 1 modifying polypeptides. The present disclosure further pro-vides methods of site-specific modification of a target DNA Oakland, CA (US) and/or a polypeptide associated with the target DNA The present disclosure provides methods of modulating transcrip-US20140068797A1 (21) Appl. No.: 13/842,859 Priority Date: 25 May, 2012 tion of a target nucleic acid in a target cell, generally involving contacting the target nucleic acid with an enzymatically inac-(22) Filed: Mar. 15, 2013 tive Cas9 polypeptide and a DNA-targeting RNA. Kits and compositions for carrying out the methods are also provided. **Related U.S. Application Data** Provisional application No. 61/652,086, filed on May The present disclosure provides genetically modified cells that produce Cas9; and Cas9 transgenic non-human multicel-(60)25, 2012, provisional application No. 61/052,080, filed on 044 filed on Oct. 19, 2012, provisional application No. lular organisms.

This patent publication discloses a DNA-targeting RNA that comprises a targeting sequence and, together with a modifying polypeptide, provides for site-specific modification of a target DNA and/or a polypeptide associated with the target DNA.

#### 3. Exemplary Patent

(12)	United Zhang et	d States Patent al.	(10) Patent No.: US 8,993,233 B2 (45) Date of Patent: *Mar. 31, 2015	
(54)	ENGINEE SYSTEMS FOR SEQ FUNCTIO	RING AND OPTIMIZATION OF METHODS AND COMPOSITIONS JENCE MANIPULATION WITH NAL DOMAINS	C12N 15/00 (2006.01) C07H 21/02 (2006.01) C07H 21/04 (2006.01) A61K 38/43 (2006.01)	chimeric
(71)	Applicants:	The Broad Institute Inc., Cambridge, MA (US); Massachusetts Institute of Technology, Cambridge, MA (US); President and Fellows of Harvard College, Cambridge, MA (US)	A61K 38/46 (2006.01) A61K 38/47 (2006.01) C12N 15/10 (2006.01) (52) U.S. CL CPC - C12N 15/85 (2013.01); C12N 9/22 (2013.01); C12N 15/1082 (2013.01); C12N 15/63 (2013.01); C12N 15/91 (2013.01); C12N 15/86	U6 RNA EF1a NLS hSpCas9n NLS
(72)	Inventors:	Feng Zhang, Cambridge, MA (US); Le Cong, Cambridge, MA (US); Randall Jeffrey Platt, Cambridge, MA (US); Neville Espi Sanjana, Cambridge, MA (US); Fel Ran, Boston, MA (US)	(2013.01) USPC	BIOA HNH RUVC I RUVC II RUVC II RUVC II RUVC
(73)	Assignees:	The Broad Institute Inc., Cambridge, MA (US); Massachusetts Institute of Technology, Cambridge, MA (US); President and Fellows of Harvard College, Cambridge, MA (US)	<ul> <li>(56) None See application file for complete search history.</li> <li>(56) References Cited U.S. PATENT DOCUMENTS</li> </ul>	<u>US8993233B2</u> Priority Date: 12 Dec, 2012
(*)	Notice:	Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.	2003/0186238 A1 10/2003 Allawi et al. 2010/0055798 A1 3/2010 Battersby 2010/0076057 A1 3/2010 Sontheimer 2011/0189776 A1 8/2011 Terns et al.	
		This patent is subject to a terminal dis- claimer.	2011/02/23638 A1 9/2011 Wiedenheft et al. (Continued)	
(21)	Appl. No.:	14/105,017	FOREIGN PATENT DOCUMENTS	
(22)	Filed:	Dec. 12, 2013	WO WO/2008/108989 9/2008 WO WO/2010/054108 5/2010	
(65)		Prior Publication Data	(Continued) OTHER PUBLICATIONS	
	US 2014/01	86958 A1 Jul. 3, 2014	Wu, Xuebing, et al., Genome-wide binding of the CRISP	
	Rel	ated U.S. Application Data	endonuclease Cas9 in mammalian cells, Nature Biotechnology, Apr. 20, 2014, pp. 1-9.	
(60)	Provisional 12, 2012, filed on Ja 61/758,466 application provisional 15, 2013, filed on M: 61/806,375 application provisional 6, 2013, pro- on May 2 61/835,931 application	application No. 61/736,527, filed on Dec. provisional application No. 61/748,427, n. 2, 2013, provisional application No. filed on Jan. 30, 2013, provisional No. 61/769,046, filed on Feb. 25, 2013, application No. 61/791,409, filed on Mar provisional application No. 61/802,174, r. 15, 2013, provisional application No. filed on Mar. 28, 2013, provisional No. 61/814,263, filed on Apr. 20, 2013, application No. 61/8128,130, filed 88, 2013, provisional application No. filed on Jun. 17, 2013, provisional No. 61/835,936, filed on Jun. 17, 2013.	Al-Attar et al., Clustered Regularly Interspaced Short Palindromic Repeats (CRISPRs): The Hallmark of an Ingenious Antiviral Defense Mechanism in Prokaryotes, <i>Biol Chem</i> , (2011) vol. 392, Issue 4, pp. 277-289. Carroll, A CRISPR Approach to Gene Targeting, Molecular Therapy (2012) vol. 20, No. 9, p. 1658-1660. Gasiunas, et al., Cas9-erRNA Ribonucleoprotein Complex Mediates Specific DNA cleavage for Adaptive Immunity in Bacteria, PNAS USA (2012) vol. 109, No. 39, p. E2579-E2586. (Continued) <i>Primary Examiner</i> — Anne Gussow <i>Assistant Examiner</i> — Nancy J Leith (74) <i>Attorney, Agent, or Firm</i> — Vedder Price P.C.; Thomas J. Kowalski; Deborah L. Lu (57) ABSTRACT The invention provides for engineering and optimization of	
(51)	Int. Cl. C12Q 1/68 C12N 15/8: C12N 15/6: C12N 15/6: C12N 15/8: C12N 9/14 C12N 9/12 C12N 9/12	(2006.01) 5 (2006.01) 8 (2006.01) 7 (2006.01) 5 (2006.01) (2006.01) (2006.01) (2006.01)	systems, methods, and compositions for manipulation of sequences and/or activities of target sequences. Provided are vectors and vector systems, some of which encode one or more components of a CRISPR complex, as well as methods for the design and use of such vectors with additional func- tional domains. Also provided are methods of directing CRISPR complex formation in prokaryotic and eukaryotic cells to ensure enhanced specificity for target recognition and avoidance of toxicity.	

This patent discloses vectors and vector systems, some of which encode one or more components of a CRISPR complex, as well as methods for the design and use of such vectors. To utilize the CRISPR-Cas system effectively for genome editing without deleterious effects, it is critical to understand aspects of engineering and optimization of these genome engineering tools.

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Feng Zhang is a molecular biologist developing and applying novel molecular technologies for studying the molecular and genetic basis of diseases and providing treatment. Zhang has pioneered the development of genome editing tools for use in eukaryotic cells – including human cells – from natural microbial CRISPR systems. He and his team have adapted multiple CRISPR systems for use as genome engineering tools, including most recently, the RNA-targeting system CRISPR-Cas13a

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<u>George Church</u> has co-authored over 480 papers, 130 patent publications and the book Regenesis. He has developed methods used for the first genome sequence (1994), and million-fold cost reductions (via NGS and nanopores). He has pioneered barcoding, DNA assembly from chips, genome editing, writing & recoding. He co-initiated the BRAIN Initiative (2011), and also the Genome Projects (1984, 2005) that provide & interpret the world's only open-access personal precision medicine datasets. Co-Founder eGenesis | Co-Founder Editas | Advisor Genome Compiler Corp. | Founder Warp Drive Bio| Founder Gen9, Inc | Founder Knome Inc | Co-Founder Nebula Genomics

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Emmanuelle Charpentier is one of the pioneering researchers related to CRISPR Cas9 as a gene editing tool. Emmanuelle Charpentier established her own research group at the Max F. Perutz Laboratories of the University of Vienna in Austria where she habilitated in the field of Microbiology. She was then recruited as an Associate Professor at the Laboratory for Molecular Infection Medicine Sweden (MIMS, Swedish Node of the European Molecular Biology Laboratory (EMBL) Partnership for Molecular Medicine) at Umeå University. In 2012, Emmanuelle Charpentier was appointed Professor at Hannover Medical School (MHH) and head of the department "Regulation in Infection Biology" at the Helmholtz Centre for Infection Research (HZI) in Germany.

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