

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:	Zhiyun WU, et al	Examiner:	GHALI, ISIS A D
Application No.:	14/258,031	Art Unit:	1611
Filed:	2014-04-22	Docket No.:	GDZY01-66-USP
Confirmation No.:	7410	Customer No.:	50163

Title: Skin Care and Cosmetic Composition

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RESPONSE TO NON-FINAL OFFICE ACTION

This paper is in response to non-final Office action dated December 28, 2017.

Amendments to the Claims are reflected in the listing of claims, which begins on page **2** of this paper.

Remarks/Arguments begin on page on page **6** of this paper.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listing, of claims in the application:

- 1 (Currently amended) An skin care composition, comprising three part being a powder part, an aqueous part and an emulsion part, each part in a separate containers, wherein:

said powder part comprises the following ingredients in specified portions by weight:

Oligopeptide-1	0~1.0 portion
Ginseng saponin	0~5.0 portions

provided that at least one of the ingredients must be present;

said aqueous part comprises the following ingredients in specified portions by weight:

Glycyrrhiza glabra Root Extract	0~3.0 portions
Artemisia capillaris Flower Extract	0~3.0 portions
Radix Mori Albae Extract	0~2.0 portions
Zizyphus jujuba Fruit Extract	0~2.0 portions
Scutellaria baicalensis Root Extract	0~2.0 portions
hydrolyzed rice protein	0~5.0 portions
nicotinamide	0~3.0 portions

provided that at least one of the ingredients must be present; and

said emulsion part comprises the following ingredients in specified portions by weight:

Bifida ferment lysate	0.5~10.0 portions
creatine	0~2.0 portions
carnosine	0~2.0 portions

Glucosyl Hesperidin	0~5.0 portions
Hexapeptide-3	0~5.0 portions
Centella asiatica Extract	0~3.0 portions
Coenzyme Q10 capsule	0~2.0 portions
Opuntia Ficus-indica Stem Extract	0~5.0 portions
Rhodiola rosea Extract	0~2.0 portions
Saussurea Involucrata Extract	0~5.0 portions
Panax notoginseng Root Extract	0~5.0 portions
Angelica sinensis Extract capsule	0~5.0 portions

provided that Bifida ferment lysate and at least one other ingredient must be present, wherein said skin care composition is used in the following manner: first mixing said powder part with said aqueous part to form a mixture, applying said mixture to the skin of a user and then applying said emulsion part to the skin.

- 2 (Original) The skin care composition of claim 1, wherein:
said powder part is:

Oligopeptide-1	0.01~0.5 portion
Ginseng saponin	0.1~2.0 portions.

- 3 (Original) The skin care composition of claim 2, wherein:
said powder part is:

Oligopeptide-1	0.01~0.05 portion
Ginseng saponin	0.10~0.50 portion.

- 4 (Original) The skin care composition of claim 1, wherein:
said aqueous part is:

Glycyrrhiza glabra Root Extract	0.10~1.50 portions
Artemisia capillaris Flower Extract	0.10~1.50 portions
Radix Mori Albae Extract	0.10~1.00 portion
Zizyphus jujuba Fruit Extract	0.10~1.00 portion
Scutellaria baicalensis Root Extract	0.10~1.00 portion

hydrolyzed rice protein	0.10~2.00 portions
nicotinamide	0.10~1.50 portions.

5 (Original) The skin care composition of claim 4, wherein:
said aqueous part is:

Glycyrrhiza glabra Root Extract	0.5~1.0 portion
Artemisia capillaris Flower Extract	0.5~1.0 portion
Radix Mori Albae Extract	0.5~1.0 portion
Zizyphus jujuba Fruit Extract	0.5~1.0 portion
Scutellaria baicalensis Root Extract	0.5~1.0 portion
hydrolyzed rice protein	0.5~1.0 portion
nicotinamide	0.50~1.0 portion.

6 (Original) The skin care composition of claim 1, wherein:
said emulsion part is:

Rhodiola rosea Extract	0.1~2.0 portions
Bifida ferment lysate	0.5~5.0 portions
creatine	0.5~1.5 portions
carnosine	0.1~1.0 portion
Glucosyl Hesperidin	0.1~2.0 portion
Hexapeptide-3	0.5~1.5 portions
Centella asiatica Extract	0.1~1.0 portion
Coenzyme Q10 capsule	0.1~1.0 portion
Opuntia Ficus-indica Stem Extract	0.1~3.0 portions.

7 (Original) The skin care composition of claim 1, wherein said emulsion is of
lotion, gel or cream.

8 (Original) The skin care composition of claim 1, wherein said powder part further
comprises an external dosage form matrix with one or more ingredients
selected from the group consisting of mannitol, disodium hydrogen
phosphate and sodium dihydrogen phosphate.

9 (Original) The skin care composition of claim 1, wherein said aqueous part

further comprises an external dosage form matrix with one or more ingredients selected from the group consisting sodium hyaluronate, oxhide glue, butanediol, disodium EDTA, dipotassium glycyrrhetate, panthenol and preservatives.

- 10 (Original) The skin care composition of claim 7, wherein said emulsion part further comprises an external dosage form matrix with one or more ingredients selected from the group consisting bisabolol, cetylhydroxyproline palmitamide, brassica campestris sterol, jojoba seed oil, phytosterol isostearate, Vitamin E acetate, silicone oil, cetyl stearyl alcohol, sucrose polystearate, Beheneth-25, dipalmitoyl hydroxyproline, Acrylates/C10-30 alkyl acrylate crosspolymer, butanediol, glycerin, sodium stearyl glutamate, disodium EDTA, xanthan gum, deionized water, acrylamide/ammonia acrylate copolymer-Poly(isobutylene)-Polysorbate-20, 1-methylhydantoin-2-imide and preservatives.

REMARKS

The Office action of December 28, 2017 has been carefully reviewed. Claims 2-6 are withdrawn due to a restriction requirement. Claims 1, 7-10 stand rejected under 35 U.S.C. section 101 as being directed to a law of nature/natural principle. Claims 1, 7-10 stand rejected under under 35 U.S.C. section 112 as being incomplete for omitting essential elements. Claims 1, 7-10 stand rejected under 35 U.S.C. section 103 as being obvious over Park, Gross, Doucet/Bickford/Pujos, and Ribier.

Applicant's response is as follows:

The Rejection Under Section 101

Applicant respectfully submits that this rejection is improper because the rejection is based on an incorrect understanding of the legal standards articulated by the court as well as the PTO's own guidelines.

The Examiner states that "Applicants do not contend there are any chemical changes that result from forming the components into powder, aqueous composition or emulsion as claimed by claim 1, or by including them in lotion claimed by claim 7, or mixing them with additional agents claimed by claims 8-10." (paragraph 2, page 5). The Examiner further states that "Accordingly, the claimed composition recites something that appears to be a natural product that is not markedly different in structure from naturally occurring elements and hence reads on a patent ineligible subject matter under the above guidelines mentioned." Thus, the Examiner suggests that, when assessing whether something is "markedly different" from a naturally occurring substance, the Examiner only considers whether there are chemical changes or differences in structure. That is an incorrect legal standard. The court never said that only chemical changes that can render natural products eligible for patent. In fact, it is contrary to the PTO's own guidelines on this issue as discussed below.

The presently claimed invention is a cosmetic kit for skin care. When applied to the skin in a way according to the present invention, it shows the effect of relieving several undesirable skin conditions, such as dry skin/dehydration, flabby

skin/lack of elasticity, skin with colored spots, pigment sediment, scar left after acne, etc. (page 25, specification). Applicant respectfully submits that none of the ingredients, natural or non-natural, by itself has shown such a wide spectrum of desirable effects. Thus, there should be no question that the claimed cosmetic composition is "markedly different" from a naturally occurring composition or its ingredients. This same conclusion would be reached according to the PTO guidelines (<https://www.uspto.gov/patent/laws-and-regulations/examination-policy/subject-matter-eligibility>).

Under that guidelines, the presently claimed invention can be easily analogized to the gunpowder example as illustrated by the PTO (a copy is enclosed herewith for easy reference). Claim 1 there is directed to a gunpowder composition comprising an infinite finely-ground mixture of 75% potassium nitrate, 15% charcoal and 10% sulfur. All three ingredients are naturally occurring substances and no chemical changes are found when they are combined, and the PTO considers the claim eligible because the "claimed combination is explosive upon ignition" and none of "the three claimed substances are explosive in nature."

Similarly here, the claimed product has a wide spectrum of desirable effects on skin care when applied on the skin while none of the individual ingredients is found to have such effects.

Furthermore, the present claimed subject matter can also analogized to claim 2 of the gunpowder example. There, claim 2 is directed to two nature-based products (calcium chloride and gunpowder) in separate containers. The PTO considers such claim eligible:

Although the claim recites two nature-based products (calcium chloride and gunpowder), analysis of the claim as a whole indicates that the claim is focused on the assembly of components that together form the firework, and not the nature-based products. Thus, it is not necessary to apply the markedly different characteristics analysis in order to conclude that the claim is not directed to an exception (Step 2A: NO). The claim qualifies as eligible subject matter.

Here, the claimed cosmetic kit similarly has compositions contained in separate containers. It cannot mixed together prior to use but must be applied in a given sequence to the skin in order for it to have the intended effects. As a whole, the claimed product is an assembly of components, not the nature-based products, and should be considered eligible without the need to go through the markedly different characteristics analysis, similar to the claim 2 of the gunpowder example.

In sum, Applicant respectfully submits that the present claims are eligible under 35 USC section 101.

The Rejection Under Section 112

The presently claimed subject matter is a product, not a method. As such, the right place to describe the way of using it is in the specification, not in the claim. To that extent, Applicant disagrees with the rejection. Nonetheless, to avoid unnecessary disputes, Applicant has hereby amended claim 1 by adding recitation of the way that the three parts are used. The amendment is supported by the specification (see 2nd paragraph, page 24) and introduces no new matter.

The Rejection Under Section 103

The claimed invention is a cosmetic product that comprises three separate parts of particular substances. None of the cited references, alone or in combination, teaches or suggests why those particular substances should be chosen and should be assembled in such particular three parts. Furthermore, none of the cited references, alone or in combination, teaches or suggests such three separate parts of particular substances has a wide spectrum of effects on the skin with a variety of undesirable conditions.

The Park Reference

The Park reference discloses, for the relevant part, that the ginseng berry extract "promotes the production of collagen in the skin, shows an MMP-I inhibitory effect and, at the same time, has skin-aging inhibitory and wrinkle-reducing effects, resulting from antioxidant effects and DNA damage-protecting effects."

(abstract). However, this teaching is not very much related to the claimed invention. The ginseng berry extract used in Park contains many ingredients. In addition to having saponins, "the ginseng berry extract was rich in the contents of vitamins and 16 minerals compared to the root ginseng extract." (paragraph [0091]). Thus, Park teaches that it is the mixture, not just saponins, that shows the observed effects on skin. In contrast, the claimed invention uses ginseng saponins, which is one of the several ingredients. Additionally, for the claimed invention invention, the saponin ingredient is not essential but replaceable/electable for the invention to have the desirable effects on the skin. In other words, as a whole the claimed invention is different from Park even if, for the argument sake, the ginseng saponins can be argued to be the same as ginseng berry extract, because the claimed invention does not depend on ginseng, while Park does.

In sum, Park fails to teach or provide any hint to arriving at the claimed invention as should using ginseng extract as the essential ingredient, instead of ginseng saponins as an alternative ingredient.

The Gross Reference

The Gross reference, for the relevant part, discloses "substances that can soothe the skin or reduce skin redness, wherein the substances are selected from licorice (*Glycyrrhiza glabra*) root extract, bisabolol, quercetin caprylate, dipotassium glycyrrhizinate and gatuline (*Ranunculus ficaria* extract)" (paragraph [0013]). This disclosure does not, in any way, teach or suggest any reason why *Glycyrrhiza glabra*, not bisabolol, not quercetin caprylate, not dipotassium glycyrrhizinate, nor gatuline should be chosen to be one of the several ingredients that form the claimed composition. Nor does it suggest that "soothe the skin or reduce skin redness" are related to the desirable effects of the present claimed composition on the skin.

The Doucet Reference

The Doucet discloses, for the part relied on by the Examiner, that "Further preferred subsidiaries which may be comprised by the cosmetic of the invention are Hydrolyzed Soy Flour (trade name: Raffermin 2); a mixture of horse

chestnut and caffeine; sodium hyaluronate; Euglena Gracilis Extract; and Bifida Ferment Lysate (trade name Repair Complex PF CLR)." (paragraph 2, page 5). It should be pointed out that Doucet discloses "Bifida Ferment Lysate" as one of the preferred subsidiaries, not "a preferred ingredient" as asserted by the Examiner (a person of ordinary skill in the art would know that a subsidiary is less significant to the composition than an ingredient). More importantly, this disclosure does not, in any way, teach or suggest any reason why Bifida Ferment Lysate, not a mixture of horse chestnut and caffeine, not sodium hyaluronate, nor Euglena Gracilis Extract should be chosen to be one of the several ingredients that form the claimed composition. Thus, the Doucet reference does not bring it any closer to the claimed invention.

The Bickford Reference

The Bickford reference discloses, for the part relied on by the Examiner, that "Another type of DNA repair enzyme may be a component of various inactivated bacterial lysates such as Bifida lysate or Bifida ferment lysate, the latter a lysate from Bifido bacteria which contains the metabolic products and cytoplasmic fractions when Bifido bacteria are cultured, inactivated and then disintegrated. This material has the INCI name Bifida Ferment Lysate." Bickford discloses Bifida Ferment Lysate as a DNA repair enzyme that may be used in a "cosmetic or dermatological compositions and substrates, containing a NIR light-emitting material." (abstract and claim 1). This disclosure does not, in any way, teach or suggest any reason why a DNA repair enzyme from a NIR light-emitting composition for stimulating healing or regenerative properties in the skin, scalp and/or hair should be chosen to be as one of the ingredients that form the present claimed composition.

The Pujos Reference

The Pujos reference, for the relevant part, discloses that Bifida Ferment Lysate may be used in a composition having "an excellent wrinkle correcting effect, mainly based on increased dermis hyaluronic acid synthesis in skin." (paragraphs [0028, 0025]). This disclosure does not, in any way, teach or suggest any reason why Bifida Ferment Lysate, one of the 19 ingredients from the disclosed composition (Table 1) should be chosen to be one of the several specific

ingredients of the presently claimed composition so that the reference may render the claimed invention obvious.

The Ribier Reference

The Ribier reference, for the part relied on by the Examiner, discloses that the whole extract of *Centella asiatica* and alpha-bisabolol, among about 50 disclosed candidates, may be used as the fatty or lipophilic substance in an emulsion composition that exhibits improved penetration into the skin. This disclosure does not, in any way, teach or suggest any reason why *Centella asiatica* and alpha-bisabolol should be chosen out of other 50 candidates to be one of the several specific ingredients of the present claimed composition so that the reference may render the claimed invention obvious.

In summary, the above cited references, when combined, do not render obvious the presented invention. They together may, at most, demonstrate that each of the ingredients recited in the present claim can be found in some known cosmetic compositions, but that cannot serve as the basis to reject the claim under 35 USC section 103.

Legal Standard of Obviousness Under Section 103

As mandated by the Supreme Court, it is improper to reject a patent claim as obvious under 35 USC § 103 by merely demonstrating each and every element recited in the claim is previously existing. The Supreme Court stated in the *KSR* case: "As is clear from cases such as *Adams*, a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art."

Yet, in the instant case, the claims are rejected precisely in that fashion, i.e., by merely demonstrating each of the ingredients recited in the claim exists in previously known compositions. For example, the Ribier reference is cited only because it discloses an emulsion composition with improved penetration into the skin, and the composition can use many different fatty/lipophilic substances, for which the reference provides an exemplary list of about 50 candidates. The reference provides no reason whatsoever for a person of ordinary skill in the art

to choose the two particular ones (*Centella asiatica* and alpha-bisabolol) among the 50 candidates disclosed in order to arrive at the composition for the present invention. The Examiner is able to pick the particular two only because of the benefit of using the present claim as template, that is, *Centella asiatica* and alpha-bisabolol are recited in the claim. Without suing the claim as the template, there is no way for anyone to just pick *Centella asiatica* and alpha-bisabolol out of 50 other candidates. Applicant respectfully submits that using applicant's own claim as the template to cherry-picking known elements from separate prior art references in order to make an obviousness rejection is not permissible under 35 USC 103.

Conclusion

In light of the above analysis, Applicant respectfully submits the claims as amended in the present application are allowable. Reconsideration and allowance of the claims are respectfully requested.

Should the Examiner have any questions regarding this application, or deem that any formalities need to be addressed prior to allowance, the Examiner is invited

Respectfully submitted,

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May 14, 2018

Electronic Patent Application Fee Transmittal

Application Number:	14258031			
Filing Date:	22-Apr-2014			
Title of Invention:	Skin Care and Cosmetic Composition			
First Named Inventor/Applicant Name:	Zhiyun WU			
Filer:	George G. Wang			
Attorney Docket Number:	GDZY01-66USP			
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 2 months with \$0 paid	2252	1	300	300
Miscellaneous:				
Total in USD (\$)				300

Electronic Acknowledgement Receipt

EFS ID:	32610557
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
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Attorney Docket Number:	GDZY01-66USP
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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	Response66.pdf	62290	no	12
			bb9441c54c3f033398ff3aa10469f0be3ffffb51		

Warnings:

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2	Fee Worksheet (SB06)	fee-info.pdf	30269	no	2
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	05/14/2018	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	* 10	Minus	** 20 = 0	X \$50 =	0
	Independent <small>(37 CFR 1.16(h))</small>	* 1	Minus	***3 = 0	X \$230 =	0
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	0

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	** =	X \$ =	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	*** =	X \$ =	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
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(54) Title: COSMETIC WITH ENHANCED COLLAGEN I SYNTHESIS

(57) Abstract: The invention relates to a cosmetic comprising two different systems for procurement of actives in the human skin and enhancing the collagen I synthesis. The invention is realised by a cosmetic with enhanced collagen I synthesis which comprises 0.001 to 2% by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell, 0.001 to 3.5 % by weight, related to the total weight of the cosmetic, of a second retinol-containing system comprising cationic liposomes composed of phospholipids and with a quaternary fatty acid monoamine with C₂₁ - C₂₃ alkyl residue and the difference to 100 % by weight of cosmetic subsidiaries. Very small amounts of retinol in combination with both transport systems show a remarkable effect on the synthesis of collagen I in comparison with one or more other known combinations of retinol derivatives or encapsulated systems.



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Cosmetic with enhanced collagen I synthesis

5 The invention relates to a cosmetic comprising two different systems for procurement of actives in the human skin and enhancing the collagen I synthesis.

10 EP 2113241 A2 describes a cosmetic product with some transport systems with actives comprising cyclodextrine, Chitosan/carboxymethyl cellulose microcapsules, lamellar systems and soy protein liposomes and showing a delayed release of retinol.

15 DE 10 2010 030 001 A1 refers to a cosmetic composition for dyeing hair and the use of a transport system of positively charged quaternary ammonium compounds of C₁₈-C₂₈ trimonium salts for direct dyes.

20 The object of the present invention is to improve the collagen I synthesis in the human skin. A further object is the improvement of the collagen I synthesis by small amounts of actives.

25 The invention is realised by a cosmetic with enhanced collagen I synthesis which comprises 0.001 to 2% by weight, preferably 0.01 to 1% by weight, more preferred 0.1 to 0.5% by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose (CMC) shell,

30 0.001 to 3.5 % by weight, preferably 0.3 to 2.5% by weight, more preferred 1.5 to 2.5% by weight, related to the total weight of the cosmetic, of a second retinol-containing system comprising cationic liposomes composed of phospholipids and a quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue and the difference to 100 % by weight of cosmetic subsidiaries.

It was found by the applicant that already very small amounts of retinol in combination with both transport systems show a remarkable effect on the synthesis of collagen I in comparison with one or more other known combinations of retinol derivatives or encapsulated systems. For instance, in a concentration of 0.5 to 15

$\times 10^{-5}$ % of pure retinol equivalent the collagen I synthesis was enhanced about 10-fold to about 15-fold. The reasons for this enhancement are not completely clear but it seems that a non-foreseeable mutual influence of the two specially selected transport systems plays a leading part.

5

In the first retinol-containing system according to the invention the retinol is encapsulated in a chitosan/carboxymethyl cellulose shell and the retinol content is preferably in the range of 0.1 to 2.0% by weight, more preferred 0.1 to 1.5% by weight, related to the total weight of the first transport system. An advantageous product which can be used is Retinol-Primasphere[®] L2 of Cognis, Germany (INCI: Aqua (and) Glycine Soja (and) Retinol (and) Acrylates/ C10-30 Alkyl Acrylate Crosspolymer (and) Chitosan (and) Cellulose Gum (and) Glycolic Acid (and) Polysorbate 20 (and) Sorbitan Oleate (and) Phenoxyethanol (and) Methylparaben (and) Ethylparaben (and) Butylparaben (and) Isobutylparaben (and) Propylparaben (and) BHT). The retinol content in Retinol-Primasphere[®] L2 is 1.1 to 1.3% by weight, related to the total weight of Retinol-Primasphere[®] L2.

In the second retinol-containing system of the invention the retinol is contained in liposomes which are formed by phospholipids, preferably by lecithin. The liposomes additionally possess positive charge carriers of the general formula $R-N(R_1R_2R_3)^+$, wherein R_1 , R_2 and R_3 are independently from each other methyl or ethyl, preferably methyl, and R represents $C_{21}-C_{23}$ - alkyl, preferably $CH_3(CH_2)_{21}$. The counter ions are preferably chloride ions. The retinol content of the second retinol containing system is preferably in the range of 0.1 to 3% by weight, more preferred 1.0 to 3.0% by weight.

In an especially preferred embodiment of the invention the cationic liposomes comprise Docosyltrimethylammonium chloride as charge carrier.

30 The cationic liposomes are prepared by solving the salt of the quarternary amine in an alcoholic solution of the phospholipide and adding the retinol to this solution. Then the resulting solution is added to a water phase and the pH value of the resulting emulsion is adjusted to 6 to 7 by adding a base. The INCI name of this product is Water (and) Alcohol (and) Lecithin (and) Retinol (and) Polysorbate 20 (and)

Behentrimonium Chloride (and) Potassium Phosphate (and) Isopropyl Alcohol. These liposomes contain 1.5 to 2.2% by weight retinol and 1 to 5% by weight Docosyltrimethylammonium chloride, related to the total weight of the cationic liposomes.

5

It was found that preferred retinol contents in the range of 0.000114 to 0.0095 % by weight, related to the total weight of the cosmetic and contained in the combined transport system of the invention already show remarkable effects on the collagen I synthesis.

10

Cosmetic subsidiaries which may be comprised by the cosmetic of the invention are e.g. radical scavengers, emulsifying agents, gelling agents, film-forming agents, sunscreens, stabilisers, boosters for the sun protection factor (SPF), moisturising substances, dyes, pigments, perfumes, conditioning agents, chelating agents, pH-value regulators, anti-inflammatory natural active agents, humectants, DNA repair agents etc.

15

In a preferred embodiment of the invention the cosmetic comprises radical scavengers, UV filters, emulsifying agents, moisturising substances, gel formers, SPF boosters, emollients, silicone oils, emulsion stabilisers, pH regulators, preservatives, DNA repair agents and/or pigments.

20

Additional cosmetic subsidiaries which can be used in the cosmetic of the invention include e.g. water, vitamins, enzymes, plant extracts, polymers, phospholipids, panthenol, allantoin, synthetic ethers and esters, fatty acids, monovalent and multivalent alcohols, silicones, minerals, oils especially plant oils, waxes, biotechnological extracts. Biotechnological extracts are e.g. PF CLR Repair Complex or Yeast Complex B (both of CLR, Chem. Lab. Dr. Kurt Richter GmbH, Berlin, Germany).

25

30

Especially preferred subsidiaries which may be comprised by the cosmetic of the invention are water, plant extracts and their mixtures, synthetic polymers, esters, ethers, fatty acids, monovalent and multivalent alcohols, silicones, silicates, pigments

such as TiO₂, quartz and mica (trade name: Timiron splendid copper) and/or hyaluronic acid and salts thereof.

5 A cosmetic of the invention can advantageously contain radical scavengers such as folic acid and derivatives thereof, ubiquinone such as ubiquinone-10; flavones or flavonoids; furthermore amino acids, such as histidine, tyrosine, tryptophan, and derivatives thereof; imidazole such as cis- or trans-urocaninic acid and their derivatives; peptides such as D,L-carnosine, D-carnosine, L-carnosine and their derivatives; hyaluronic acid; lycopene; uric acid and derivatives thereof; α-hydroxy acids
10 such as citric acid, lactic acid, malic acid; α-hydroxy fatty acids such as palmitic acid, phytic acid, lactoferrin; mannose and their derivatives; liponic acid and their derivatives such as dihydro liponic acid; ferulic acid and their derivatives; thiols such as glutathione, cysteine and cystine.

15 The addition of the sodium salt of hyaluronic acid is especially preferred.

The term "radical scavengers" means for the present invention such substances which are able to scavenge free radicals such as superoxide anion radical (O₂⁻), hydrogen peroxide (H₂O₂), hydroxyl radical ([•]OH), singulett oxygen (¹O₂), carbon
20 centered ([•]CH-R) lipid radicals or L[•] radicals etc.

For the present invention the entirety of radical scavengers comprise a special plant extract mixture of liposomic encapsulated plant extracts of 1 – 4 % Camellia Sinensis Leaf Extract, 1 - 4 % Green Coffee Seed Extract, 1 – 4 % Pongamia Pinnata Seed
25 Extract, 1 – 4 % Angelica Archangelica Root Extract, 1-4-% Citrus Aurantium Peel Extract, 2 – 10 % phospholipids in an aqueous-alcoholic suspension wherein the alcohol content is in the range of 4 – 12 %, wherein all concentrations are related to the weight of the radical scavenger mixture. The extracts are prepared by extraction with a monovalent or multivalent alcohol or a mixture of such alcohol(s) with water at
30 room temperature (about 15 to 30°C). This mixture may additionally comprise a mixture of vitamin E and C and derivatives thereof, An especially preferred vitamine mixture is PEG-8 & Tocopherol & Ascorbyl palmitate & Citric Acid & Ascorbic acid (trade name Oxyxex K).

The share of such a radical scavenger mixture in the cosmetic of the invention is 0.05 to 2.0% by weight, related to the total weight of the composition, preferably 0.1 to 0.5% by weight.

- 5 Further preferred subsidiaries which may be comprised by the cosmetic of the invention are Hydrolyzed Soy Flour (trade name: Raffermine 2); a mixture of horse chestnut and caffeine; sodium hyaluronate; Euglena Gracilis Extract; and Bifida Ferment Lysate (trade name Repair Complex PF CLR).
- 10 The content of such subsidiaries is usually in the range of 0.009 – 0.2 % by weight for each.

The cosmetic of the invention can be formulated as different cosmetic products by including the corresponding ingredients common for such products such as e.g.

15 lotions, oils, creams, day creams, night creams, day care products with UV protection, gels, masks, balms, powders, eye-liftings, eye creams, tan glows, tinted creams, fillers, tissue masks, pre-sun products, sun products, after-sun products, self-tans, make-ups, compact powders, photoprotecting products, sprays, makeup-removers, cleansers, target products, primers, blush powders, bath products such as

20 shower and bath gels or salts, lipsticks, deo sticks.

The especially preferred combination of Caffein and Horse Chestnut Extract (INCI: Glycerin & Water & Aesculus Hippocastanum Seed Extract; trade name: Phytami Marron D'Inde) is aimed for eye creams to stimulate the microcirculation in order to

25 act on dark circles and puffiness.

The especially preferred ingredient Euglena Gracilis Extract of the algae Euglena gracilis is aimed for night creams of the invention to reinforce the ATP synthesis in cells at night and stimulate cell regeneration.

30 Emulsion products include multiple emulsions, micro emulsions and nano emulsions in the form of W/O, O/W, W/Si, Si/W, W/O/W, O/W/O, O/W/Si and W/Si/W emulsions (O = Oil, W = Water, Si = Silicone). Other products such as anhydrous systems like Si/O are also included.

Pre-sun products are e.g. pre-sun gels, pre-sun lotions, pre-sun creams or pre-sun oils. Sun products are gels, creams, lotions, oils, sprays or daily protective skin care products with different Sun Protection Factors (SPF) in the range from SPF 2 to SPF 50, e.g. SPF 6, SPF 10, SPF 15, SPF 20, SPF 25, SPF 30, SPF 50 and SPF 50+.

5 The different SPF's are dependent on the kind and amount of UV filter substances.

Suitable cosmetic gel-forming agents for the preparation of a gel are e.g. carbomer, xanthan gum, carrageenan, acacia gum, guar gum, agar-agar, alginates and tyloses,

10 magnesium aluminium silicates, carboxymethyl cellulose, hydroxyethyl cellulose, quaternized cellulose, quaternized guar, certain polyacrylates, such as acrylates/ C10-30 alkyl acrylate cross polymer, polyvinyl alcohol, polyvinylpyrrolidone.

Especially preferred are according to the invention xanthan gum, Carbomer,

15 Ammonium Acryloyldimethyltaurate / VP Copolymer Ammonium Acryloyldimethyltaurate / Beheneth-25 Methacrylate Crosspolymer Acrylates / C12-22 Alkyl Methacrylate Copolymer, Magnesium Aluminium Silicate, Sodium Acrylate / Sodium Acryloyldimethyl Taurate Copolymer, Hydroxyethyl Acrylate / Sodium Acryloyl Dimethyl Taurate Copolymer, Polyester-5 and Acrylates / Vinyl

20 Neodeconoate Crosspolymer, Sodium Polyacrylate or Polyacrylamide / C13-14 Isoparaffin / Laureth 7/Styrene/Acrylate Copolymer Sodium Lauryl Sulfate or mixtures thereof.

For the preparation of sun products it is moreover advantageous to include into a

25 cosmetic product of the invention together with the inventive transport systems corresponding water and/or oil soluble UVA or UVB filters or both. Advantageous oil-soluble UVB filters include 4-amino benzoic acid derivatives such as e.g. 4-(dimethylamino)-benzoic acid-(2-ethylhexyl) ester; esters of cinnamic acid such as e.g. 4-methoxy cinnamic acid (2-ethylhexyl) ester, benzophenone derivatives such as

30 e.g. 2-hydroxy-4-methoxy benzophenone or mixtures thereof.

Preferred oil-soluble UV filters are Butyl-Methoxybenzoylmethane, Ethylhexyl Methoxycinnamate, Ethylhexyl Salicylate, and/or Bis-Ethyl Hexyl Phenol Methoxyphenyl Triazine.

Water-soluble UVB filters are, for example, sulfonic acid derivatives of benzophenone or of 3-benzylidene camphor or salts, such as Na or K salts, of 2-phenyl benzimidazole-5-sulfonic acid.

5

UVA filters which may be used in the cosmetic of the present invention include dibenzoyl methane derivatives such as Butyl-Methoxybenzoylmethane.

Especially preferred are Butyl Methoxydibenzoylmethane, Ethylhexyl Methoxycinnamate, Ethylhexyl Salicylate, Octocrylene, Ethylhexyl Methoxycinnamate, Isoamyl-p-Methoxycinnamate, Ethylhexyltriazone, Diethylhexyl Butamido Triazone, Methylene Bis-Benzotriazolyl Tetramethylbutylphenol, Disodium Phenyl Dibenzenimidazole Tetrasulfonate, Bis-Ethylhexyloxyphenol Methoxyphenyl Triazine and/or Benzophenone-3. Inorganic pigments as sunscreen filters are metal oxides
10
15 such as TiO_2 , SiO_2 , Fe_2O_3 , ZrO_2 , MnO , Al_2O_3 , which can also be used in mixtures thereof.

The cosmetic of the invention can also comprise tanning agents. Such tanning agents are e.g. isatin, glycerin aldehyde, meso-tartaric acid aldehyde, glutaraldehyde, erythrulose, pirazoline-4,5-dion derivatives, dihydroxyacetone (DHA)
20 and/or 4,4-dihydroxy pirazoline-5-dion derivatives.

The cosmetic of the invention can also comprise humectants such as e.g. glycerin, butylene glycol, propylene glycol or mixtures thereof.

25

The cosmetic of the invention can also comprise moisturising, pores tightening or firming agents, mostly from plants and algae, e.g. hazel water, Pisum Sativum (Pea) Extract.

30 Further ingredients the cosmetic of the present invention can comprise are oils, emulsifiers, esters and pigments.

Oils used for the invention can be usual cosmetic oils such as e.g. mineral oil, hydrogenated polyisobutene, squalane from synthetic or natural sources, saturated or unsaturated vegetable oils, or mixtures of two or more thereof.

5 Especially suitable oils are, for example, silicone oils, mineral oils, hydrogenated polyisobutene, polyisoprene, squalane, tridecyltrimellitate, trimethylpropane triisostearate, isodecylcitrate, neopentyl glycol diheptanoate, PPG-15-stearyl ether, calendula oil, jojoba oil, avocado oil, macadamia nut oil, castor oil, cocoa butter, Inca
10 inchi oil, coconut oil, corn oil, cotton seed oil, olive oil, palm kernel oil, rapeseed oil, safflower seed oil, sesame seed oil, soybean oil, sunflower seed oil, wheat germ oil, grape kernel oil, kukui nut oil, Cameline oil, buriti oil, calendula oil, thistle oil or mixtures thereof.

Depending upon the oils selected, the cosmetic properties of a solid cosmetic of the
15 invention such as softness, hardness or spreading effects can be affected.

Esters used in the cosmetic of the present invention can be esters of polyols. Suitable esters of polyols are esters of C₁₀-C₁₅ fatty acids and alcohols, esters of C₁₀-C₁₅ fatty acids and glycols, or esters of hydroxy fatty acids. Branched C₁₂-C₁₅ alkyl
20 esters in conjunction with other esters such as di- or tri-esters of polyols are particularly advantageous in the oil phase, with esters of linear-chain alcohols and branched acids being particularly favourable. All these suitable esters are derived from primary alcohols. Preferred esters are Dicaprylyl Carbonate, Decyl Cocoate, Diisopropyl Sebacate, Dibutyl Adipate and Isopropyl Palmitate.

25 According to the invention suitable substances for the oil phase include Isohexadecane, PEG-40-Stearate, Sorbitan Tristearate, Behenyl Alcohol, Neopentyl Glycol Diheptanoate, Propylene Glycol Dicaprylate, Dioctyl Adipate, Cococaprylate/Caprate, Diethylhexyl Adipate, Diisopropyl Dimer Dilinoleate,
30 Diisostearyl Dimer Dilinoleate, Isohexadecane, Butyrospermum Parkii (shea) Butter, C₁₂₋₁₃ Alkyl Lactate, Di-C₁₂₋₁₃ Alkyl Tartrate, Tri-C₁₂₋₁₃ Alkyl citrate, C₁₂₋₁₅ Alkyl Lactate, PPG Dioctanoate, Diethylene Glycol Dioctanoate, Meadowfoam Oil, Babassu Oil, Jojoba Oil, Rice Oil, C₁₂₋₁₅ Alkyl Oleate, Avocado Oil, Tridecyl Neopentanoate, Beeswax, Betearyl Alcohol and Polysorbate 60, C₁₈₋₂₆ Triglycerides,

Cetearyl Alcohol & Cetearyl Glucoside, Acetylated Lanolin, VP / Eicosene Copolymer, Glyceryl Hydroxystearate, C₁₈₋₃₆ Acid Glycol Ester, with substances such as C₁₈₋₃₆ Triglycerides, Caprylic / Capric Triglyceride, Glyceryl Hydroxystearate and mixtures thereof. Also suitable and preferred are Cetyl Alcohol & Glyceryl Stearate & PEG 75 Stearate & Ceteth-20 & Steareth-20, Lauryl Glucoside & Polyglyceryl-2 Dipolyhydroxystearate, Beheneth-25, Polyamide-3 & Pentaerythrityl Tetra-Di-T-Butyl Hydroxycinnamate, Polyamide-4, PEG-100 Stearate, Potassium Cetylphosphate, Stearic Acid, Hectorites, Hydrogenated Polyisobutene, Behenyl Alcohol, Dicaprylyl Carbonate or mixtures of two or more thereof.

Especially preferred auxiliaries in the cosmetic of the present invention are oils and synthetic esters, ethers, waxes or alcohols such as e.g. vegetable oils, Dimethicone, Shea Butter, Polyglyceryl-3 Diisostearate, Dicaprylyl Carbonate, Beheneth-10, Hydrogenated Polyisobutene, Candelilla Wax, Mineral Oil, Petrolatum, Cetyl Alcohol, PEG-100 Stearate/Glycerylstearate, Stearyl Dimethicone, C₁₂₋₁₅ Alkyl Benzoate, Caprylic/ Capric Triglyceride and/or Hydrogenated Polydecene.

Preferred silicones of the cosmetic of the present invention are Cyclopentasiloxane/Dimethicone Crosspolymer, Dimethicone and Cyclopentasiloxane & Dimethiconol.

Preferred film-forming agents are e.g. Methyl Methacrylate Crosspolymer, Acrylates/ Acrylamide Copolymer, Acrylates/VA Crosspolymer, PVP, Butylated PVP, Chitosan, Polyquaternium-13 to -42, etc.

The cosmetic according to the invention may preferably exist as *OW* or *W/O* emulsion as well as emulsion from the above-mentioned type of multiple, micro or nano emulsions. Suitable emulsifiers for *OW* emulsions are for instance addition products of 2-30 mol ethylene oxide to linear C₈-C₂₂ fatty alcohols, to C₁₂-C₂₂ fatty acids and to C₈-C₁₅ alkylphenols; C₁₂-C₂₂ fatty acid monoesters and diesters of addition products of 1-30 mol ethylene oxide to glycerin; glycerin monoesters and diesters as well as sorbitan monoester and diester of C₆-C₂₂ fatty acids, polyol- and polyglycerin ester; addition products of ethylene oxide to castor oil; as well as ampholytic tensides.

Suitable emulsifiers for W/O emulsions are for instance addition products of 2-15 mol ethylene oxide to castor oil, esters of C₁₂-C₂₂ fatty acids and glycerine, polyglycerine, glycols, pentaerythrite, sugar alcohols (e.g. sorbite), polyglucosides (e.g. cellulose),
5 polyalkylene glycols, wool alcohols, copolymers of polysiloxan polyalkyl polyether.

Suitable emulsifiers for multiple emulsions and micro emulsions are for instance Tribehenin PEG-20 Esters, PEG-12 Dimethicone Crosspolymer, Lauryl PEG/PPG-18/18 Methicone, PEG-PPG-19/19 Dimethicone including Cyclopentasiloxane,
10 Polyglyceryl-6 Dioleate and PEG-8 Caprylic / Capric Glycerides.

The cosmetic of the invention may also comprise pigments, pigment mixtures or powders with a pigment-like effect, also including those with a pearl-gloss effect. They may include, for example, iron oxides, aluminium silicates such as ochre,
15 titanium dioxide, kaolin, manganese containing clays, silicium dioxide, quartz, zinc oxide, calcium carbonate, French chalk, nylon beads, ceramic beads, mica, expanded and non-expanded synthetic polymer powders, powdery natural organic compounds such as milled solid algae, milled plant parts, encapsulated and non-encapsulated cereal starches.

20 Further cosmetic subsidiaries which may be comprised by the cosmetic of the invention are waxes. The waxes may be selected among natural plant waxes, animal waxes, natural and synthetic mineral waxes and synthetic waxes. The cosmetic may include carnauba wax, candelilla wax, ozokerite, beeswax, montan wax, wool wax,
25 ceresine, micro waxes, paraffin waxes, petrolatum, silicon wax, polyethylene glycol waxes or polyethylene glycolester waxes or mixtures thereof.

In an in use test with volunteers with sensitive skin and with particular sensitiveness to retinol products, a day cream formula was tested with very good results:
30 Texture: appreciated 91%, no sticky effect, fast penetration into the skin 91%.
The skin is comfortable: 91 % of favourable appraisal; skin feels protected and nourished, immediate comfort.
Supple skin: 100 % of favourable appraisal; very nice play time with soft finish
Softness the skin: 96 % of favourable appraisal; velvety touch.

A further object of the invention is a method for enhancing the synthesis of collagen I in human skin, which comprises the application onto the human skin of a cosmetic with enhanced retinol potential which comprises

- 5 0.001 to 2% by weight, preferably 0.01 to 1% by weight, more preferred 0.1 to 0.5% by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell,
0.001 to 3.5% by weight, preferably 0.3 to 2.5% by weight, more preferred 1.5 to
10 2.5% by weight, related to the total weight of the cosmetic, of a second retinol-containing system comprising cationic liposomes composed of phospholipids and a quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue, and the difference to 100% by weight of cosmetic subsidiaries.

- 15 A further object of the present invention is the use of a composition for preparing a cosmetic which is improving the synthesis of collagen I in the human skin, which composition comprises

- 0.001 to 2% by weight, preferably 0.01 to 1% by weight, more preferred 0.1 to 0.5% by weight, related to the total weight of the cosmetic, of a first retinol-containing
20 system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell,
0.001 to 3.5% by weight, preferably 0.3 to 2.5% by weight, more preferred 1.5 to 2.5% by weight, related to the total weight of the cosmetic, of a second retinol-containing system comprising cationic liposomes composed of phospholipids and a
25 quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue.

A further object of the present invention is a cosmetic for use in improving the synthesis of collagen I in the human skin, which cosmetic comprises

- 0.001 to 2% by weight, preferably 0.01 to 1% by weight, more preferred 0.1 to 0.5%
30 by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell,
0.001 to 3.5% by weight, preferably 0.3 to 2.5% by weight, more preferred 1.5 to 2.5% by weight, related to the total weight of the cosmetic, of a second retinol-

containing system comprising cationic liposomes composed of phospholipids and a quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue and the difference to 100 % by weight of cosmetic subsidiaries.

- 5 The invention shall now be described in detail for the cosmetic composition of the invention by examples. All figures given as percentages are % by weight if not specified otherwise.

The enclosed drawings show in

- 10 Fig. 1 collagen I stimulation in percent according to Western Blot Test.
In the following examples basically INCI-names of the ingredients are used.

Examples 1 – 3 Anti Age Day Cream

	Example 1	Example 2	Example 3
Phase I			
Water	q.s. ad 100	q.s. ad 100	q.s. ad 100
Mica , Silica, TiO ₂	0.40	0.40	0.40
Glycerin	3.00	3.00	3.00
Butylene Glycol	3.00	3.00	3.00
Xanthan Gum	0.10	0.10	0.10
Ammonium Acryloyldimethyltaurate / VP Copolymer	0.30	0.30	0.30
Methyl Methacrylate Crosspolymer	2.00	2.00	2.00
Preservative	0.25	0.25	0.25
Phase II			
Dicaprylyl Carbonate	4.00	4.00	4.00
Behenyl Alcohol	1.00	1.00	1.00
Beheneth-10	3.00	3.00	3.00
Polyglyceryl-3 Diisostearate	0.35	0.35	0.35
Hydrogenated Polyisobutene	3.50	3.50	3.50
Shea Butter	3.80	3.80	3.80
Vegetable Oil & Hydrogenated Vegetable Oil & Candellila Wax	0.80	0.80	0.80
Phase III			
Dimethicone	3.50	3.50	3.50
Cyclopentasiloxane & Dimethicone Crosspolymer	1.80	1.80	1.80
Cyclopentasiloxane & Dimethiconol	4.00	4.00	4.00
Phase IV			
Microcapsules Retinol 1 based on chitosan & CMC (Retinol-Primasphere L2)	0.70	0.35	0.166

Liposomes Retinol 2 based on quaternary ammonium compound	2.12	2.33	0.375
RPF complex*	0.20	0.20	0.20
Hydrolyzed Soy Flour	0.10	0.10	0.10
Water & Quarz & Potassium Sorbate & Sorbic Acid & Phosphoric Acid	0.10	0.10	0.10
Preservatives	1.10	1.10	1.10
Fragrance	0.30	0.30	0.30
Polyacrylamide & Water & C13-14 Isoparaffin & Laureth 7	0.95	0.95	0.95

*RPF complex:

Green Coffee Seed Extract (2 %), Camellia Sinensis Leaf Extract (2 %), Pongamia Pinnata Seed Extract (2 %), Angelica Archangelica Root Extract (2 %), Citrus Aurantium Peel Extract (1 %), all in wt-% related to the weight of the RPF complex and encapsulated in lecithin liposomes and also comprising 5 to 10% by weight of an alcohol, and water and auxiliaries.

Process:

All ingredients of phase 1 and phase 2 were separately mixed and heated to about 70°C. Both phases were put together at 70°C and stirred until homogeneity of the emulsion. Cool down to 50°C, adding all ingredients of phase 3 while stirring, then cool down to 30°C, adding all ingredients of phase 4 while stirring until homogeneity.

Example 4 Comparative Test

Collagen-I by Western Blot

Normal fibroblasts were treated for 6 days with the ingredients E and G alone, diluted in a culture medium. Then collagen was extracted and collagen I was detected by using immunoblotting method with a chemiluminescence detection kit. The intensity of the bands of collagen I obtained on the treated cells was compared to the intensity of the bands of the non-treated cells. Moreover, the intensity of the bands was quantified by using an image analysis software.

25

The results are presented in Fig. 1.

The *in vitro* Western Blotting collagen-I synthesis shows the following results after an image analysis

(1) Non-treated fibroblasts : **no activity**

(2) Ingredients E = Mixture of

5 Cyclodextrin with Retinol (Trade name: Cavamax® W8)
 lamellar stored retinol (Trade name: Probiol®)
 Chitosan / CMC encapsulated retinol (Trade name: Retinol-Primasphere® L2)
 Soy protein liposomes with retinol palmitate (Trade name: Cytovector™)
 (INCI: Laurdimonium Hydroxypropyl Hydrolyzed Soy Protein).

10 The total amount of pure retinol equivalent is $15.5 \times 10^{-5} \%$ **8.6 %**

(3) Ingredients G (according to the present invention) = Mixture of

15 Chitosan / CMC encapsulated retinol (Retinol-Primasphere® L2) and Docosyltrimethylammonium Chloride/Lecithine encapsulated retinol (cationic liposomes)

20 The total amount of pure retinol is $11.4 \times 10^{-5} \%$ **116.5 %**

The results show a 13-fold enhancement from 8.6 % to 116.5 % when comparing results of mixture of ingredients E to mixture of ingredients G. The results are demonstrated in Fig. 1. "U" = untreated (control), E and G are the ingredient mixtures.

25 In contrast to the used cationic liposome Docosyltrimethylammonium Chloride/Lecithin (4) of the invention, other cationic liposomes such as Lauryldimoniumhydroxypropyl Hydrolyzed Soy Protein (5) (Cytovector™) show nearly no effect on the stimulation of the collagen I synthesis. (4) and (5) each loaded
 30 with $0.5 \times 10^{-5} \%$ retinol equivalent show a stimulation of

(4) = 30.6 %

(5) = 0.3 %

in comparison to untreated fibroblasts.

Claims:

1. Cosmetic with enhanced retinol potential which comprises
5 0.001 to 2% by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell,
0.001 to 3.5% by weight, related to the total weight of the cosmetic, of a second
retinol-containing system comprising cationic liposomes composed of
10 phospholipids and a quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue
and the difference to 100 % by weight of cosmetic subsidiaries.
2. Cosmetic according to claim 1, wherein the cosmetic comprises Hydrolyzed Soy
15 Flour.
3. Cosmetic according to any one of claims 1 or 2, wherein the cosmetic comprises Bifida Ferment Lysate.
- 20 4. Cosmetic according to any one of claims 1 to 3, wherein the cosmetic comprises a mixture of the plant extracts Angelica Archangelica Root Extract, Camellia Sinensis Leaf Extract, Pongamia Pinnata Seed Extract, Coffea Arabica Seed Extract encapsulated in liposomes and together with 5 – 10 % by weight of an alcohol, related to the weight of the mixture.
- 25 5. Cosmetic according to any one of claims 1 to 2, wherein the subsidiaries are selected from antioxidants, radical scavengers, plant extracts, vitamins, UV filters, cosmetic oils, cosmetic esters, emulsifying agents, pigments, preservatives, water, gel formers, sodium hyaluronate, minerals and mixtures
30 thereof.
6. Cosmetic according to any one of claims 1 to 5, wherein the range of the first retinol-containing system in the cosmetic is 0.01 to 1.0% by weight, preferably 0.1 to 0.5% by weight.

7. Cosmetic according to one of claims 1 to 6, wherein the range of the second retinol-containing system in the cosmetic is 0.3 to 2.5% by weight, preferably 1.5 to 2.5% by weight.
- 5 8. Cosmetic according to any one of claims 1 to 7, wherein the retinol content in the cosmetic is in the range of 0.000114 to 0.0095% by weight, related to the total weight of the cosmetic.
9. Cosmetic according to any one of claims 1 to 7, wherein the cosmetic is a lotion,
10 oil, cream, gel, mask, balm, powder, tan glow, pre-sun product, sun product, after-sun product, self-tan, make-up, compact powder, photo-protecting product or spray.
10. Use of a composition for preparing a cosmetic with improved synthesis of
15 collagen I in human skin, which composition comprises
0.001 to 2% by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell,
0.001 to 3.5% by weight, related to the total weight of the cosmetic, of a second
20 retinol-containing system comprising cationic liposomes composed of a phospholipids and a quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue.
11. Use according to claim 10, wherein the composition is used for the preparation
25 of a lotion, oil, cream, gel, mask, balm, powder, tan glow, pre-sun product, sun product, after-sun product, self-tan, make-up, compact powder, photo-protecting product or spray.
12. Cosmetic for use in improving the synthesis of collagen I in the human skin,
30 which cosmetic comprises
0.001 to 2% by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell,

0.001 to 3.5% by weight, related to the total weight of the cosmetic, of a second retinol-containing system comprising cationic liposomes composed of phospholipids and a quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue

5 and the difference to 100 % by weight of cosmetic subsidiaries.

13. Method for enhancing the synthesis of collagen I in the human skin, which comprises the application on the human skin of a cosmetic with enhanced retinol potential which comprises

10 0.001 to 2% by weight, related to the total weight of the cosmetic, of a first retinol-containing system comprising retinol encapsulated in a chitosan and carboxymethyl cellulose shell,

15 0.001 to 3.5% by weight, related to the total weight of the cosmetic, of a second retinol-containing system comprising cationic liposomes composed of phospholipide and a quaternary fatty acid monoamine with a C₂₁ – C₂₃ alkyl residue

and the difference to 100 % by weight of cosmetic subsidiaries.

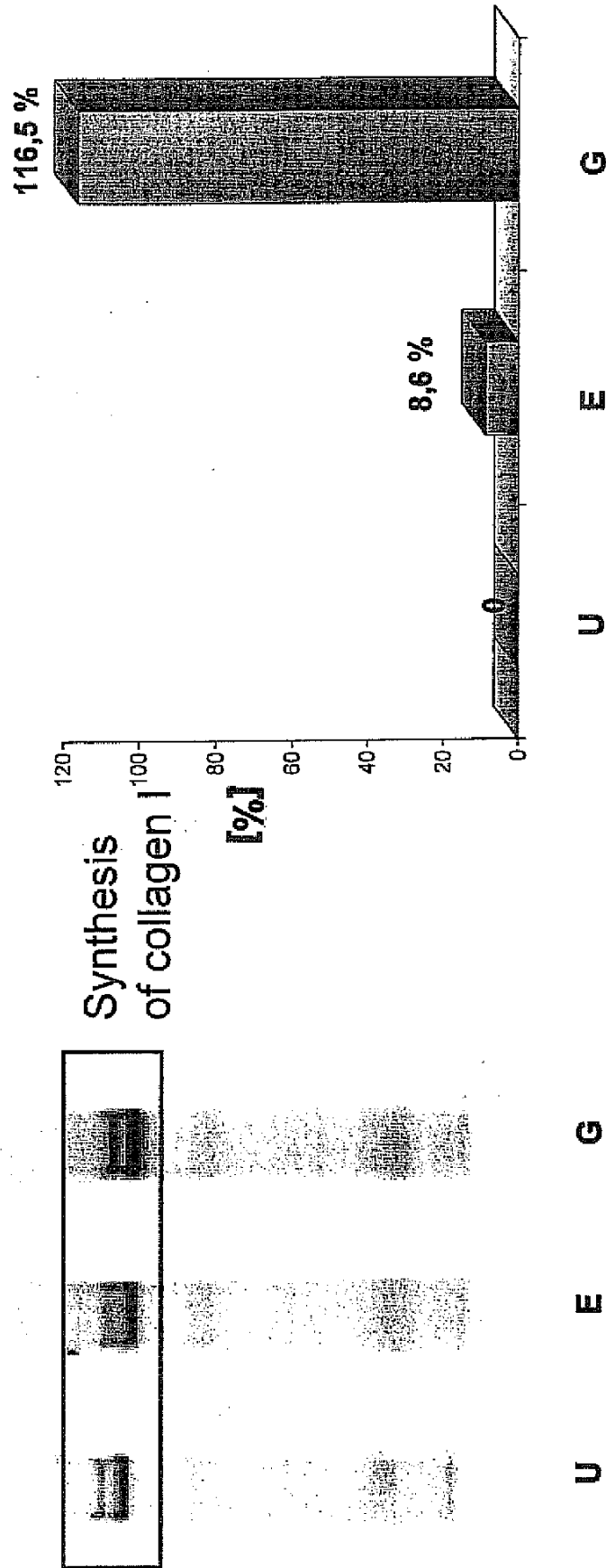


Fig. 1



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	12/28/2017	EXAMINER	
WANG & HO 66 HILLTOP ROAD MILLINGTON, NEW JERSEY 07946			GHALI, ISIS A D	
			ART UNIT	PAPER NUMBER
			1611	
			NOTIFICATION DATE	DELIVERY MODE
			12/28/2017	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang.hk@gmail.com
georgewang@bei-ocean.com

Office Action Summary	Application No. 14/258,031	Applicant(s) WU et al.	
	Examiner Isis A Ghali	Art Unit 1611	AIA Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 08 November 2017
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) Claim(s) 1-10 is/are pending in the application.
 5a) Of the above claim(s) 2-6 is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) 1 and 7-10 is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some** c) None of the:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 3) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
- 2) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) 4) Other: _____
 Paper No(s)/Mail Date _____

DETAILED CORRESPONDENCE

All further correspondence regarding this application should be directed to examiner Isis Ghali, Art Unit 1611.

The receipt is acknowledged of applicants' election filed 11/08/2017.

Claims 1-10 are pending.

Notice of Pre-AIA or AIA Status

1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Election/Restrictions

2. Applicants elected with traverse the following species, claims 1, 7-10, in the reply filed 11/08/2017: Ginseng saponin for the powder part; Glycyrrhiza glabra root extract for the aqueous part; and Bifida ferment lysate in addition to Centella asiatica extract for the emulsion part. Applicants further elected lotion with respect to claim 7, mannitol with respect of claim 8, and not sodium mannitol, sodium hyaluronate with respect to claim 9, and bisabolol with respect to claim 10. The traversal is on the ground(s) that the Examiner appears to require, with respect to claim 1, that Applicant must specify both the presence of an ingredient and the absence of other ingredients. Such election would prevent claim 1 to have an open-ended scope defined by the word "comprising." The rule of restriction requirement does not preclude a claim with an open-ended scope.

This is not found persuasive because the claim still has the open-ended language "comprising", however, the election requires only one member from each of the first and second part of the claimed parts of the claim, and require two members from the third part. Further, claim 1 is distinguished from claims 2-6 because claim 1 recites that at least one of the components of the powder must be present, at least one of the components of the aqueous part must be present and two components of the emulsion part must be present. However, claims 2-6 unclear regarding components of each part. It is interpreted that claims 2-6 require all the recited components of each part to be present. Searching all the claimed members of each part would be extensive and burdensome to the patent examiner.

The requirement is still deemed proper and is therefore made FINAL.

3. Claims 2-6 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 11/08/2107.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1, 7-10 are rejected under 35 U.S.C. 101 because based upon an analysis with respect to the claim as a whole, claim(s) 1, 7-10 are determined to be

directed to a law of nature/natural principle. Based upon consideration of all of the relevant factors with respect to the claims as a whole, the claims are held to claim a law of nature, and is/are therefore rejected as ineligible subject matter under 35 U.S.C. 101. The rationale for finding eligibility of the claimed subject matter under 35 U.S.C. 101 is explained below:

The claims in this case read on a generic mixture of natural products (i.e., Ginseng saponin, *Glycyrrhiza glabra* extract, bifida ferment lysate and *Centella asiatica* extract), which are structurally the same as those products found in nature. The claims recite that the various components are from natural source and do not require that the components are themselves changed in any way. Instead the claims simply recite various natural products together. Because the claims as a whole do not recite something significantly different than the natural products, i.e., the claims do not include elements in addition to the judicial exceptions that add significantly more to the judicial exceptions and also do not include features that demonstrate that the recited products are markedly different from what exists in nature, the claims as a whole are directed to ineligible subject matter.

With respect to the claimed composition claimed by claim 1, there is no principal difference between the natural claimed elements and that used in the composition of claim 1. The composition of claim 1 uses separate natural elements, not even in a mixture. *Funk Bros. Seed Co. v. Kalo Inoculant Co.*, 333 US 127, 131 (1948). As in *Funk Brothers*, Applicants did not create or alter the natural components in the composition, but simply put them in separate containers to form three parts of a product. These components existed in nature before used by applicants. At best, Applicants'

contribution was recognizing that these natural products may have clinical uses in certain patient populations. Applicants do not contend there are any changes to the used elements that result from the combination of elements of claim 1 with the elements of claims 7-10.

Claims 1, 7-10 recite natural components put together, and the claimed natural components are altered less than the isolated nucleic acid in *Myriad*, where chemical bonds were severed to release the nucleic acid from the chromosome, see *Myriad*, 133 S. Ct. at 2118. Unlike the nucleic acid in *Myriad*, the claimed components of the instant product are chemically unchanged by their separating them in different containers. Applicants do not contend there are any chemical changes that result from forming the components into powder, aqueous composition or emulsion as claimed by claim 1, or by including them in lotion claimed by claim 7, or mixing them with additional agents claimed by claims 8-10.

Like *Funk Brothers*, and unlike *Diamond v. Chakrabarty*, 447 U.S. 303 (1980), the claimed elements of the instant composition were not a "product of human ingenuity" with a "distinctive character", *Diamond*, 447 U.S. at 31 O, but rather an "aggregation of select" components from nature, **unchanged individually in their chemical nature and not alleged to acquire new properties by their formulation into powder, or inclusion in any formulation, e.g. aqueous formulation, emulsion or lotion, etc.**, see *Funk Brothers*, 333 U.S. at 131. In other words, there is nothing markedly different between Ginseng saponin, *Glycyrrhiza glabra* extract, bifida ferment lysate and *Centella asiatica* used in the instant composition and their natural products. Supreme Court precedent constrains us to find that neither isolating natural products

nor combining them together represents an act of invention unless the combination results in something "markedly different", and no such result has been demonstrated in the instant case. See *Myriad*, 133 S. Ct. at 2117; *Funk Brothers*, 333 U.S. at 132.

Principles of Law

" [L]aws of nature, natural phenomena, and abstract ideas' are not patentable." *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 132 S.Ct. 1289, 1293 (2012).

"Myriad did not create anything. To be sure, it found an important and useful gene, but separating that gene from its surrounding genetic material is not an act of invention." *Ass'n for Molecular Pathology v. Myriad Genetics, Inc.*, 133 S. Ct. 2107, 2116-17 (2013).

Accordingly, the claimed composition recites something that appears to be a natural product that is not markedly different in structure from naturally occurring elements and hence reads on a patent ineligible subject matter under the above guidelines mentioned.

The Court has made clear that to transform an unpatentable law of nature into a patent-eligible application of such a law, one must do more than simply state the law of nature while adding the words "apply it." Essentially, appending conventional steps specified at a high level of generality, to laws of nature, natural phenomena, and abstract ideas cannot make those laws, phenomena, and ideas patent-eligible.

Courts decision rested upon an examination of the particular claims in light of the Court's precedents, specifically *Bilski*, *Flook* and *Diehr*. The Court repeated the long standing exceptions (laws of nature, natural phenomena, and abstract ideas) to categories of patent eligibility defined in 35 U.S.C. § 101. In conducting the

analysis, the Court addressed the "machine-or-transformation" test explained in *Bilski* with a reminder that the test is an "important and useful clue" to patentability but that it does not trump the "law of nature" exclusion. A claim that recites a law of nature or natural correlation, with additional steps that involve well-understood, routine, conventional activity previously engaged in by researchers in the field is not patent-eligible, regardless of whether the steps result in a transformation. On the other hand, reaching back to *Neilson*, the Court pointed to an eligible process that included not only a law of nature (hot air promotes ignition) but also several unconventional steps (involving a blast furnace) that confined the claims to a particular, useful application of the principle.

Claim Rejections - 35 USC § 112

6. The following is a quotation of 35 U.S.C. 112(b):
(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 7-10 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: how the claimed three parts that are in separate containers are related to each other in the context of the claimed skin care composition? Are the three parts mixed at use, or used separately? Are the three components applied simultaneously to the skin, or at different times?

Claim Rejections - 35 USC § 103

8. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

9. The following is a quotation of 35 U.S.C. 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent for a claimed invention may not be obtained, notwithstanding that the claimed invention is not identically disclosed as set forth in section 102, if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103 are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. This application currently names joint inventors. In considering patentability of the

claims the examiner presumes that the subject matter of the various claims was commonly owned as of the effective filing date of the claimed invention(s) absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and effective filing dates of each claim that was not commonly owned as of the effective filing date of the later invention in order for the examiner to consider the applicability of 35 U.S.C. 102(b)(2)(C) for any potential 35 U.S.C. 102(a)(2) prior art against the later invention.

12. Claims 1, 7-10 are rejected under 35 U.S.C. 103 as being unpatentable over the combination of Park et al. (US 2010/0189821), Gross (US 2009/0117061), any one of Doucet et al. (WO 2013/007827), Bickford (US 2014/0161851), or Pujos et al. (US 2014/0301960), and Ribier et al. (US 5,658,575), all the references are listed on PTO 892, and copy of the WO publication is currently provided.

Applicant Claims

Claim 1 is directed to a skin care composition, comprising three part: a powder part, an aqueous part and an emulsion part, each part in a separate containers, wherein:
said powder part comprises the elected species Ginseng saponin 0-5.0 portions;
said aqueous part comprises the elected species Glycyrrhiza glabra Root Extract 0-3.0 portions;
and
said emulsion part comprises the elected species Bifida ferment lysate 0.5-10.0 portions and Centella asiatica Extract 0-3.0 portions.

Determination of the Scope and Content of the Prior Art

(MPEP §2141.01)

Park teaches skin external composition containing ginseng berry extract as an active ingredient to promote collagen production in the skin thus has skin aging inhibitory and wrinkle reducing effects (abstract; ¶¶ 0034, 0040; claims 1-3). The

ginseng berry extract contains, and is rich in saponin (¶¶ 0087-0091). The ginseng berry extract is added to an external composition in an amount of 0.001-50% (¶ 0065), and example 2, table 6 shows 0.1% ginseng berry extract in the composition. The composition can be provided as solid, powder, lotion, etc. (¶¶ 0066-0068; claims 11, 12). The composition can be a pack (¶ 0211) that reads on a container. The composition may contain mannitol (¶ 0213).

Ascertainment of the Difference Between Scope the Prior Art and the Claims
(MPEP §2141.012)

While Park teaches the powder part of the claimed product to inhibit aging and reduce wrinkles, however, the reference does not teach the aqueous part and the emulsion part as claimed by claim 1.

Gross teaches skin care product comprising skin care ingredient such as *Glycyrrhiza glabra* root extract that can soothe the skin (¶¶ 0008, 0013, 0015). The skin care ingredient is present in the composition in amount of 0.01-60%, and most preferably 1-5% (¶ 0017). The product is aqueous liquid, as evidenced by the using up to 87% water, such as lotion (¶¶ 0018, 0022, 0042, 0066, 0067; claims). The composition comprises sodium hyaluronate or hyaluronic acid that has emollient and skin beneficial effects (¶¶ 0035, 0037, 0059, 0060). The reference suggests 0-5% *Centella asiatica*, and 0.15% exemplified, and bisabolol in the composition to reduce skin irritation (¶¶ 0013, 0014, 0053, 0054, 0060; claims).

Doucet teaches cosmetic composition for enhancing collagen synthesis comprising as a preferred ingredient Bifida Ferment Lysate in an amount range of

0.009-0.2% of the composition (page 5, lines 5-11; claim 3). The composition is emulsion and can form a lotion (page 5, lines 31-34; claims 9, 11).

Bickford teaches cosmetic composition to stimulate collagen and elastin production and to reduce wrinkles (abstract; ¶¶ 0011, 0048, 0079). The composition comprises Bifida Ferment Lysate (¶ 0065; claim 22). The amount of bifida Ferment Lysate is present in the composition in the range of 0.0001-10%, and more preferably 0.001-5% (¶¶ 0199, 0215, 0216). The composition is emulsion, and forms a lotion (¶¶ 0083, 0095, 0104). The composition may further comprise bisabolol, *Glycyrrhiza glabra* and *Ginseng extract* (¶¶ 0199, 0215, 0216; claim 17).

Pujos teaches skin composition which has excellent effect on smoothing the skin and repairing wrinkles (abstract). The composition comprises Bifida Ferment Lysate in an amount of 0.1-0.6% (¶¶ 0028, 0036, 0048). The composition is an emulsion (¶¶ 0019, 0026).

Ribier teaches cosmetic or dermatological emulsion that exhibits improved penetration into the skin (abstract; col.2, lines 21-23, 36-50). The composition comprises skin treating agent, preferably including *Centella asiatica* extract and bisabolol (col.4, lines 51-66; claims 20-25).

Finding of Prima Facie Obviousness Rational and Motivation

(MPEP §2142-2143)

Therefore, it would have been obvious to one having ordinary skill in the art before the effective filing date of the present invention to provide powder composition comprising 0.1% Ginseng saponin that has skin aging inhibitory and wrinkle reducing

effects as taught by Park, and provide aqueous composition comprising 1-5% *Glycyrrhiza glabra* root extract taught by Gross, and provide another emulsion composition comprising 0.1% Bifida Ferment Lysate as taught by any of Doucet, Bickford, or Pujos, and furthermore add *Centella asiatica* to the emulsion as taught by Ribier. One would have been motivated to do so because Gross teaches *Glycyrrhiza glabra* root extract soothe the skin, and because each of Doucet, Bickford, and Pujos teaches the beneficial effect of Bifida Ferment Lysate on aging skin and wrinkles, and because Ribier teaches the beneficial effect of *Centella asiatica* on the skin and on increasing skin penetration of skin active agents from emulsion. One would reasonably expect formulating product comprising powder comprising 0.1% Ginseng saponin, aqueous composition comprising 1-5% *Glycyrrhiza glabra* root extract, and emulsion composition comprising 0.1% Bifida Ferment Lysate and *Centella asiatica* wherein the product is beneficial to the skin and has improved penetration to any cosmetic ingredient in the composition.

Regarding having each part of the product in a separate container, the products are disclosed as separate from each other, and eventually each product is provided in a container as seen in all the stores. Applicants failed to show superior and unexpected results obtained from packaging the three parts of the product separately. Nothing in applicant's claims suggests that the container is of a specific shape or having any effect or any function on the contained product, therefore, the compositions disclosed by the references read on the claimed container. See *In re Schreiber*, 128 F.3d 1473, 44 USPQ2d 1429 (Fed. Cir. 1997). The container does not impart patentability to the claims since the contained composition would function the same way in presence or

absence of the container.

Regarding the claimed amount *Ginseng* saponin of 0-5.0, Park teaches 0.1% that falls within the claimed amount. Regarding the amount of *Glycyrrhiza glabra* Root Extract of 0-3.0%, Gross teaches 1-5% that overlaps with the claimed amount.

Regarding the claimed amount of *Bifida ferment lysate* of 0.5-10.0%, Doucet, Bickford, and Pujos teach 0.009-2%, 0.001-5%, and 0.1-0.6%, respectively, that all overlap with the claimed amount. Regarding the amount of *Centella asiatica* Extract of 0-3.0%, Park teaches 0-5% that overlaps with the claimed amount and exemplifies 1.5%. Therefore, the claimed amounts overlap with the instant claims, or falls within the prior art ranges. In the case where the claimed ranges "overlap or lie inside ranges disclosed by the prior art" a prima facie case of obviousness exists. **See MPEP 2144.05 [R-5].**

Regarding the elected species "lotion" claimed by claim 7, it is taught by Doucet and Bickford.

Regarding the elected species "mannitol" claimed by claim 8, it is taught by Park.

Regarding the elected species "sodium hyaluronate" claimed by claim 9, it is taught by Gross.

Regarding the elected species "bisabolol" claimed by claim 10, it is taught by Bickford and Ribier.

Absent any evidence to the contrary, and based upon the teachings of the prior art, there would have been a reasonable expectation of success in practicing the instantly claimed invention. Therefore, the invention as a whole would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isis A D Ghali whose telephone number is (571)272-0595. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM EST.


Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at <http://www.uspto.gov/interviewpractice>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bethany Barham can be reached on 571-272-6175. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/I.G./

/ISIS A GHALI/
Primary Examiner, Art Unit 1611

<i>Search Notes</i> 	Application/Control No. 14/258,031	Applicant(s)/Patent Under Reexamination WU et al.
	Examiner Isis A Ghali	Art Unit 1611

CPC - Searched*		
Symbol	Date	Examiner
See attached search notes	12/23/2017	IG

CPC Combination Sets - Searched*		
Symbol	Date	Examiner


US Classification - Searched*			
Class	Subclass	Date	Examiner

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
Inventor name search; WEST, see printout	12/23/2017	IG

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

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<i>Index of Claims</i> 	Application/Control No. 14/258,031	Applicant(s)/Patent Under Reexamination WU et al.
	Examiner Isis A Ghali	Art Unit 1611

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

CLAIMS										
<input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47										
CLAIM			DATE							
Final	Original	12/23/2017								
	1	✓								
	2	N								
	3	N								
	4	N								
	5	N								
	6	N								
	7	✓								
	8	✓								
	9	✓								
	10	✓								

Notice of References Cited	Application/Control No. 14/258,031	Applicant(s)/Patent Under Reexamination WU et al.	
	Examiner Isis A Ghali	Art Unit 1611	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20100189821-A1	07-2010	Park; Chan Woong	A23L1/3002	424/728
*	B	US-20090117061-A1	05-2009	GROSS; Dennis F.	A61K8/19	424/59
*	C	US-20140161851-A1	06-2014	Bickford; William Robert	A61K8/27	424/401
*	D	US-20140301960-A1	10-2014	Pujos; Muriel	A61K8/64	424/59
*	E	US-5658575-A	08-1997	Ribier; Alain	A61K8/0295	424/401
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	CPC Classification
	N	WO-2013007827-A2	01-2013	WO	DOUCET ET.AL.	A61K8/14
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Create A Case

Select?	Database	Query	Type	Plural	Op	Thesaurus
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	(cosmetic or skin) same (composition or preparation or product)	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L1 and ginseng saponin	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L2 and glycyrrhiza glabra	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L1 and (ginseng same saponin)	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L4 and (glycyrrhiza same root same extract)	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L5 and (bifida same ferment same lysate)	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L6 and centella	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L5 and (bifida same ferment)	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L5 and bifida	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L4 and glycyrrhiza and bifida and centella	p	YES	ADJ	
<input checked="" type="checkbox"/>	PGPB,USPT,USOC,EPAB,JPAB,DWPI	L10 and ((A61K8/06 A61K8/022 A61K8/64 A61K8/92 A61K2800/591 A61K2800/75 A61Q19/08 A61Q17/00 A61Q17/04 A61Q19/00).CPC.)	p	YES	ADJ	

Please enter the case name:

Rules for naming Cases

- Case names can only contain alphanumeric characters including underscore (_).
- Any other special characters or punctuation characters will be automatically removed prior to saving the case.
- All white space characters will be replaced by an underscore.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner: Bredefeld, Rachael, Eva
Application No.: 14258031 Art Unit: 1611
Filed: 04/21/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

This paper is in response to the Office action dated September 8, 2017, imposing a restriction/election requirement in the present application.

I. Applicant hereby provisionally makes the following election:

- a) With respect to claim 1, for the power part, Applicant provisionally elects Ginseng saponin; for the aqueous part, Applicant elects Glycyrrhiza glabra root extract; for the emulsion part, Centella asiatica extract in addition to Bifida ferment lysate.
- b) With respect to claim 7, Applicant provisionally elects the dosage form lotion.
- c) With respect to claim 8, Applicant provisionally elects sodium mannitol.
- d) With respect to claim 9, Applicant provisionally elects sodium hyaluronate.
- e) with respect to claim 10, Applicant provisionally elect bisabolol.

II. The above election encompasses all pending claims.

The restriction requirement is respectfully traversed to the extent that the Examiner appears to require, with respect to claim 1, that Applicant must specify both the presence of an ingredient and the absence of other ingredients ("i.e., the presence of oligopeptide-1 and the absence of Ginseng saponin in the power part"), *emphasis added*, because it would prevent claim 1 to have an open-ended scope defined by the word "comprising." It is respectfully submitted that the rule of restriction requirement does not preclude an claim with an open-ended scope.

Non-elected subject matter:

Applicant reserves the right to pursue the non-elected subject matter in a timely filed divisional application if the non-elected subject matter is not eventually found suitable for rejoining back to the application.

Authorization of email communication

If there is any question concerning this response or this application in general that the Examiner would like to contact the Applicant's attorney, communication by email is hereby expressly authorized by the Applicant's attorney as follows:

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me by responding to this inquiry by electronic mail. I understand that a copy of these communications will be made of record in the application file.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Applicant

BEI & OCEAN
georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

Dated: November 8, 2017

Electronic Acknowledgement Receipt

EFS ID:	30885718
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	08-NOV-2017
Filing Date:	22-APR-2014
Time Stamp:	10:15:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Response to Election / Restriction Filed	Response_Restriction_Election_GDZY01-66USP.pdf	50867 a7104c4a798ff6d336de9a74babb09898283c2d4	no	3

Warnings:

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Information:**Total Files Size (in bytes):**

50867

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



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Table with 4 columns: APPLICATION NUMBER (14/258,031), FILING OR 371(C) DATE (04/22/2014), FIRST NAMED APPLICANT (Zhiyun WU), ATTY. DOCKET NO./TITLE (GDZY01-66USP)

CONFIRMATION NO. 7410

PUBLICATION NOTICE

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Title:Skin Care and Cosmetic Composition

Publication No.US-2017-0281988-A1
Publication Date:10/05/2017

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Public Records Division. The Public Records Division can be reached by telephone at (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, by mail addressed to the United States Patent and Trademark Office, Public Records Division, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently https://portal.uspto.gov/pair/PublicPair. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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MILLINGTON, NJ 07946



**Courtesy Reminder for
Application Serial No: 14/258,031**

Attorney Docket No: GDZY01-66USP

Customer Number: 50163

Date of Electronic Notification: 09/08/2017

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:

georgewang@bei-ocean.com
georgewang.hk@gmail.com

To view your correspondence online or update your email addresses, please visit us anytime at <https://sportal.uspto.gov/secure/myportal/privatepair>. If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	09/08/2017	EXAMINER	
WANG & HO 66 HILLTOP ROAD MILLINGTON, NJ 07946			BREDEFELD, RACHAEL EVA	
			ART UNIT	PAPER NUMBER
			1611	
			NOTIFICATION DATE	DELIVERY MODE
			09/08/2017	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com

Office Action Summary

Application No. 14/258,031	Applicant(s) WU et al.	
Examiner RACHAEL E BREDEFELD	Art Unit 1611	AIA Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 4/22/14
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) Claim(s) 1-10 is/are pending in the application.
 5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) _____ is/are allowed.
- 7) Claim(s) _____ is/are rejected.
- 8) Claim(s) _____ is/are objected to.
- 9) Claim(s) 1-10 are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov**.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some** c) None of the:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 3) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date _____. |
| 2) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Other: _____. |

Art Unit: 1611

DETAILED ACTION

Notice of Pre-AIA or AIA Status

The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Claim Status: Claims 1-10 are pending.

Election of Species Requirement

This application contains claims directed to the following patentably distinct species of a skin care composition comprising a powder part, an aqueous part, and an emulsion part. The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicant must elect from each of the following in order to be fully responsive:

i.) **The specific ingredients in each of the powder part, aqueous part, and emulsion part of the composition. Applicant must elect the presence or absence of an ingredient in each part of the composition (i.e., the presence of oligopeptide-1 and the absence of Ginseng saponin in the powder part).**

ii.) **The specific form of the emulsion as set forth in instant claim 7 (i.e., gel).**

iii.) **The presence or absence of an external dosage form matrix in the powder part and in the event applicant elects the presence of a matrix, applicant must elect an ingredient or combination of ingredients in the matrix (i.e., mannitol). See claim 8.**

iv.) **The presence or absence of an external dosage form matrix in the aqueous part and in the event applicant elects the presence of a matrix, applicant must elect an ingredient or combination of ingredients in the matrix (i.e., butanediol). See claim 9.**

Art Unit: 1611

v.) The presence or absence of an external dosage form matrix in the emulsion part and in the event applicant elects the presence of a matrix, applicant must elect an ingredient or combination of ingredients in the matrix (i.e., bisabolol). See claim 10.

Furthermore, if applicable, it is also requested that applicant provide any common or trade name(s) of any of the elected species.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, or a single grouping of patentably indistinct species, for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

There is an examination and search burden for these patentably distinct species due to their mutually exclusive characteristics. The species require a different field of search (e.g., searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or a grouping of patentably indistinct species to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected species or grouping of patentably indistinct species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

The election may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the election of species requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be

Art Unit: 1611

considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected species or grouping of patentably indistinct species.

Should applicant traverse on the ground that the species, or groupings of patentably indistinct species from which election is required, are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing them to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the species unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other species.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RACHAEL E BREDEFELD whose telephone number is (571)270-5237. The examiner can normally be reached 8:00-5:00 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bethany P Barham can be reached at (571)272-6175. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rachael E Bredefeld/
Primary Examiner, Art Unit 1611

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MILLINGTON, NJ 07946



**Courtesy Reminder for
Application Serial No: 14/258,031**

Attorney Docket No: GDZY01-66USP

Customer Number: 50163

Date of Electronic Notification: 06/29/2017

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:

georgewang@bei-ocean.com
georgewang.hk@gmail.com

To view your correspondence online or update your email addresses, please visit us anytime at <https://sportal.uspto.gov/secure/myportal/privatepair>. If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.

Office of Petitions: Routing Sheet



4 7 0 0

Application No.

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

6

Application No.

14258031



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

ALESIA M. BROWN

Count (1) - Palm Credit

14258031

Decision:

GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type:

502 - 37 CFR 1.137(b) - REVIVAL BASED ON UNINTENTI



Notes:

Count (2)

Decision:

n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type:

NONE

Notes:

Count (3)

Decision:

n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type:

NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box



Printed on: 6/26/2017



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	06/29/2017	EXAMINER	
WANG & HO 66 HILL TOP ROAD MILLINGTON, NJ 07946			ART UNIT	PAPER NUMBER
			2668	
			NOTIFICATION DATE	DELIVERY MODE
			06/29/2017	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Wu, et al. : DECISION ON PETITION
Application No. 14/258,031 :
Filed: April 22, 2014 :
Atty. Dkt. No.: GDZY01-66USP :

The above-identified application has been directed to the Office of Petitions for consideration of the petition under 37 CFR 1.137(a) filed June 11, 2017.

The application became abandoned on July 2, 2014, for failure to timely submit a proper reply to the Notice to File Missing Parts of Nonprovisional Application (“Notice”) mailed on May 1, 2014, which set a two (2) month time limit for reply. On May 12, 2014, a proposed reply was filed. On May 16, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On June 18, 2014, a proposed reply was submitted. On June 20, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. Additionally on June 20, 2014, a Response to Request for Corrected Filing Receipt was mailed. On June 27, 2014, a proposed reply was filed. On August 14, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On August 19, 2014, a petition under 37 CFR 1.181 was filed. On March 13, 2015, a decision was mailed dismissing the petition. On March 17, 2015, a Notice of Abandonment was mailed. On May 11, 2015, a renewed petition was filed. On July 7, 2015, a decision was mailed dismissing the renewed petition. On August 4, 2015, a petition under 37 CFR 1.181 was filed. On November 9, 2015, a decision was mailed dismissing the renewed petition. On January 8, 2016, a renewed petition under 37 CFR 1.181 was filed. On February 17, 2016, a decision was mailed dismissing the renewed petition. On April 15, 2016, the subject renewed petition was filed. Petitioner again requests reconsideration of the decision. This decision was denied on July 19, 2016.

A grantable petition under 37 CFR 1.137(a) must be accompanied by: (1) the required reply, unless previously filed; (2) required the petition fee; (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See, MPEP 711.03(c)(II)(C) and (D).

Application/Control Number: 14/258,031

Page 2

Art Unit: OPET

The instant petition has been carefully reviewed and found in compliance with the provisions set forth above. Accordingly, this application is being forwarded to OPAP for further processing.

Accordingly, the petition is **GRANTED**.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 6 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/258,031, 04/22/2014, 2668, 730, GDZY01-66USP, 10, 1

CONFIRMATION NO. 7410
UPDATED FILING RECEIPT

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Date Mailed: 06/29/2017

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

Zhiyun WU, Guangzhou, CHINA;
Chungwah MA, Guangzhou, CHINA;
Shiyu ZOU, Guangzhou, CHINA;

Applicant(s)

Zhiyun WU, Guangzhou, CHINA;
Chungwah MA, Guangzhou, CHINA;
Shiyu ZOU, Guangzhou, CHINA;

Assignment For Published Patent Application

Infinitus (China) Company Ltd., Jiangmen, CHINA

Power of Attorney: None

Domestic Applications for which benefit is claimed - None.

A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: No

Permission to Access Search Results: No

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 04/29/2014

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/258,031**

Projected Publication Date: 10/05/2017

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Skin Care and Cosmetic Composition

Preliminary Class

382

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop

technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/258,031

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	10 minus 20 = *	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	0.00
x 210 =	0.00
	0.00
	0.00
TOTAL	730

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**	=
Independent (37 CFR 1.16(h))	*	Minus	***	=	
Application Size Fee (37 CFR 1.16(s))					
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**	=
Independent (37 CFR 1.16(h))	*	Minus	***	=	
Application Size Fee (37 CFR 1.16(s))					
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031		Zhiyun WU	GDZY01-66USP

CONFIRMATION NO. 7410

WITHDRAWAL NOTICE



50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946

Date Mailed: 06/29/2017

Letter Regarding a New Notice and/or the Status of the Application

If a new notice or Filing Receipt is enclosed, applicant may disregard the previous notice mailed on 03/17/2015. The time period for reply runs from the mail date of the new notice. Within the time period for reply, applicant is required to file a reply in compliance with the requirements set forth in the new notice to avoid abandonment of the application.

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. <https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If the reply is not filed electronically via EFS-Web, the reply must be accompanied by a copy of the new notice.

If the Office previously granted a petition to withdraw the holding of abandonment or a petition to revive under 37 CFR 1.137, the status of the application has been returned to pending status.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/sstephanos/

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

-

RENEWED PETITION UNDER 37 CFR 1.137

Mail Stop Petition

Commissioner for Patents, P.O.Box 1450
Alexandria, VA 22313-1450

This is in response to Petition Decision of April 10, 2017. Applicant hereby renews the petition with the required reply: corrected Application Data Sheet.

The Office's attention to this matter is greatly appreciated.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Petitioner

BEI & OCEAN

Application No:14258031

BEI & OCEAN
Docket No: GDZY01-66USP

georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

Dated: June 10, 2017

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION DATA SHEET 37 CFR 1.76

Application Number	14258031
Attorney Docket Number	GDZY01-66USP
Title of invention	Skin Care and Cosmetic Composition

Secrecy Order 37 CFR 5.2

- Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information

Inventor 1	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Zhiyun <i>Middle Name:</i> <i>Family Name:</i> WU <i>Suffix:</i>
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Country of Residence:</i> CN <i>Citizenship under 37 CFR 1.41(b):</i> CN
Mailing Address of Inventor	<i>Address 1:</i> 4/F, West Tower, PCI Business Building, 66 Jianzhong Road <i>Address 2:</i> <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Postal Code:</i> 510665 <i>Country:</i> CN
Inventor 2	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Chungwah <i>Middle Name:</i> <i>Family Name:</i> Ma <i>Suffix:</i>

Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: <u>Guangzhou</u> State/Province: <u>Guangdong</u> Country of Residence: <u>CN</u> Citizenship under 37 CFR 1.41(b): <u>HK</u>
Mailing Address of Inventor	Address 1: <u>4/F, West Tower, PCI Business Building, 66 Jianzhong Road</u> Address 2: City: <u>Guangzhou</u> State/Province: <u>Guangdong</u> Postal Code: <u>510665</u> Country: <u>CN</u>

Inventor 3	
Legal Name	Prefix: Given Name: Shiyu Middle Name: Family Name: ZOU Suffix:
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: <u>Guangzhou</u> State/Province: <u>Guangdong</u> Country of Residence: <u>CN</u> Citizenship under 37 CFR 1.41(b): <u>CN</u>
Mailing Address of Inventor	Address 1: <u>4/F, West Tower, PCI Business Building, 66 Jianzhong Road</u> Address 2: City: <u>Guangzhou</u> State/Province: <u>Guangdong</u> Postal Code: <u>510665</u> Country: <u>CN</u>

Correspondence Information

<input type="checkbox"/> An Address is being provided for the correspondence information of this application.		
Customer Number	50163	
Correspondence Information	Name 1:	Name 2:
	Address 1:	
	Address 2:	
	City:	State/Province:
	Country:	Postal Code:
	Phone Number:	Fax Number:

Application Information

<i>Title of the Invention:</i> Skin Care and Cosmetic Composition	
<i>Attorney Docket Number:</i> GDZY01-66USP	<i>Small Entity Status Claimed:</i> <input checked="" type="checkbox"/>
<i>Application Type:</i> Nonprovisional	<i>Subject Matter:</i> Utility
<i>Total Number of Drawing Sheets (if any):</i> 4	<i>Suggested Figure for Publication (if any):</i> N/A

Publication Information

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information

Please Select One:	<input checked="" type="checkbox"/> Customer Number <input type="checkbox"/> US Patent Practitioner <input type="checkbox"/> Limited Recognition
Customer Number	50163

Domestic Benefit/National Stage Information

<i>Prior Application Status:</i>			
<i>Application Number</i>	<i>Continuity Type</i>	<i>Prior Application Number</i>	<i>Filing Date (YYYY-MM-DD)</i>

Foreign Priority Information

<i>Application Number</i>	<i>Country</i>	<i>Filing Date (YYYY-MM-DD)</i>	<i>Access Code (if applicable)</i>
---------------------------	----------------	---------------------------------	------------------------------------

Statement under 37 CFR 1.55 or 1.78

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access

Authorization to Permit Access to the Instant Application by the Participating Offices

Applicant Information

Applicant				
<input checked="" type="checkbox"/> Assignee <input type="checkbox"/> Legal Representative under 35 U.S.C.117 <input type="checkbox"/> Joint Inventor				
<input type="checkbox"/> Person to whom the inventor is obligated to assign. <input type="checkbox"/> Person who shows sufficient proprietary interest				
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
<input type="checkbox"/> Deceased <input type="checkbox"/> Legally Incapacitated and his or her name is:				
If the Applicant is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i> Mr	<i>Given Name</i> Huisen	<i>Middle Name</i>	<i>Family Name</i> Li	<i>Suffix</i>
Mailing Address Information For Applicant				
<i>Address 1</i>	No.3, North District, Industry&Trading City			
<i>Address 2</i>	Qi Bao, Xin Hui District			
<i>City</i> Jiangmen	<i>State/Province</i> Guangdong	<i>Country</i> CN	<i>Postal Code</i> 529156	
<i>Phone Number</i>	<i>Fax Number</i>	<i>Email Address</i>		

Assignee Information

Assignee				
If the Assignee is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i> Mr	<i>Given Name</i> Huisen	<i>Middle Name</i>	<i>Family Name</i> Li	<i>Suffix</i>

Mailing Address Information For Non-Applicant Assignee			
Address 1	No.3, North District, Industry&Trading City		
Address 2	Qi Bao, Xin Hui District		
City	State/Province	Country	Postal Code
Jiangmen	Guangdong	CN	529156
Phone Number	Fax Number	Email Address	

Signature

Signature	/George G Wang/		Date (YYYY-MM-DD)	2014-04-23
First Name	George G	Last Name	Wang	Registration Number 41,419

Electronic Acknowledgement Receipt

EFS ID:	29457990
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	11-JUN-2017
Filing Date:	22-APR-2014
Time Stamp:	13:52:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	petition.pdf	24608 2fe52e9fe5fae87bae1a5cf00b6e636d2a64d1ea	no	2

Warnings:

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Information:					
2	Application Data Sheet	66_ADS.pdf	222334	no	5
			8329c6bdcc4c6e07b6c11c5be8b5bb40d1e9677e		
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
Total Files Size (in bytes):				246942	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	04/10/2017	EXAMINER	
WANG & HO 66 HILL TOP ROAD MILLINGTON, NJ 07946			ART UNIT	PAPER NUMBER
			2668	
			NOTIFICATION DATE	DELIVERY MODE
			04/10/2017	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Wu, et al. : DECISION ON PETITION
Application No. 14/258,031 :
Filed: April 22, 2014 :
Atty. Dkt. No.: GDZY01-66USP :

The above-identified application has been directed to the Office of Petitions for consideration of the petition under 37 CFR 1.137(a) filed August 25, 2016.

The application became abandoned on July 2, 2014, for failure to timely submit a proper reply to the Notice to File Missing Parts of Nonprovisional Application (“Notice”) mailed on May 1, 2014, which set a two (2) month time limit for reply. On May 12, 2014, a proposed reply was filed. On May 16, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On June 18, 2014, a proposed reply was submitted. On June 20, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. Additionally on June 20, 2014, a Response to Request for Corrected Filing Receipt was mailed. On June 27, 2014, a proposed reply was filed. On August 14, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On August 19, 2014, a petition under 37 CFR 1.181 was filed. On March 13, 2015, a decision was mailed dismissing the petition. On March 17, 2015, a Notice of Abandonment was mailed. On May 11, 2015, a renewed petition was filed. On July 7, 2015, a decision was mailed dismissing the renewed petition. On August 4, 2015, a petition under 37 CFR 1.181 was filed. On November 9, 2015, a decision was mailed dismissing the renewed petition. On January 8, 2016, a renewed petition under 37 CFR 1.181 was filed. On February 17, 2016, a decision was mailed dismissing the renewed petition. On April 15, 2016, the subject renewed petition was filed. Petitioner again requests reconsideration of the decision. This decision was denied on July 19, 2016.

A grantable petition under 37 CFR 1.137(a) must be accompanied by: (1) the required reply, unless previously filed; (2) required the petition fee; (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See, MPEP 711.03(c)(II)(C) and (D).

The instant petition fails to satisfy requirement (1) set forth above. The corrected application data sheet (ADS) submitted August 25, 2016 is not acceptable as the “Inventor Information” section

Art Unit: OPET

fails to satisfy the requirements of 37 CFR 1.76(c)(2). The corrected ADS submitted June 27, 2014 is not acceptable for the same reason.

Any request for reconsideration must be accompanied by a corrected ADS in compliance with 37 CFR 1.76.

Accordingly, the petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(a)." This is not a final agency action within the meaning of 5 U.S.C. § 704.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

By hand: U.S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By facsimile: (571) 273-8300
 Attn: Office of Petitions

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

Office of Petitions: Routing Sheet



4 7 0 0

Application No.

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

4

Application No.

14258031



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

ALESIA M. BROWN

Count (1) - Palm Credit

14/258,031

Decision:

DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type:

502 - 37 CFR 1.137(b) - REVIVAL BASED ON UNINTENTI



Notes:

Count (2)

Decision:

n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type:

NONE

Notes:

Count (3)

Decision:

n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type:

NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box



Printed on: 4/5/2017

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(f)**

Docket Number (Optional)

GDZY01-66USP

Page 1 of 2

First named inventor: Zhiyun WU

Application No.: 14258031

Art Unit: 2668

Filed: 22-APR-2014

Examiner: _____

Title: **Skin Care and Cosmetic Composition**

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact the Office of Petitions at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity fee \$ 850 (37 CFR 1.17(m)). Applicant asserts small entity status. See 37 CFR 1.27.

Undiscounted fee \$ _____ (37.CFR.1.17(m)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office notice or action in the form of

Supplement ADS relative to ADS filed 2014-06-27 (identify the type of reply):

has been filed previously on _____.

is enclosed herewith.

B The issue fee and publication fee (if applicable) of \$ _____

has been paid previously on _____.

is enclosed herewith.

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

if you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(f)**

Page 2 of 2

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(a) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(a) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/George G . Wang/
Signature

August 24, 2016
Date

George G . Wang
Typed or Printed Name

41,419
Registration Number, if applicable

66 Hilltop Road
Address

908-552-6256
Telephone Number

Millington, NJ 07946
Address

Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheet(s) containing statements establishing unintentional delay
- Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by EFS-Web or facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

08/25/2016
Date

/George G . Wang/
Signature

George G . Wang
Typed or printed name of person signing certificate

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION DATA SHEET 37 CFR 1.76

Application Number	14258031
Attorney Docket Number	GDZY01-66USP
Title of invention	Skin Care and Cosmetic Composition

Secrecy Order 37 CFR 5.2

- Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information

Inventor 1	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Zhiyun <i>Middle Name:</i> <i>Family Name:</i> WU <i>Suffix:</i>
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service <i>City:</i> <u>Guangzhou</u> <i>State/Province:</i> <u>Guangdong</u> <i>Country of Residence:</i> <u>CN</u> <i>Citizenship under 37 CFR 1.41(b):</i> <u>CN</u>
Mailing Address of Inventor	<i>Address 1:</i> 4/F, West Tower, PCI Business Building, 66 Jianzhong Road <i>Address 2:</i> <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Postal Code:</i> 510665 <i>Country:</i> CN
Inventor 2	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Chungwah <i>Middle Name:</i> <i>Family Name:</i> Ma <i>Suffix:</i>

Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): HK
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Inventor 3	
Legal Name	Prefix: Given Name: Shiyu Middle Name: Family Name: ZOU Suffix:
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): CN
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Correspondence Information

<input type="checkbox"/> An Address is being provided for the correspondence Information of this application.		
Customer Number	50163	
Correspondence Information	Name 1:	Name 2:
	Address 1:	
	Address 2:	
	City:	State/Province:
	Country:	Postal Code:
	Phone Number:	Fax Number:

Application Information

<i>Title of the Invention:</i> Skin Care and Cosmetic Composition	
<i>Attorney Docket Number:</i> GDZY01-66USP	<i>Small Entity Status Claimed:</i> <input checked="" type="checkbox"/>
<i>Application Type:</i> Nonprovisional	<i>Subject Matter:</i> Utility
<i>Total Number of Drawing Sheets (if any):</i> 4	<i>Suggested Figure for Publication (if any):</i> N/A

Publication Information

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information

Please Select One:	<input checked="" type="checkbox"/> Customer Number <input type="checkbox"/> US Patent Practitioner <input type="checkbox"/> Limited Recognition
Customer Number	50163

Domestic Benefit/National Stage Information

<i>Prior Application Status:</i>			
<i>Application Number</i>	<i>Continuity Type</i>	<i>Prior Application Number</i>	<i>Filing Date (YYYY-MM-DD)</i>

Foreign Priority Information

<i>Application Number</i>	<i>Country</i>	<i>Filing Date (YYYY-MM-DD)</i>	<i>Access Code (if applicable)</i>
---------------------------	----------------	---------------------------------	------------------------------------

Statement under 37 CFR 1.55 or 1.78

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access

Authorization to Permit Access to the Instant Application by the Participating Offices

Applicant Information

Applicant				
<input checked="" type="checkbox"/> Assignee <input type="checkbox"/> Legal Representative under 35 U.S.C.117 <input type="checkbox"/> Joint Inventor				
<input type="checkbox"/> Person to whom the inventor is obligated to assign. <input type="checkbox"/> Person who shows sufficient proprietary interest				
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
<input type="checkbox"/> Deceased <input type="checkbox"/> Legally Incapacitated and his or her name is:				
If the Applicant is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	
Mailing Address Information For Applicant				
<i>Address 1</i>	No.3, North District, Industry&Trading City			
<i>Address 2</i>	Qi Bao, Xin Hui District			
<i>City</i>	<i>State/Province</i>	<i>Country</i>	<i>Postal Code</i>	
Jiangmen	Guangdong	CN	529156	
<i>Phone Number</i>	<i>Fax Number</i>	<i>Email Address</i>		

Assignee Information

Assignee				
If the Assignee is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	

Mailing Address Information For Non-Applicant Assignee			
Address 1	No.3, North District, Industry&Trading City		
Address 2	Qi Bao, Xin Hui District		
City Jiangmen	State/Province Guangdong	Country CN	Postal Code 529156
Phone Number	Fax Number	Email Address	

Signature

Signature	/George G Wang/		Date (YYYY-MM-DD)	2016-08-25
First Name	George G	Last Name	Wang	Registration Number 41,419

Electronic Patent Application Fee Transmittal

Application Number:	14258031
Filing Date:	22-Apr-2014
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Filer:	George G. Wang
Attorney Docket Number:	GDZY01-66USP

Filed as Small Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Pet. Revive Abandon App, Delay Pymt-Resp	2453	1	850	850

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				850

Electronic Acknowledgement Receipt

EFS ID:	26742085
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	25-AUG-2016
Filing Date:	22-APR-2014
Time Stamp:	03:40:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$850
RAM confirmation Number	6780
Deposit Account	
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

--

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	PET.pdf	174567 fa23cb793016bcdccc3d1a193d274ebbc93b4f35	no	3

Warnings:

Information:

2	Application Data Sheet	SuppADS.pdf	229776 02610f9ba347d2bd9b6961b70fd1abb886db186	no	5
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Warnings:

Information:

This is not an USPTO supplied ADS fillable form

3	Fee Worksheet (SB06)	fee-info.pdf	30354 3abefdee4a1cdfaf8a7ff6eb47106509ece842022	no	2
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Warnings:

Information:

Total Files Size (in bytes):	434697
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	07/20/2016	EXAMINER	
WANG & HO 66 HILL TOP ROAD MILLINGTON, NJ 07946			ART UNIT	PAPER NUMBER
			2668	
			NOTIFICATION DATE	DELIVERY MODE
			07/20/2016	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Wu et al. :
Application No. 14/258,031 : ON PETITION
Filed: 04/22/2014 :
Attorney Docket No. GDZY01-66USP :

This is a decision in reference to the “RENEWED PETITION UNDER 37 CFR 1.181,” filed on April 15, 2016, requesting withdrawal of the holding of abandonment.

The petition is **DENIED**. This decision may be viewed as a final agency action within the meaning of 5 U.S.C. § 704 for purposes of seeking judicial review. See MPEP 1002.02.

BACKGROUND

The application became abandoned on July 2, 2014, for failure to timely submit a proper reply to the Notice to File Missing Parts of Nonprovisional Application (“Notice”) mailed on May 1, 2014, which set a two (2) month time limit for reply. On May 12, 2014, a proposed reply was filed. On May 16, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On June 18, 2014, a proposed reply was submitted. On June 20, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. Additionally on June 20, 2014, a Response to Request for Corrected Filing Receipt was mailed. On June 27, 2014, a proposed reply was filed. On August 14, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On August 19, 2014, a petition under 37 CFR 1.181 was filed. On March 13, 2015, a decision was mailed dismissing the petition. On March 17, 2015, a Notice of Abandonment was mailed. On May 11, 2015, a renewed petition was filed. On July 7, 2015, a decision was mailed dismissing the renewed petition. On August 4, 2015, a petition under 37 CFR 1.181 was filed. On November 9, 2015, a decision was mailed dismissing the renewed petition. On January 8, 2016, a renewed petition under 37 CFR 1.181 was filed. On February 17, 2016, a decision was mailed dismissing the renewed petition.

On April 15, 2016, the subject renewed petition was filed. Petitioner again requests reconsideration of the decision.

Art Unit: OPET

Petitioner asserts:

The Office of Petition does not seem to have addressed the issues presented for review by the Petitioner. The issues presented for review are:

1. Whether the mailing address for each of the inventors provided on the ADS (filed April 23, 2014) is a “mailing address.”
2. Whether the Office should clarify its requirement in a Notice when requested by an applicant confused by the Notice.

Petitioner further asserts that

[T]he holding of abandonment is improper because 37 CFR 1.76(c) specifically provides that the applicant may file an updated ADS to make a correction of information until payment of issue fee. Therefore, there is no legitimate reason to rush and hold this application to be abandoned (*sic*) at this moment.

LAW AND REGULATION

35 U.S.C. 133 states

Upon failure of the applicant to prosecute the application within six months after any action therein, of which notice has been given or mailed to the applicant, or within such shorter time, not less than thirty days, as fixed by the Director in such action, the application shall be regarded as abandoned by the parties thereto.

37 CFR 1.63(b)(2) states:

Unless the following information is supplied in an application data sheet in accordance with § 1.76, the oath or declaration must also identify: A mailing address where the inventor customarily receives mail, and residence, if an inventor lives at a location which is different from where the inventor customarily receives mail, for each inventor.

37 CFR 1.76(c) states:

Correcting and updating an application data sheet.

(1) Information in a previously submitted application data sheet, inventor's oath or declaration under § 1.63 , § 1.64 or § 1.67 , or otherwise of record, may be corrected or updated until payment of the issue fee by a new application data sheet providing corrected or updated information, except that inventorship

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changes must comply with the requirements of § 1.48 , foreign priority and domestic benefit information changes must comply with §§ 1.55 and 1.78 , and correspondence address changes are governed by § 1.33(a).

(2) An application data sheet providing corrected or updated information may include all of the sections listed in paragraph (b) of this section or only those sections containing changed or updated information. The application data sheet must include the section headings listed in paragraph (b) of this section for each section included in the application data sheet, and must identify the information that is being changed, with underlining for insertions, and strike-through or brackets for text removed, except that identification of information being changed is not required for an application data sheet included with an initial submission under 35 U.S.C. 371.

37 CFR 1.135 states, in pertinent part:

(a) If an applicant of a patent application fails to reply within the time period provided under § 1.134 and 1.136, the application will become abandoned unless an Office action indicates otherwise.

(b) Prosecution of an application to save it from abandonment pursuant to paragraph (a) of this section must include such complete and proper reply as the condition of the application may require.

OPINION

A review of the record reveals that on April 22, 2014, the application was filed with an inventor's oath or declaration signed by inventors Zhiyun Wu, Chungwah Ma, and Shiyu Zou. No application data sheet (ADS) was filed with the original application papers. As such, the record of the application as filed only identified the inventors by name.

On April 23, 2014, an application data sheet was filed. The ADS was not marked up in accordance with 37 CFR 1.76(c), however, to indicate the residence and mailing address of each inventor relative to the information of record.

On May 1, 2014, a Notice to File Missing Parts of Nonprovisional Application was mailed, stating that an ADS or inventor's oath or declaration identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) for each inventor had not been submitted.

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On May 12, 2014, a reply to the Notice mailed on May 1, 2014, was submitted. The reply stated that an ADS “which contains all the necessary information including mailing address of all the inventors” had been submitted on April 23, 2014.

On May 16, 2014, a Notice of Incomplete Reply was mailed, stating that the reply filed on May 12, 2014 was incomplete, and that a new ADS identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) had not been submitted. The Notice stated that the time period set in the Notice mailed on May 1, 2014 remains in effect.

On June 18, 2014, applicants resubmitted the ADS originally filed April 23, 2014. Accordingly, the same deficiency was present: The ADS was not marked up in accordance with 37 CFR 1.76(c), however, to indicate the residence and mailing address of each inventor relative to the information of record.

On June 20, 2014, a Notice of Incomplete Reply was mailed, stating that the reply filed on June 18, 2014 was incomplete, and that a new ADS identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) had not been submitted. The Notice stated that the time period set in the Notice mailed on May 1, 2014 remains in effect. Additionally on June 20, 2014, a Response to Request for Corrected Filing Receipt was mailed noting that a corrected filing receipt could not be issued because the ADS submitted on June 18, 2014 was not properly marked up to show the desired changes to the information already of record as required by 37 CFR 1.76(c).

On June 27, 2014, an ADS was filed. The mailing address of each inventor was marked up in accordance with 37 CFR 1.76(c), but the residence city and state or city and foreign country was not marked up. The changes to the residence city and state were not underlined.

On August 14, 2014, a Notice of Incomplete Reply was mailed, stating that the reply filed on June 27, 2014 was incomplete, and that a new ADS identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) had not been submitted. The Notice stated that the time period set in the Notice mailed on May 1, 2014 remains in effect.

On August 19, 2014, a petition under 37 CFR 1.181 was filed requesting review under 37 CFR 1.181 of the requirement for a corrected ADS.

On March 13, 2015, a decision was mailed dismissing the petition. The decision stated that the ADS submitted June 27, 2014 is improper because the residence information added was not underlined in accordance with 37 CFR 1.76(c)(2).

On March 17, 2015, a Notice of Abandonment was mailed.

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On May 11, 2015, a renewed petition was filed. The renewed petition asserted that the first submission of the ADS in the present application on April 22, 2014 was fully compliant with the rules pursuant to 37 CFR 1.76.

On July 7, 2015, a decision was mailed dismissing the petition. The decision quoted MPEP 601.05(a) which states, in pertinent part, that an ADS submitted after the filing of the application must identify the information being changed (added, deleted, or modified) in the application data sheet in accordance with 37 CFR 1.76(c)(2). The decision stated that the residence information had not been underlined, and that the petition was therefore dismissed.

On August 4, 2015, a renewed petition was filed. The petition asserted, in essence, that the Office had not explained, in the Notice mailed May 1, 2014, or subsequent communications, why a new ADS was required and what actions applicant was required to take to comply with the Notice. The petition also stated that the application should not be held abandoned because an "applicant has the option to correct or update information in the ADS...at any time until payment of the issue fee."

On November 9, 2015, a decision was mailed dismissing the petition. The decision noted that the ADS filed on April 23, 2014 was filed after the filing of the application on April 22, 2014, and was therefore a supplemental ADS, and that all of the information being added (the residence and the mailing address) needed to be underlined, and that since a properly underlined ADS was not timely filed, the application was abandoned pursuant to 37 CFR 1.135 for failure to timely reply to the Notice mailed on May 1, 2014.

On January 8, 2016, a renewed petition was filed, in which applicant argued that the decision mailed on November 9, 2015 was incorrect in stating that the ADS filed on April 23, 2014 was a supplemental ADS because it was the first ADS filed in the application. Petitioner further argued that the prior decision had incorrectly cited MPEP 601.05(b), which applied only to applications filed before September 16, 2012, and that the Office had also failed to provide sufficient guidance to applicant on how to comply with the Notice mailed on May 1, 2014.

On February 17, 2016, a decision was mailed dismissing the petition. The decision again noted that an ADS in compliance with 37 CFR 1.76 was not filed on April 23, 2014, as the residence information being added was not underlined. The decision stated that a properly underlined ADS had still not been filed as the ADS filed on June 27, 2014 was not in compliance with 37 CFR 1.76. The decision further noted that it was applicant's responsibility to timely file a reply in compliance with 37 CFR 1.76, and that the application was properly held abandoned pursuant to 37 CFR 1.135 for failure to timely submit a proper reply to the Notice mailed on May 1, 2014. Lastly, the decision noted although MPEP 601.05(a), rather than 601.05(b), was the applicable section, for an application filed on or after September 16, 2012, a corrected or updated ADS in compliance with 37 CFR 1.76(c) was required by MPEP 601.05(a) and had not been filed. Specifically, the ADS filed April 23, 2014 was filed after the filing date of the application and was not underlined.

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On April 15, 2016, the subject renewed petition was filed.

The showing of record is that an ADS in compliance with 37 CFR 1.76(c) was not filed in that the ADS included changes to the information of record (i.e., adding of the residence), but that the information was not properly marked with underlining for information being added and strikethrough or brackets for text being removed. Specifically, petitioner attempted to add a city and foreign country for the residence but did not underline the information being added.

With regard to petitioner's first contention, petitioner's argument has been considered, but is not persuasive. As noted in the decision mailed on February 17, 2016, MPEP 601.05(a) states that any ADS filed after the filing of the application is a corrected or updated ADS, and must comply with 37 CFR 1.76(c). Section 1.76(c) states that the ADS must identify the information being changed, with underlining for insertions and strike-through or brackets for text removed. The ADS filed April 23, 2014 was not effective to add a residence and a mailing address because it was not marked in accordance with 37 CFR 1.76(c). As the application was filed on April 22, 2014 without an inventor's oath or declaration or an ADS specifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) no mailing address or residence was of record. See filing receipt mailed May 1, 2014.

With regard to petitioner's second contention, petitioner asserts that he did not understand why its reply was non-compliant, and that the Office did not fulfill its obligation to adequately explain to applicant why the reply is non-compliant in a manner which is "understandable and clear". In asserting that the Office's Notice was unclear, petitioner asserts that the cases of *In re Sivertz*, 227 USPQ 255, 256 (Comm'r Pat. 1985); see also *In re Colombo, Inc.*, 33 USPQ2d 1530, 1532 (Comm'r Pat. 1994), discussed in the previous decision, are not applicable to the present situation.

Petitioner's second argument has been carefully considered, but is unpersuasive. While the Office is mindful of the difficulties described by counsel, the failure of the applicant to timely correct all defects in the application is the responsibility of the applicant, not the Office. Despite petitioners' assertion to the contrary, while the Office attempts to notify an applicant of any deficiency in the reply in a manner permitting a timely correction, the Office is under no obligation to do so. See *In re Sivertz, supra*; see also *In re Colombo, Inc., supra*. See, e.g. *B and E Sales Co., Inc. v. The Andrew Jergens Co.*, 7 USPQ2d 1906 (Comm'r Pat. 1988) (stating (in a trademark case) that practitioners are expected to know the rules of practice), citing *In re Sivertz, supra*. Simply put, an applicant is ultimately responsible for ensuring that a proper, complete and timely reply is filed with the USPTO.

Moreover, the Office did inform applicant in the Notices mailed on May 1, 2014, May 16, 2014, June 20, 2014, and August 14, 2014 that a new ADS in compliance with 37 CFR 1.76 or inventor's oath or declaration was required to be filed. As noted before, 37 CFR 1.76(c)(1) states that information in a previously submitted application data sheet, inventor's oath or declaration under § 1.63, § 1.64 or § 1.67, or otherwise of record (that is, the application information that has

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been entered in the USPTO's Patent Application Locating and Monitoring (PALM) system as of the date the corrected or updated ADS is filed), must be corrected in the manner set forth in 1.76(c)(2). Therefore, any ADS filed after the filing of the application is a corrected or updated ADS, and must comply with 37 CFR 1.76(c). Moreover, in the Response to Request for Corrected Filing Receipt mailed on June 20, 2014 the Office noted the requirement under 37 CFR 1.76 that additions to information already of record made in an ADS must be shown with underlining.

Lastly, petitioner's assertion that the application should not be held abandoned despite applicant's failure to comply with the Notice mailed on May 1, 2014 is not persuasive. 37 CFR 1.135(b) states that 35 USC 133 states that if an applicant fails to prosecute the application within the time period given, the application shall be regarded as abandoned. 37 CFR 1.135(b) states that prosecution of an application to save it from abandonment pursuant to paragraph (a) of this section must include such complete and proper reply as the condition of the application may require. The Notice mailed May 1, 2014 set a two month shortened period for submission of a timely and proper reply. Extensions of time were available. Furthermore, applicant was repeatedly notified, in the Notices mailed May 16, 2014, June 20, 2014, and August 14, 2014, that the ADS submitted in reply to the Notice mailed May 1, 2014 was non-compliant, and that a proper and timely reply to the Notice was required to avoid abandonment. Nonetheless, a properly-marked corrected or updated ADS was not timely filed in response to the Notice mailed on May 1, 2014. Therefore, the application is abandoned as a matter of law.

CONCLUSION

As petitioner has failed, despite repeated attempts, to provide any persuasive arguments meriting withdrawal of the holding of abandonment, the petition must be **denied**.

Nevertheless, petitioner may consider filing a petition to revive the application under 37 CFR 1.137(a). The filing of a petition under the unintentional standard cannot be intentionally delayed and therefore should be filed promptly. A statement that the delay was unintentional is not appropriate if petitioners intentionally delayed the filing of a petition for revival under 37 CFR 1.137(a).

The prior decision, which refused to withdraw the holding of abandonment, has been reconsidered, and is affirmed.

Telephone inquiries concerning this matter may be directed to Attorney Advisor Douglas I. Wood at (571) 272-3231.

/ROBERT CLARKE/
Robert A. Clarke

Application/Control Number: 14/258,031

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Patent Attorney,
Office of the Deputy Commissioner
for Patent Examination Policy

Office of Petitions: Routing Sheet



Application No. 14258031

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14258031



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

WOOD, DOUGLAS

Count (1) - Palm Credit

14/258,031

Decision: DENIED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 525 - 37 CFR 1.181 for W/D HOLDING OF ABANDONMEI



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 4/26/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

RENEWED PETITION UNDER 37 CFR1.181

Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandra, VA 22313-1450

COMMISSIONER:

Petitioner hereby requests reconsideration of the petition decision of February 17 2016 (the "Decision" hereinafter). The Office of Petition does not seem to have addressed the issues presented for review by the Petitioner. The issues presented for review are:

1. Whether the mailing address for each of the inventors provided on the ADS (filed April 23, 2014) is a "mailing address."
2. Whether the Office should clarify its requirement in a Notice when requested by an applicant confused by the Notice.

If the Office believes that it is proper for the Office to issue a Notice alleging that a document missing a mailing address when the document in fact contains the mailing address; that it is proper for the Office to regard the deficiency of missing a mailing address is the same deficiency as missing an underline; and that it is proper for the Office to refuse providing clarification when repeatedly requested by an applicant/customer confused by a Office Notice, then the Office's such ruling should be specific for the purpose of further judicial review.

Instead of providing rulings on the specific issues presented for review, the Decision of February 17, 2016, bases on a straw man form of reasoning. For example, one ground relied on to dismiss this Petition is:

While the Office attempts to notify an applicant of any deficiency in the reply in a manner permitting a timely correction, the Office is under no obligation to do so. See In re Sivertz, 227 USPQ 255, 256 (Comm'r Pat. 1985); see also In re Colombo, Inc., 33 USPQ2d 1530, 1532 (Comm'r Pat. 1994). An applicant is ultimately responsible for ensuring that a proper, complete and timely reply is filed with the USPTO.

(second paragraph, page 4, Petition Decision). However, Petitioner in this case never holds the position that the Office is under an obligation to notify an applicant of any deficiency but holds the position that the Notice issued by the Office must be understandable and clear and the Office must be responsive to good-faith inquires concerning an Office Notice which is not understandable or unclear. The factual pattern and issues presented here has nothing in common with those in *In re Sivertz* and *In re Colombo, Inc.*

Furthermore, Petitioner respectfully submits that the holding of abandonment of this application is improper because 37 CFR 1.76 (c) specifically provides that the applicant may file an updated ADS to make a correction of information until payment of issue fee. Thus, there is no legitimate reason to rush and hold this application be abandoned at this moment.

Based on the above grounds, Petitioner respectfully requests that the Office reconsider the Decision and make final decisions on the specific issues presented in this Petition.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Petitioner

BEI & OCEAN
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Dated: April 15, 2016

Electronic Acknowledgement Receipt

EFS ID:	25499543
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	15-APR-2016
Filing Date:	22-APR-2014
Time Stamp:	05:51:56
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	Reconsider_Petition_GDZY01_66USP.pdf	59605 a6ee5ce1641f947ff2ffc99005be369214dc9f1	no	3

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	02/17/2016	EXAMINER	
WANG & HO 66 HILL TOP ROAD MILLINGTON, NJ 07946			ART UNIT	PAPER NUMBER
			2668	
			NOTIFICATION DATE	DELIVERY MODE
			02/17/2016	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Wu et al. :
Application No. 14/258,031 : ON PETITION
Filed: 04/22/2014 :
Attorney Docket Number: GDZY01-66USP :

This is a decision in reference to the renewed petition under 37 CFR 1.181 filed on January 8, 2016, to withdraw the holding of abandonment.

The petition is again **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. **This time period is not extendable.**¹

The application became abandoned on July 2, 2014, for failure to timely submit a proper reply to the Notice to File Missing Parts of Nonprovisional Application (“Notice”) mailed on May 1, 2014, which set a two (2) month shortened period for reply. On May 12, 2014, a proposed reply was filed. On May 16, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On June 18, 2014, a proposed reply was submitted. On June 20, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On June 27, 2014, a proposed reply was filed. On August 14, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and that the period for reply remained as set forth in the Notice mailed on May 1, 2014. On March 17, 2015, a Notice of Abandonment was mailed. On August 19, 2014, a petition under 37 CFR 1.181 was filed. On March 13, 2015, a decision was mailed dismissing the petition. On May 11, 2015, a renewed petition was filed. On July 7, 2015, a decision was mailed dismissing the renewed petition. On August 4, 2015, a petition under 37 CFR 1.181 was filed. On November 9, 2015, a decision was mailed dismissing the renewed petition.

On January 8, 2016, the subject thrice renewed petition was filed.

Petitioner states:

Petitioner hereby requests reconsideration of the petition decision of November 09, 2015 (the "Decision" hereinafter) for two reasons. (1) The

¹ 37 CFR 1.181(f).

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Decision did not consider and decide on the issues presented for review in the petition and (2) The Decision is erroneous for misapplying legal authorities.

Part I. Issues presented in the petition should be reviewed

(I) the Decision did not decide the following issues which Petitioner has requested for review in the petition: (1) whether the mailing address for each of the inventors provided on the ADS (filed April 23, 2014) is a "mailing address" and (2) if not, whether the Office should clarify its requirement so that Applicant knows how to comply when requested by Applicant.

For the purpose of further juridical review, Petitioner hereby requests that the Office make final decisions on the following specific issues.

(a) Whether the Notice issued by the Office on May 12, 2014 is invalid as it alleges the ADS submitted by Petitioner has a deficiency that "[a] mailing address for each inventor has not been submitted "while such alleged deficiency is factually wrong.

(b) Whether it is proper for the Office to ignore Petitioner's repeated requests for clarification on a deficiency alleged in an Office Notice, which is confusing and incorrect.

(c) Whether the Office has the authority to declare Petitioner's application be abandoned while Petitioner is actively enraging with the Office to find out a possible way to comply with the Notice.

Part II: The Decision is incorrect

The Decision itself is incorrect for two reasons. First, it relies on an MPEP section (601.05(a)), which contradicts with 37 CFR 1.76(c) concerning the requirements for an ADS submission. The Petitioner's ADS submitted on April 23, 2014 is the first ADS submission, not "a new application data sheet" submitted for correcting or updating the information "in a previously submitted application data sheet" within the meaning of 37 CFR 1.76(c), notwithstanding the contrary definition provided in MPEP 601.05(a), which cannot override the CFR Rules.

Second, the Decision incorrectly cites MPEP 601.05(b) as the basis. MPEP 601.05(b) is only applicable to applications filed before September 16, 2012, while Petitioner's application was filed after that date.

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Based on the above grounds, Petitioner respectfully requests that the Office reconsider the Decision and make final decisions on the issues presented in the Petition.

With regard to Part I, above, petitioners' arguments have been considered, but are not persuasive. MPEP 601.05(a) states that the mailing address is the address at which the inventor receives mail. The ADS filed on April 23, 2014 was not effective to provide the mailing address because it was filed after the date the application was filed and the mailing address was not underlined.

37 CFR 1.76(c) states:

Correcting and updating an application data sheet.

(1) Information in a previously submitted application data sheet, inventor's oath or declaration under § 1.63, § 1.64 or § 1.67, ***or otherwise of record***, may be corrected or updated until payment of the issue fee by a new application data sheet providing corrected or updated information, except that inventorship changes must comply with the requirements of § 1.48, foreign priority and domestic benefit information changes must comply with §§ 1.55 and 1.78, and correspondence address changes are governed by § 1.33(a).

(2) An application data sheet providing corrected or updated information may include all of the sections listed in paragraph (b) of this section or only those sections containing changed or updated information. The application data sheet must include the section headings listed in paragraph (b) of this section for each section included in the application data sheet, and must identify the information that is being changed, with underlining for insertions, and strike-through or brackets for text removed, except that identification of information being changed is not required for an application data sheet included with an initial submission under 35 U.S.C. 371.

(emphasis added)

It is undisputed that an ADS in compliance with 37 CFR 1.76 was not submitted on April 23, 2014. A review of the record reveals that a properly underlined ADS has still not been submitted in the application, as the inventors' residence information is not underlined in the ADS submitted on June 27, 2014, as required by 37 CFR 1.76.

With regard to petitioners' argument that the Office did not inform applicant of why the reply was defective, and what was needed to present a compliant reply, petitioners' argument is also not persuasive. The Notice mailed on May 1, 2014, stated that an ADS

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in compliance with 37 CFR 1.76 was required. Additionally, the same information was provided in the Notices mailed on May 16, 2014, June 20, 2014, and August 14, 2014.

While the Office attempts to notify an applicant of any deficiency in the reply in a manner permitting a timely correction, the Office is under no obligation to do so. See In re Sivertz, 227 USPQ 255, 256 (Comm'r Pat. 1985); see also In re Colombo, Inc., 33 USPQ2d 1530, 1532 (Comm'r Pat. 1994). An applicant is ultimately responsible for ensuring that a proper, complete and timely reply is filed with the USPTO.

Lastly, petitioner asserts, in essence, that the application should not have been held abandoned because petitioner was attempted to properly respond to the Notice. Petitioners' argument has been considered, but is not persuasive.

37 CFR 1.135 states, in pertinent part, that

(a) If an applicant of a patent application fails to reply within the time period provided under § 1.134 and § 1.136, the application will become abandoned unless an Office action indicates otherwise.

(b) Prosecution of an application to save it from abandonment pursuant to paragraph (a) of this section must include such complete and proper reply as the condition of the application may require.

The showing of record is that petitioner made an avoidable mistake in not filing an ADS in compliance with 37 CFR 1.76. Withdraw of the holding of abandonment is not warranted when petitioner makes an avoidable mistake in filing papers (or fees) in the Office.

With regard to Part II of the petition, petitioners' arguments have also been considered, but are not persuasive.

Petitioner asserts that MPEP 601.05(a) contracts 37 CFR 1.76(c) concerning the requirements for submission of an ADS. Specifically, petitioners assert that the ADS submitted on April 23, 2014 is the first ADS submission, "not 'a new application data sheet' submitted for correcting or updating the information 'in a previously submitted application data sheet' within the meaning of 37 CFR 1.76(c), notwithstanding the contrary definition provided in MPEP 601.05(a)."

MPEP 601.05(a) states, in pertinent part:

II. CORRECTING AND UPDATING AN ADS OR INFORMATION OTHERWISE OF RECORD

37 CFR 1.76(c) provides the procedure for correcting and updating not only an application data sheet (ADS), but also information otherwise of

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record (e.g., information provided on the most recent filing receipt). ***Any ADS filed after the filing date of the application is considered a corrected (or updated) ADS even if an ADS was not previously submitted. Such a corrected ADS must identify the information that is being changed with underlining for insertions and strike-through or brackets for text removed, except that identification of information being changed is not required for an ADS included with an initial submission under 35 U.S.C. 371.***

(emphasis added)

Petitioner's argument has been considered, but is not persuasive. 37 CFR 1.76(c)(1) states, in pertinent part, that information in a previously submitted application data sheet, inventor's oath or declaration under § 1.63, § 1.64, or § 1.67, ***or otherwise of record***, may be corrected or updated by a new application data sheet providing corrected or updated information. On April 22, 2014, the application was filed, however the inventors' residence and mailing address was not provided and therefore not made of record. MPEP 601.05(a) does not conflict with § 1.76(c), but rather simply clarifies that the Office will record a corrected or updated ADS in compliance with 37 CFR 1.76(c) to correct or update any information not of record, regardless of whether an ADS was previously filed. A corrected or updated ADS is required to correct the mailing address and residence of the inventors.

The ADS filed on April 23, 2014 was filed after the filing of the application on April 22, 2014 and therefore is considered a corrected (or updated) ADS. As such, all of the information being added (*i.e.*, the residence *and* the mailing address of the joint inventors) must be underlined. As both the mailing address and the residence were not underlined, the corrected (or updated) ADS was improper and did not meet the requirements of the Notice mailed on May 1, 2014. Further as noted above, the corrected or updated ADS filed on June 27, 2014 did not include underlining for the changes to the inventors' residence. Therefore a proper ADS in compliance with 37 CFR 1.76(c) has not been filed.

With regard to petitioners' argument that the decision mailed on November 9, 2015 incorrectly cites 601.05(b), petitioners' argument is without merit because the decision also cited MPEP 601.05(a), which applies to applications filed on or after September 16, 2012. The present application was filed on or after September 16, 2012, and a proper corrected (or update) ADS was not filed. The ADS filed on April 23, 2014 was not filed in accordance with 37 CFR 1.76 as set forth in MPEP 601.05(a), and therefore did not satisfy the requirements of the Notice mailed on May 1, 2014.

In summary, the showing of record is that petitioner intended to file a complete and timely reply, but inadvertently failed so to do. As such, the application was properly held abandoned, and the petition is **dismissed**.

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Petitioner is encouraged to consider filing a petition to revive the application under 37 CFR 1.137(a). The filing of a petition under the unintentional standard cannot be intentionally delayed and therefore should be filed. A statement that the delay was unintentional is not appropriate if petitioners intentionally delayed the filing of a petition for revival under 37 CFR 1.137(a).

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By internet: EFS-Web²

Any questions concerning this matter may be directed to the undersigned at (571) 272-3231.

/dwood/

Douglas I. Wood
Attorney Advisor
Office of Petitions

² www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

Office of Petitions: Routing Sheet



Application No. 14258031

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14258031



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

WOOD, DOUGLAS

Count (1) - Palm Credit

14/258,031

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 525 - 37 CFR 1.181 for W/D HOLDING OF ABANDONMEI



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 2/12/2016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

RENEWED PETITION UNDER 37 CFR1.181

Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandra, VA 22313-1450

COMMISSIONER:

Petitioner hereby requests reconsideration of the petition decision of November 09, 2015 (the "Decision" hereinafter) for two reasons. (1) The Decision did not consider and decide on the issues presented for review in the petition and (2) The Decision is erroneous for misapplying legal authorities.

Part I. Issues presented in the petition should be reviewed

(1) the Decision did not decide the following issues which Petitioner has requested for review in the petition: (1) whether the mailing address for each of the inventors provided on the ADS (filed April 23, 2014) is a "mailing address" and (2) if not,

whether the Office should clarify its requirement so that Applicant knows how to comply when requested by Applicant.

For the purpose of further juridical review, Petitioner hereby requests that the Office make final decisions on the following specific issues.

(a) Whether the Notice issued by the Office on May 12, 2014 is invalid as it alleges the ADS submitted by Petitioner has a deficiency that "[a] mailing address for each inventor has not been submitted..." while such alleged deficiency is factually wrong.

(b) Whether it is proper for the Office to ignore Petitioner's repeated requests for clarification on a deficiency alleged in an Office Notice, which is confusing and incorrect.

(c) Whether the Office has the authority to declare Petitioner's application be abandoned while Petitioner is actively engaging with the Office to find out a possible way to comply with the Notice.

Part II: The Decision is incorrect

The Decision itself is incorrect for two reasons. First, it relies on an MPEP section (601.05(a)), which contradicts with 37 CFR 1.76(c) concerning the requirements for an ADS submission. The Petitioner's ADS submitted on April 23, 2014 is the first ADS submission, not "a new application data sheet" submitted for correcting or updating the information "in a previously submitted application data sheet" within the meaning of 37 CFR 1.76(c), notwithstanding the contrary definition provided in MPEP 601.05(a), which cannot override the CFR Rules.

Second, the Decision incorrectly cites MPEP 601.05(b) as the basis. MPEP 601.05(b) is only applicable to applications filed before September 16, 2012, while Petitioner's application was filed after that date.

Based on the above grounds, Petitioner respectfully requests that the Office reconsider the Decision and make final decisions on the issues presented in the

Petition.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Petitioner

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Phone: (852) 61821877
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Dated: January 8, 2016

Electronic Acknowledgement Receipt

EFS ID:	24568240
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	08-JAN-2016
Filing Date:	22-APR-2014
Time Stamp:	12:24:53
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	Reconsideration_Request.pdf	4895 <small>b5c108814bc3ac125da1b4af6f2838bc950099ad</small>	no	3

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	11/09/2015	EXAMINER	
WANG & HO 66 HILL TOP ROAD MILLINGTON, NJ 07946			ART UNIT	PAPER NUMBER
			2668	
			NOTIFICATION DATE	DELIVERY MODE
			11/09/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Wu et al. :
Application No. 14/258,031 : ON PETITION
Filed: 04/22/2014 :
Attorney Docket Number: GDZY01-66USP :

This is a decision in reference to the renewed petition under 37 CFR 1.181 filed on August 4, 2015, to withdraw the holding of abandonment.

The petition is again **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. **This time period is not extendable.**¹

The application became abandoned on July 2, 2014, for failure to timely submit a proper reply to the Notice to File Missing Parts of Nonprovisional Application (“Notice”) mailed on May 1, 2014, which set a two (2) month shortened period for reply. On May 12, 2014, a proposed reply was filed. On May 16, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and the period for reply remained as set forth in the Notice mailed on May 1, 2014. On June 18, 2014, a proposed reply was submitted. On June 20, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and the period for reply remained as set forth in the Notice mailed on May 1, 2014. On June 27, 2014, a proposed reply was filed. On August 14, 2014, however, a Notice of Incomplete Reply (Nonprovisional) was mailed, stating that the reply was incomplete, and the period for reply remained as set forth in the Notice mailed on May 1, 2014. On March 17, 2015, a Notice of Abandonment was mailed. On August 19, 2014, a petition under 37 CFR 1.181 was filed. On March 13, 2015, a decision was mailed dismissing the petition. On May 11, 2015, a renewed petition was filed. On July 7, 2015, a decision was mailed dismissing the renewed petition.

On August 4, 2015, the subject twice renewed petition was filed.

Petitioner asserts that the Notice mailed on May 1, 2014, “is invalid because it is impossible for Applicant to comply with the Notice.” Specifically petitioner points out that the Notice stated that the mailing address for each inventor had not been submitted. Petitioner states that counsel was informed by Office personnel that the ADS filed on April 23, 2014, was incomplete because the mailing address had not been underlined.

¹ 37 CFR 1.181(f).

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Petitioner asserts that a properly underlined ADS was filed on June 27, 2014, but was not accepted. Petitioner further asserts that the Office did not properly explain why the ADS filed on June 27, 2014 was not acceptable, but rather simply mailed another Notice of Incomplete Reply on August 14, 2014, “repeating with the same content as in the previous two notices”.

Petitioner further asserts that the petition decision mailed on March 13, 2015, is erroneous because it did not address the issues presented in the petition. Specifically, (1) whether the mailing address for each of the inventors provided on the ADS filed on April 23, 2014 is a “mailing address”, and (2) if not, what whether the Office should clarify its requirement so that Applicant knows how to comply when requested by Applicant.

Petitioner further asserts that the Notice of Abandonment is “factually wrong” because the record clearly shows that on May 12, 2014, Applicant timely replied to the Notice mailed on May 1, 2014, and the petition is still in progress concerning the Notice, where until this day the Office has not yet provided a clarification why the ADS submitted on April 23, 2014 in this application was not in compliance with any legal requirements. (underlining in original).

Petitioner further asserts that the second petition decision “is conclusive with no factual and legal support”. Petitioner states, in pertinent part, that the second decision “did not address the issues asked for review at all.” Petitioner states that the ADS submitted on April 23, 2014 is “fully compliance” (*sic*) with the requirements under 37 CFR 1.76, and that there is no legal requirement that the residence information provided in the first ADS submission on April 23, 2014, be underlined.

37 CFR 1.76(c) states:

Correcting and updating an application data sheet.

(1) Information in a previously submitted application data sheet, inventor's oath or declaration under § 1.63, § 1.64 or § 1.67, or otherwise of record, may be corrected or updated until payment of the issue fee by a new application data sheet providing corrected or updated information, except that inventorship changes must comply with the requirements of § 1.48, foreign priority and domestic benefit information changes must comply with §§1.55 and 1.78, and correspondence address changes are governed by § 1.33(a).

(2) An application data sheet providing corrected or updated information may include all of the sections listed in paragraph (b) of this section or only those sections containing changed or updated information. The application data sheet must include the section headings listed in paragraph (b) of this section for each section included in the application data sheet, and must identify the information that is being changed, with

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underlining for insertions, and strike-through or brackets for text removed, except that identification of information being changed is not required for an application data sheet included with an initial submission under 35 U.S.C. 371.

MPEP 601.05(a) states, in pertinent part:

II. CORRECTING AND UPDATING AN ADS OR INFORMATION OTHERWISE OF RECORD

37 CFR 1.76(c) provides the procedure for correcting and updating not only an application data sheet (ADS), but also information otherwise of record (e.g., information provided on the most recent filing receipt). Any ADS filed after the filing date of the application is considered a corrected (or updated) ADS even if an ADS was not previously submitted. Such a corrected ADS must identify the information that is being changed with underlining for insertions and strike-through or brackets for text removed, except that identification of information being changed is not required for an ADS included with an initial submission under 35 U.S.C. 371.

MPEP 601.05(b) states, in pertinent part:

II. SUPPLEMENTAL ADS SUBMISSIONS

...

Any ADS submitted after the filing date of the application is a supplemental ADS, regardless of whether an original ADS was submitted with the application papers on filing. A supplemental ADS that is being used to correct data shown in an oath or declaration, such as foreign priority or residence information for an inventor, would show the original incorrect information with strike-through or brackets, and the new information with underlining, as if an ADS had originally been used to submit the information. For example, if the original oath or declaration included a foreign priority claim, in order to delete the foreign priority claim, applicant should provide a supplemental ADS showing the foreign priority claim with strike-through or brackets to ensure that the patent will reflect such change.

Petitioner's arguments have been considered, but are not persuasive. The ADS filed on April 23, 2014 was filed after the filing of the application on April 22, 2014 and therefore is considered a supplemental ADS. As such, all of the information being added (*i.e.*, the residence *and* the mailing address of the joint inventors) must be underlined. As both the mailing address and the residence were not underlined, the supplemental ADS was improper and did not meet the requirements of the Notice mailed on May 1, 2014.

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Further, as a proper corrected ADS showing underlining for the information being added was not submitted on April 23, 2014, the Notice mailed on May 1, 2014, properly stated that a mailing address for each inventor had not been submitted.

With regard to the Notices of Incomplete Reply mailed on May 16, June 20, and August 14, 2014, while it is unfortunate that petitioner apparently did not understand what was required to provide a proper reply, such was not the fault of the Office.

37 CFR 1.135 states, in pertinent part.

(a) If an applicant of a patent application fails to reply within the time period provided under § 1.134 and § 1.136, the application will become abandoned unless an Office action indicates otherwise.

(b) Prosecution of an application to save it from abandonment pursuant to paragraph (a) of this section must include such complete and proper reply as the condition of the application may require. The admission of, or refusal to admit, any amendment after final rejection or any amendment not responsive to the last action, or any related proceedings, will not operate to save the application from abandonment.

As such, with regard to petitioner's assertion that the Notice of Abandonment was in error, abandonment occurs as a matter of law if a timely and proper reply to an Office requirement is not provided. A Notice of Abandonment is mailed as a courtesy.

With respect to petitioner's assertion that the Office did not timely notify petitioner that the reply was insufficient, while the Office attempts to notify an applicant of any deficiency in the reply in a manner permitting a timely correction, the Office is under no obligation to do so. See In re Sivertz, 227 USPQ 255, 256 (Comm'r Pat. 1985); see also In re Colombo, Inc., 33 USPQ2d 1530, 1532 (Comm'r Pat. 1994). An applicant is ultimately responsible for ensuring that a proper, complete and timely reply is filed with the USPTO.

Moreover, the mere filing of a petition will not stay any period for reply that may be running against the application, nor act as a stay of other proceedings. 37 CFR 1.181(f).

Lastly, petitioner's argument that the application is not abandoned because petitioner has the option to correct or update the information in the ADS "any time until payment of the issue fee" is not persuasive. While petitioner may provide a corrected or updated ADS updating or correcting information at any time until payment of the issue fee, such does not relieve the applicant of the obligation to timely respond to an Office requirement to avoid abandonment. It is undisputed that the Office specifically required a corrected ADS in the Notice mailed on May 1, 2014, and set a two (2) month extendable time period for that corrected ADS to be provided. The failure to timely provide the specific corrections

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requested in the Notice mailed on May 1, 2014 constituted a failure to prosecute under 37 CFR 1.135 which resulted in the abandonment of the application.

In summary, the showing of record is that petitioner intended to file a complete and timely reply, but inadvertently failed so to do. As such, the application was properly held abandoned, and the petition is **dismissed**.

Petitioner may wish to consider filing a petition to revive the application under 37 CFR 1.137(a). A copy of the petition form is enclosed for petitioner's reference.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

By internet: EFS-Web²

Any questions concerning this matter may be directed to the undersigned at (571) 272-3231.

/dwood/

Douglas I. Wood
Attorney Advisor
Office of Petitions

Encl: PTO/SB/64 (12-13) Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(a)

² www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

Page 1 of 2

First named inventor: _____

Application No.: _____ Art Unit: _____

Filed: _____ Examiner: _____

Title:

[Empty box for Title]

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact the Office of Petitions at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity fee \$ _____ (37 CFR 1.17(m)). Applicant asserts small entity status. See 37 CFR 1.27.

Undiscounted fee \$ _____ (37.CFR.1.17(m)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office notice or action in the form of

_____ (identify the type of reply):

has been filed previously on _____.

is enclosed herewith.

B The issue fee and publication fee (if applicable) of \$ _____

has been paid previously on _____.

is enclosed herewith.

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(a)**

Page 2 of 2

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(a) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(a) was unintentional. (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Date

Typed or Printed Name

Registration Number, if applicable

Address

Telephone Number

Address

Enclosures:

- Fee Payment
- Reply
- Terminal Disclaimer Form
- Additional sheet(s) containing statements establishing unintentional delay
- Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by EFS-Web or facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Office of Petitions: Routing Sheet



Application No. 14258031

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14258031



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

WOOD, DOUGLAS

Count (1) - Palm Credit

14/258,031

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 525 - 37 CFR 1.181 for W/D HOLDING OF ABANDONMEI



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 11/5/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

RENEWED PETITION UNDER 37 CFR1.181

Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandra, VA 22313-1450

COMMISSIONER:

Petitioner hereby requests reconsideration of the petition decision of July 7, 2015 for the following reasons.

Part I: Notice To File Missing Parts

The notice to file missing parts dated May 1, 2014 is invalid

This notice alleges that "[a] mailing address for each inventor has not been submitted...." However, the record clearly shows that Applicant has submitted a mailing address for each of the three inventors in the ADS submitted on April 23,

2014. In light of this undisputed fact, the Notice should be deemed invalid because it is impossible for Applicant to comply with the Notice. In good faith, Applicant responded to the Notice on May 12, 2014 and pointed out the above fact and asked for clarification, to which Applicant received a Notice of Incomplete Reply on June 20, 2014, which basically repeated the first notice, alleging that "[a] mailing address for each inventor has not been submitted...." and nothing further was provided. Because the mailing address for each inventor has been submitted previously and Applicant did not know how to comply with the Notice, Applicant's attorney phoned the Office and was told that the mailing address submitted previously was not underlined. Thus, Applicant submitted an amended ADS with the mailing address underlined on June 27, 2014. On August 14, 2014, Applicant received another Notice of Incomplete Reply, repeating with the same content as in the previous two Notices, i.e., alleging that "[a] mailing address for each inventor has not been submitted...." and nothing further was provided. Perplexed and frustrated, Applicant filed a petition to review the propriety of the notices and ask for clarification for complying with the notice on August 19, 2015.

In view of the above described facts, Applicant respectfully submits that the three Office notices containing the same erroneous contents were improperly issued and should be deemed invalid (particularly, there is no clarification provided upon Applicant's repeated requests), and such invalid Notices cannot server as the basis to declare abandonment of Applicant's application.

Part II: The First Petition Decision.

The first petition decision dated March 13, 2015 is erroneous

(a) The first decision did not review the two specific issues presented in Applicant's petition: (1) whether the mailing address for each of the inventors provided on the ADS (filed April 23, 2014) is a "mailing address" and (2) if not, whether the Office should clarify its requirement so that Applicant knows how to comply when so requested by Applicant. Instead, the decision dismissed the petition based on an issue raised for the first time in the decision itself (not raised in the Notices nor in

Applicant's petition): the residence information in the ADS submitted June 27, 2014 was not underlined.

(b) The first decision was based on wrong fact and on miscited legal authority. The first decision concluded:

The ADS submitted on June 27, 2014, is improper because the residence information added was not underlined. Note 37 CFR 1.76(c)(2).

"... If this form is submitted after the submission of the application, even if it is the first submission of an ADS then the information being added or deleted must be indicated by underlining for additions, and strike through or brackets for deletions....."

Factually, the petition is primarily concerning the ADS submitted on April 23, 2014, not the ADS on June 27, 2015. Legally, the above citation is incorrect and 37 CFR 1.76(c)(2) does not contain the above cited content.

Part III: The Notice of Abandonment

Four days after the first petition decision, Applicant received the Notice of abandonment on March 17, 2014. It states:

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/01/2014.

- No reply was received.

This notice is factually wrong because the record clearly shows that on May 12, 2014 Applicant timely replied to the Notice mailed on 05/01/2014, and the petition is still in progress concerning the Notice, where until this day the Office has not yet provided a clarification why the ADS submitted on April 23, 2014 in this application was not in compliance with any legal requirements.

Part IV: The Second Petition Decision

The second petition decision is conclusive with no factual and legal support.

After receiving the first petition decision and the Notice of abandonment, Applicant

filed a renewed petition as well as a petition to withdraw the holding of abandonment, both on May 11, 2015. Applicant received the second petition decision on July 7, 2015.

The second decision did not address the issues asked for review at all, merely stating that "the residence information provided in the ADS has not been underlined, and in view of the above, the petition to withdraw holding of abandonment is dismissed."

Applicant respectfully submits that the ADS submitted on April 23, 2014 is fully compliance with the requirements under 37 CFR 1.76, particularly section (c)(1) and (c)(2) thereof and there is no legal requirement that the residence information provided in the first ADS submission on April 23, 2014 be underlined.

Applicant further respectfully submits that it is unlawful to declare Applicant's application be abandoned merely because the residential information is not underlined in the ADS submission because, even if the underline is required, 37 CFR(c)(1) provides that Applicant has the option to correct or update information in ADS (subject to certain restrictions not relevant here) any time until payment of the issue fee.

Based on the above grounds, Petitioner respectfully requests that the previous petition decision be set aside and the Notice of Abandonment be withdrawn. In case that the petition decision is affirmed by the Office, an indication whether the decision constitutes the Agency's final decision for the purpose of judiciary review is appreciated.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Petitioner

BEI & OCEAN
georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

Dated: August 4, 2015

Electronic Acknowledgement Receipt

EFS ID:	23116643
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	04-AUG-2015
Filing Date:	22-APR-2014
Time Stamp:	23:48:10
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	Renewed_Petitions_GDZY01_6 6USP.pdf	116149 <small>94cf44ba3906838f8a8c1d2b1159bf6adf3868bb</small>	no	5

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	07/07/2015	EXAMINER	
WANG & HO 66 HILL TOP ROAD MILLINGTON, NJ 07946			ART UNIT	PAPER NUMBER
			2668	
			NOTIFICATION DATE	DELIVERY MODE
			07/07/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of :
Zhiyun Wu et al :
Application No. 14/258,031 : DECISION ON PETITION
Filed: April 22, 2014 :
Attorney Docket No. GDZY01-66USP :

This is a decision on the renewed petition, filed May 11, 2015, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision should be filed within two (2) months from the mail date of this decision. *Note* 37 CFR 1.181(f). The request for reconsideration should include a cover letter and be entitled as a “Renewed Petition under 37 CFR 1.181 to Withdraw the Holding of Abandonment.”

This application was held abandoned for failure to timely file a proper reply to the Notice to File Missing Parts mailed on May 1, 2014, which set a two (2) month period for reply. A Notice of Incomplete Reply was mailed on May 16, 2014, June 20, 2014, and on August 14, 2014. A Notice of Abandonment was mailed on March 17, 2015.

Applicant files the above petition and states that, “...The decision is erroneous because it relies on an incorrect citation of the patent rules. ...Petitioner respectfully submits that the first submission of the ADS in the present application on April 22, 2014 is fully compliant to the rules under 37 CFR. § 1.76. Reconsideration is respectfully requested.”

However, the above identified application was filed on April 22, 2014. Therefore, applicant’s attention is directed to the below provided by MPEP 601.05(a):

II. CORRECTING AND UPDATING AN ADS

37 CFR 1.76(c) provides that an application data sheet provided on filing and an application data sheet submitted after the filing date of the application are both considered an application data sheet. Application data sheets may be subsequently supplied prior to payment of the issue fee to either correct or update information in a previously submitted application data sheet, or in an oath or declaration under 37 CFR 1.63 or 1.67. See **37 CFR 1.76(c)(1)**. An application data sheet submitted after filing the application may contain all of the seven section headings listed in 37 CFR 1.76(b) with all appropriate data for each heading or only those sections containing changed or updated information. An application data sheet

Art Unit: OPET

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

By internet: EFS-Web
www.uspto.gov/ebc/efs_help.html
(for help using EFS-Web call the
Patent Electronic Business Center
at (866) 217-9197)

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/Karen Creasy/
Karen Creasy
Paralegal Specialist
Office of Petitions

Office of Petitions: Routing Sheet



Application No. 14/258,031

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14258031



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

KAREN CREASY

Count (1) - Palm Credit

14/258,031

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 525 - 37 CFR 1.181 for W/D HOLDING OF ABANDONMEN



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 7/1/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

RENEWED PETITION UNDER 37 CFR1.181

Petitioner hereby requests reconsideration of the petition decision of March 13, 2015 in connection with the above-referenced application.

The decision is erroneous because it relies on an incorrect citation of the patent rules.

The decision set forth the following as the basis for the decision:

The ADS submitted on June 27, 2014, is improper because the residence information added was not underlined. Note 37 CFR 1.76(c)(2).

"...If this form is submitted after the submission of the application, even if it is the first submission of an ADS then the information being added or deleted must be indicated by underlining for additions, and strike through or brackets for deletions. ..."

In view of the above, the ADS submitted on June 27, 2014, cannot be accepted.

However, the cited content does not appear to be the rule. The following is taken from USPTO's version of the rule:

(2) An application data sheet providing corrected or updated information may include all of the sections listed in paragraph (b) of this section or only those sections containing changed or updated information. The application data sheet must include the section headings listed in paragraph (b) of this section for each section included in the application data sheet, and must identify the information that is being changed, with underlining for insertions, and strike-through or brackets for text removed, except that identification of information being changed is not required for an application data sheet included with an initial submission under 35 U.S.C. 371 .

(http://www.uspto.gov/web/offices/pac/mpep/mpep-9020-appx-r.html#aia_d0e320348)

Petitioner respectfully submits that the first submission of the ADS in the present application on April 22, 2014 is fully compliant to the rules under 37 CFR. § 1.76.

Reconsideration is respectfully requested.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Applicant

BEI & OCEAN
georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

Dated: May 11, 2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

Petitioner hereby requests withdraw of the holding of abandonment mailed March 17, 2014 in connection with the above-referenced application.

This request is based on the following grounds:

1. On June 27, 2014, via EFS-WEB, Petitioner did timely and properly file a response to the "File Missing Parts" notice of 05/01/2014.
2. The first submission of the ADS in the present application is fully compliant to the rules. There is no ground to issue the "File Missing Parts" notice in the first place. This issue is currently subject to an administrative review, which has not been completed yet.

Reconsideration is respectfully requested.

Respectfully submitted,

/George G. Wang/

BEI & OCEAN
georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

George G. Wang , Ph.D., 41,419
Attorney for Applicant

Dated: May 11, 2015

Electronic Acknowledgement Receipt

EFS ID:	22315743
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	11-MAY-2015
Filing Date:	22-APR-2014
Time Stamp:	23:07:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	reconsideration1.pdf	54705 d80d61f2edd7b767c695a5a41046ad67d4e86bf3	no	2

Warnings:

Information:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 4 columns: APPLICATION NUMBER (14/258,031), FILING OR 371(C) DATE (04/22/2014), FIRST NAMED APPLICANT (Zhiyun WU), ATTY. DOCKET NO./TITLE (GDZY01-66USP)

CONFIRMATION NO. 7410

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946

ABANDONMENT/TERMINATION LETTER



Date Mailed: 03/17/2015

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/01/2014.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

- 1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via "Express Mail", (now "Priority Mail Express"), a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the mailing label showing the "date-in" (or "date accepted") (see MPEP § 513).

If applicant did not previously file complete reply within the the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137, a petition requesting that the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) the reply required to the outstanding Office action or notice, unless previously filed; (2) the petition fee set forth in 37 CFR 1.17(m); (3) a terminal disclaimer (and fee set forth in 37 CFR 1.20(d)) if required by 37 CFR 1.137(d); and (4) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional. See MPEP 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the Office of Petitions at (571) 272-3282. Petitions should be mailed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

A copy of this notice MUST be returned with the reply.

/rmohamed/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP	7410
50163	7590	03/13/2015	EXAMINER	
WANG & HO 66 HILL TOP ROAD MILLINGTON, NJ 07946			ART UNIT	PAPER NUMBER
			2668	
			NOTIFICATION DATE	DELIVERY MODE
			03/13/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

georgewang@bei-ocean.com
georgewang.hk@gmail.com



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re application of :
Zhiyun Wu et al :
Application No. 14/258,031 : DECISION
Filed: April 22, 2014 :
Attorney Docket No. GDZY01-66USP :

This is in response to the petition filed August 19, 2014, entitled "PETITION FOR ADMINISTRATIVE REVIEW UNDER 37 CFR 1.181."

The petition is dismissed.

Applicant is requesting clarification as to the requirements regarding the Application Data Sheet (ADS) filed in the above-identified application.

The application was filed on April 22, 2014. Therefore, the reference must be set forth in a *proper* ADS, which complies with requirements set forth in 37 CFR § 1.76.

The ADS submitted on June 27, 2014, is improper because the residence information added was not underlined. Note 37 CFR 1.76(c)(2).

"...If this form is submitted after the submission of the application, even if it is the first submission of an ADS then the information being added or deleted must be indicated by underlining for additions, and strike through or brackets for deletions. ..."

In view of the above, the ADS submitted on June 27, 2014, cannot be accepted.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Paralegal Specialist
Office of Petitions

Office of Petitions: Routing Sheet



Application No. 14/258,031

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

GRANTED

DISMISSED

DENIED

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14258031



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

KAREN CREASY

Count (1) - Palm Credit

14/258,031

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 515 - 37 CFR 1.181 for REVIEW OF NON-EXAMINING MAT



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 3/9/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 7410 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WE

PETITION FOR ADMINISTRATIVE REVIEW UNDER 37 CFR 1.181

On behalf of Applicant, the undersigned attorney hereby petitions the Director of the USPTO to review the propriety of the notice to file missing parts received in the present application (mailed on 05/01/2014) and to review the propriety of the subsequent handling of Applicant's request for clarification.

Fact:

(a) On May 1, 2014, the Office issued a Notice to file missing parts, stating:

** A mailing address for each inventor has not been submitted. A new application data sheet (ADS) in compliance with 37 CFR 1.76 or inventor's oath or declaration in compliance with 37 CFR 1.63 identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) is required.*

(b) On May 12, 2014, Applicant filed a response, explaining:

Applicant has submitted the ADS on April 23, 2014, which contains all the necessary informations including mailing address of all the inventors.

If the information regarding the inventors' mailing address provided on the ADS does not meet the requirements, the Applicant's attorney hereby requests clarification on the defects in order to correct thereof.

(c) On May 16, 2014, the Office issued a Notice of incomplete reply, repeating the same information as in the notice of May 12 , 2014 without any explanation or clarification:

- A mailing address for each inventor has not been submitted. A new application data sheet (ADS) in compliance with 37 CFR 1.76 or inventor's oath or declaration in compliance with 37 CFR 1.63 identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) is required.

In view of the foregoing facts, Applicant respectfully requests that this case be reviewed and Applicant be provided with a clarification on the following issues:

- (1) Whether the mailing address for each of the inventors provided on the ADS (filed April on 23, 2014) is a "mailing address".
- (2) If the the mailing address for each of the inventors provided on the ADS (filed April on 23, 2014) is not a "mailing address", whether the Office should clarify its requirement so that Applicant knows how to comply (particularly after being requested).

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Applicant

BEI & OCEAN
georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

Dated: August 19, 2014

Electronic Patent Application Fee Transmittal

Application Number:	14258031
Filing Date:	22-Apr-2014
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Filer:	George G. Wang
Attorney Docket Number:	GDZY01-66USP

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Petition Fee - 37 CFR 1.17(F)(Group I)	2462	1	200	200

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				200

Electronic Acknowledgement Receipt

EFS ID:	19897366
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	19-AUG-2014
Filing Date:	22-APR-2014
Time Stamp:	05:59:42
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$200
RAM confirmation Number	7192
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
-----------------	----------------------	-----------	-------------------------------------	------------------	------------------

1	Petition for review/processing depending on status	resp_66.pdf	259453	no	2
			112ba6bc93540893aa8fdd18bddeb6dfb5797d1f		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	29968	no	2
			2fbadf79a2c80c6eb6b74159dc3598581cc68a02		

Warnings:

Information:

Total Files Size (in bytes):			289421		
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/258,031

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	10 minus 20 = *	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	0.00
x 210 =	0.00
	0.00
	0.00
TOTAL	730

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**
Independent (37 CFR 1.16(h))	*	Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**
Independent (37 CFR 1.16(h))	*	Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

CONFIRMATION NO. 7410

FORMALITIES LETTER

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Date Mailed: 08/14/2014

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/27/2014 to the Notice to File Missing Parts (Notice) mailed 05/01/2014 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice. A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Applicant is given **TWO MONTHS** from the date of the Notice to File Missing Parts (Notice) mailed 05/01/2014 within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- A mailing address for each inventor has not been submitted. A new application data sheet (ADS) in compliance with 37 CFR 1.76 or inventor's oath or declaration in compliance with 37 CFR 1.63 identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) is required.

Zhiyun WU
Chungwah MA
Shiyu ZOU

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice".
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/ydemisse/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

CONFIRMATION NO. 7410

IMPROPER CFR REQUEST

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Date Mailed: 08/14/2014

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Power of Attorney, Claims, Fees, System Limitations, and Miscellaneous

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- The ADS submitted on 06/27/2014 was not properly marked up to show the desired changes. For information being changed relative to the information already of record, additions must be shown with underlining, and deletions must be shown with strike-through or brackets. See 37 CFR 1.76(c)(2)

/ydemisse/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION DATA SHEET 37 CFR 1.76

Application Number	14258031
Attorney Docket Number	GDZY01-66USP
Title of invention	Skin Care and Cosmetic Composition

Secrecy Order 37 CFR 5.2

- Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information

Inventor 1	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Zhiyun <i>Middle Name:</i> <i>Family Name:</i> WU <i>Suffix:</i>
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Country of Residence:</i> CN <i>Citizenship under 37 CFR 1.41(b):</i> CN
Mailing Address of Inventor	<i>Address 1:</i> <u>4/F, West Tower, PCI Business Building, 66 Jianzhong Road</u> <i>Address 2:</i> <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Postal Code:</i> <u>510665</u> <i>Country:</i> CN
Inventor 2	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Chungwah <i>Middle Name:</i> <i>Family Name:</i> Ma <i>Suffix:</i>

Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): HK
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Inventor 3	
Legal Name	Prefix: Given Name: Shiyu Middle Name: Family Name: ZOU Suffix:
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): CN
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Correspondence Information

<input type="checkbox"/> An Address is being provided for the correspondence information of this application.		
Customer Number	50163	
Correspondence Information	Name 1:	Name 2:
	Address 1:	
	Address 2:	
	City:	State/Province:
	Country:	Postal Code:
	Phone Number:	Fax Number:

Application Information

<i>Title of the Invention:</i> Skin Care and Cosmetic Composition	
<i>Attorney Docket Number:</i> GDZY01-66USP	<i>Small Entity Status Claimed:</i> <input checked="" type="checkbox"/>
<i>Application Type:</i> Nonprovisional	<i>Subject Matter:</i> Utility
<i>Total Number of Drawing Sheets (if any):</i> 4	<i>Suggested Figure for Publication (if any):</i> N/A

Publication Information

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information

Please Select One:	<input checked="" type="checkbox"/> Customer Number <input type="checkbox"/> US Patent Practitioner <input type="checkbox"/> Limited Recognition
Customer Number	50163

Domestic Benefit/National Stage Information

<i>Prior Application Status:</i>			
<i>Application Number</i>	<i>Continuity Type</i>	<i>Prior Application Number</i>	<i>Filing Date (YYYY-MM-DD)</i>

Foreign Priority Information

<i>Application Number</i>	<i>Country</i>	<i>Filing Date (YYYY-MM-DD)</i>	<i>Access Code (if applicable)</i>

Statement under 37 CFR 1.55 or 1.78

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access

Authorization to Permit Access to the Instant Application by the Participating Offices

Applicant Information

Applicant				
<input checked="" type="checkbox"/> Assignee <input type="checkbox"/> Legal Representative under 35 U.S.C.117 <input type="checkbox"/> Joint Inventor				
<input type="checkbox"/> Person to whom the inventor is obligated to assign. <input type="checkbox"/> Person who shows sufficient proprietary interest				
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
<input type="checkbox"/> Deceased <input type="checkbox"/> Legally Incapacitated and his or her name is:				
If the Applicant is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	
Mailing Address Information For Applicant				
<i>Address 1</i>	No.3, North District, Industry&Trading City			
<i>Address 2</i>	Qi Bao, Xin Hui District			
<i>City</i>	<i>State/Province</i>	<i>Country</i>	<i>Postal Code</i>	
Jiangmen	Guangdong	CN	529156	
<i>Phone Number</i>	<i>Fax Number</i>	<i>Email Address</i>		

Assignee Information

Assignee				
If the Assignee is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	

Mailing Address Information For Non-Applicant Assignee			
Address 1	<u>No.3, North District, Industry&Trading City</u>		
Address 2	<u>Qi Bao, Xin Hui District</u>		
City <u>Jiangmen</u>	State/Province <u>Guangdong</u>	Country <u>CN</u>	Postal Code <u>529156</u>
Phone Number	Fax Number	Email Address	

Signature

Signature	/George G Wang/		Date (YYYY-MM-DD)	2014-04-23
First Name	George G	Last Name	Wang	Registration Number 41,419

Electronic Acknowledgement Receipt

EFS ID:	19429990
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	27-JUN-2014
Filing Date:	22-APR-2014
Time Stamp:	04:55:27
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	AmendedADS.pdf	595940 <small>79c1fba70da42082de7e7c383e46065a42817d39</small>	no	5

Warnings:

Information:

Total Files Size (in bytes):

595940

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/258,031

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	10 minus 20 = *	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	0.00
x 210 =	0.00
	0.00
TOTAL	730

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	* Minus **	=
Independent (37 CFR 1.16(h))	* Minus ***	=	
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	* Minus **	=
Independent (37 CFR 1.16(h))	* Minus ***	=	
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

CONFIRMATION NO. 7410

FORMALITIES LETTER



50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946

Date Mailed: 06/20/2014

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/18/2014 to the Notice to File Missing Parts (Notice) mailed 05/01/2014 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice. A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Applicant is given **TWO MONTHS** from the date of the Notice to File Missing Parts (Notice) mailed 05/01/2014 within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

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Zhiyun WU
Chungwah MA
Shiyu ZOU

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

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<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/ybedada/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

CONFIRMATION NO. 7410

MISCELLANEOUS NOTICE



50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946

Date Mailed: 06/20/2014

A communication which cannot be delivered in electronic form has been mailed to the applicant.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946

CONFIRMATION NO. 7410



OC00000069097127

Date Mailed: 6/20/2014

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Improper ADS

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- The ADS submitted on 6/18/2014 was not properly marked up to show the desired changes. For information being changed relative to the information already of record, additions must be shown with underlining, and deletions must be shown with strike-through or brackets. See 37 CFR 1.76(c)(2).
- The ADS submitted on _____ did not contain the entire section containing the desired changes. For any section of information being changed relative to the information already of record, the application data sheet must include the section headings listed in 37 CFR 1.76(b) for each section being changed, additions must be shown with underlining, and deletions must be shown with strike-through or brackets. See 37 CFR 1.76(c)(2).
- The ADS submitted on _____ was not properly signed. An application data sheet must be signed in compliance with 37 CFR 1.33(b). An unsigned application data sheet will be treated only as a transmittal letter. See 37 CFR 1.76(e).
- The ADS submitted on 6/18/2014 attempts to change the applicant but cannot be entered. Any request to change the applicant once the applicant has been specified must include (1) an application data sheet specifying the new applicant in the Applicant Information section, and (2) a statement under 37 CFR 3.73(c) (USPTO Form TO/AIA/96 or an equivalent) to show chain of title to the new applicant. The application data sheet must contain markings to show the information that is being changed, with underlining for additions and strike-through or brackets for deletions. See 37 CFR 1.76(c)(2).



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Alexandria, Virginia 22313-1450
www.uspto.gov

- The reference filing statement made upon filing cannot be rescinded because the reference to the previously filed application constitutes the specification and any drawings of the instant application. See 35 U.S.C. 111(c). Applicant is reminded to only complete the reference filing section of the application data sheet when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). The reference filing section should not be completed if a specification and any drawings are submitted upon the filing of the application. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information") of the application data sheet.

*A copy of this notice **MUST** be returned with the reply.*

Joseph J. Sedada

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 5418 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION**

This paper is in response to notice to file missing parts of nonprovisional application mailed May 16, 2014

Applicant submits herewith a copy of ADS, which contains the mailing address for each inventor of the application.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Applicant

BEI & OCEAN
georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

Dated: June 18, 2014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION DATA SHEET 37 CFR 1.76

Application Number	14258031
Attorney Docket Number	GDZY01-66USP
Title of invention	Skin Care and Cosmetic Composition

Secrecy Order 37 CFR 5.2

- Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information

Inventor 1	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Zhiyun <i>Middle Name:</i> <i>Family Name:</i> WU <i>Suffix:</i>
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Country of Residence:</i> CN <i>Citizenship under 37 CFR 1.41(b):</i> CN
Mailing Address of Inventor	<i>Address 1:</i> 4/F, West Tower, PCI Business Building, 66 Jianzhong Road <i>Address 2:</i> <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Postal Code:</i> 510665 <i>Country:</i> CN
Inventor 2	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Chungwah <i>Middle Name:</i> <i>Family Name:</i> Ma <i>Suffix:</i>

Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): HK
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Inventor 3	
Legal Name	Prefix: Given Name: Shiyu Middle Name: Family Name: ZOU Suffix:
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): CN
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Correspondence Information

<input type="checkbox"/> An Address is being provided for the correspondence Information of this application.		
Customer Number	50163	
Correspondence Information	Name 1:	
	Name 2:	
	Address 1:	
	Address 2:	
	City:	State/Province:
	Country:	Postal Code:
Phone Number:	Fax Number:	Email Address:

Application Information

<i>Title of the Invention:</i> Skin Care and Cosmetic Composition	
<i>Attorney Docket Number:</i> GDZY01-66USP	<i>Small Entity Status Claimed:</i> <input checked="" type="checkbox"/>
<i>Application Type:</i> Nonprovisional	<i>Subject Matter:</i> Utility
<i>Total Number of Drawing Sheets (if any):</i> 4	<i>Suggested Figure for Publication (if any):</i> N/A

Publication Information

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information

Please Select One:	<input checked="" type="checkbox"/> Customer Number <input type="checkbox"/> US Patent Practitioner <input type="checkbox"/> Limited Recognition
Customer Number	50163

Domestic Benefit/National Stage Information

<i>Prior Application Status:</i>			
<i>Application Number</i>	<i>Continuity Type</i>	<i>Prior Application Number</i>	<i>Filing Date (YYYY-MM-DD)</i>

Foreign Priority Information

<i>Application Number</i>	<i>Country</i>	<i>Filing Date (YYYY-MM-DD)</i>	<i>Access Code (if applicable)</i>

Statement under 37 CFR 1.55 or 1.78

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access

Authorization to Permit Access to the Instant Application by the Participating Offices

Applicant Information

Applicant				
<input checked="" type="checkbox"/> Assignee <input type="checkbox"/> Legal Representative under 35 U.S.C.117 <input type="checkbox"/> Joint Inventor				
<input type="checkbox"/> Person to whom the inventor is obligated to assign. <input type="checkbox"/> Person who shows sufficient proprietary interest				
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
<input type="checkbox"/> Deceased <input type="checkbox"/> Legally Incapacitated and his or her name is:				
If the Applicant is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	
Mailing Address Information For Applicant				
<i>Address 1</i>	No.3, North District, Industry&Trading City			
<i>Address 2</i>	Qi Bao, Xin Hui District			
<i>City</i>	<i>State/Province</i>	<i>Country</i>	<i>Postal Code</i>	
Jiangmen	Guangdong	CN	529156	
<i>Phone Number</i>	<i>Fax Number</i>	<i>Email Address</i>		

Assignee Information

Assignee				
If the Assignee is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	

Mailing Address Information For Non-Applicant Assignee			
Address 1	No.3, North District, Industry&Trading City		
Address 2	Qi Bao, Xin Hui District		
City Jiangmen	State/Province Guangdong	Country CN	Postal Code 529156
Phone Number	Fax Number	Email Address	

Signature

Signature	/George G Wang/		Date (YYYY-MM-DD)	2014-04-23
First Name	George G	Last Name	Wang	Registration Number 41,419

Electronic Acknowledgement Receipt

EFS ID:	19334714
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	18-JUN-2014
Filing Date:	22-APR-2014
Time Stamp:	04:24:17
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	response.pdf	2181 <small>ed57add174ffcbae5d80b260cd51ae52190f5a6</small>	no	1

Warnings:

Information:

2	Application Data Sheet	ADS.pdf	221671 e89ca6ed6892c58d4dca98da39df8c5f220e9e6a	no	5
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Warnings:

Information:

This is not an USPTO supplied ADS fillable form

Total Files Size (in bytes):	223852
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/258,031

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	10 minus 20 = *	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	0.00
x 210 =	0.00
	0.00
	0.00
TOTAL	730

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**
Independent (37 CFR 1.16(h))	*	Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**
Independent (37 CFR 1.16(h))	*	Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 4 columns: APPLICATION NUMBER (14/258,031), FILING OR 371(C) DATE (04/22/2014), FIRST NAMED APPLICANT (Zhiyun WU), ATTY. DOCKET NO./TITLE (GDZY01-66USP)

CONFIRMATION NO. 7410
FORMALITIES LETTER

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Date Mailed: 05/16/2014

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/12/2014 to the Notice to File Missing Parts (Notice) mailed 05/01/2014 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice. A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Applicant is given TWO MONTHS from the date of the Notice to File Missing Parts (Notice) mailed 05/01/2014 within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- A mailing address for each inventor has not been submitted. A new application data sheet (ADS) in compliance with 37 CFR 1.76 or inventor's oath or declaration in compliance with 37 CFR 1.63 identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) is required.

Zhiyun WU
Chungwah MA
Shiyu ZOU

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice".
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/ltaba/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

CONFIRMATION NO. 7410

IMPROPER CFR REQUEST

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Date Mailed: 05/16/2014

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Power of Attorney, Claims, Fees, System Limitations, and Miscellaneous

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

/ltaba/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 5418 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

This paper is in response to notice to file missing parts of nonprovisional application mailed May 1, 2014

Applicant has submitted the ADS on April 23, 2014, which contains all the necessary informations including mailing address of all the inventors.

If the information regarding the inventors' mailing address provided on the ADS does not meet the requirements, the Applicant's attorney hereby requests clarification on the defects in order to correct thereof.

Respectfully submitted,

/George G. Wang/

George G. Wang , Ph.D., 41,419
Attorney for Applicant

BEI & OCEAN

Application No:14258031

BEI & OCEAN
Docket No: GDZY01-66USP

georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

Dated: May 12, 2014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: WU, et al. Examiner:
Application No.: 14258031 Art Unit:
Filed: 04/22/2014 Docket No.: GDZY01-66USP
Confirmation No.: 5418 Customer No.: 50163

Title: SKIN CARE AND COSMETIC COMPOSITION

SUBMITTED VIA EFS-WEB

RESPONSE TO NOTICE REGARDING POWER OF ATTORNEY

This paper is in response to the notice mailed on May 1, 2014, regarding the power of attorney filed in this application.

The notice states:

- The power of attorney has not been accepted because the party who is giving power has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A party

However, the records show that the power has been given by Huisen Li, who is the representative of the applicant, a company to which all the inventors have assigned the rights of the application. Thus, the party who is giving the power is clearly shown.

If the information regarding the assignee applicant in this case does not meet the requirements, the Applicant's attorney hereby requests clarification on the defects.

Respectfully submitted,

/George G. Wang/

BEI & OCEAN
georgewang@bei-ocean.com
Phone: (852) 61821877
Fax: (852) 30115161

George G. Wang , Ph.D., 41,419
Attorney for Applicant

Dated: May 12, 2014

Electronic Acknowledgement Receipt

EFS ID:	18997223
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	12-MAY-2014
Filing Date:	22-APR-2014
Time Stamp:	05:01:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	response_missing_part.pdf	142388 <small>300ae7b66bc38bd3e0613708b9af12345ce399e1</small>	no	2

Warnings:

Information:

2	Applicant Response to Pre-Exam Formalities Notice	Response_POA.pdf	149376 d61d4fa2b88eb27856a05da1b9dc6b88af9ed759	no	2
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Warnings:

Information:

Total Files Size (in bytes):	291764
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/258,031, 04/22/2014, 2668, 730, GDZY01-66USP, 10, 1

CONFIRMATION NO. 7410

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946

FILING RECEIPT



Date Mailed: 05/01/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

Zhiyun WU, Residence Not Provided;
Chungwah MA, Residence Not Provided;
Shiyu ZOU, Residence Not Provided;

Applicant(s)

Zhiyun WU, Residence Not Provided;
Chungwah MA, Residence Not Provided;
Shiyu ZOU, Residence Not Provided;

Assignment For Published Patent Application

Infinitus (China) Company Ltd., Jiangmen, CHINA

Power of Attorney: None

Domestic Applications for which benefit is claimed - None.

A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 04/29/2014

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 14/258,031

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Skin Care and Cosmetic Composition

Preliminary Class

382

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

CONFIRMATION NO. 7410

FORMALITIES LETTER

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Date Mailed: 05/01/2014

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- A mailing address for each inventor has not been submitted. A new application data sheet (ADS) in compliance with 37 CFR 1.76 or inventor's oath or declaration in compliance with 37 CFR 1.63 identifying the mailing address and residence (if the inventor lives at a location which is different from where the inventor customarily receives mail) is required.

Zhiyun WU
Chungwah MA
Shiyu ZOU

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice".
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/atesfai/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/258,031

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	10 minus 20 = *	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	1 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	0.00
x 210 =	0.00
	0.00
	0.00
TOTAL	730

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	* Minus **	=
Independent (37 CFR 1.16(h))	* Minus ***	=	
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	* Minus **	=
Independent (37 CFR 1.16(h))	* Minus ***	=	
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/258,031	04/22/2014	Zhiyun WU	GDZY01-66USP

**CONFIRMATION NO. 7410
IMPROPER CPOA LETTER**

50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946



Date Mailed: 05/01/2014

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the power of attorney filed 04/22/2014. The power of attorney in this application is not accepted for the reason(s) listed below:

- The power of attorney has not been accepted because the party who is giving power has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A party who is not the applicant must become the applicant in accordance with 37 CFR 1.46(c) and appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. For a reissue application, reexamination proceeding, or supplemental examination proceeding, a patent owner who was not the applicant under 37 CFR 1.46 must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).

/qnguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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Table with 4 columns: APPLICATION NUMBER (14/258,031), FILING OR 371(C) DATE (04/22/2014), FIRST NAMED APPLICANT (Zhiyun WU), ATTY. DOCKET NO./TITLE (GDZY01-66USP)

CONFIRMATION NO. 7410

IMPROPER CFR REQUEST



50163
WANG & HO
66 HILLTOP ROAD
MILLINGTON, NJ 07946

Date Mailed: 05/01/2014

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Continuity, Priority Claims, Petitions, and Non-Publication Requests

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- The request to correct or update the name of the inventor or a joint inventor, or the order of the names of joint inventors, under 37 CFR 1.48(f) is deficient because a corrected or updated application data sheet (ADS) (or a supplemental ADS for applications filed before 9/16/12) in compliance with 37 CFR 1.76 (including markings showing the changes) has not been submitted. Any renewed request must include a corrected or updated ADS (or supplemental ADS for applications filed before 9/16/12) in compliance with 37 CFR 1.76 that identifies the information being changed, with underlining for insertions, and strike-through or brackets for text removed.
Any request to correct or change the inventorship once the inventorship has been set must be by way of a request under 37 CFR 1.48(a) for a nonprovisional application or 37 CFR 1.48(d) for a provisional application.

Power of Attorney, Claims, Fees, System Limitations, and Miscellaneous

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

/qnghuyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION DATA SHEET 37 CFR 1.76

Application Number	14258031
Attorney Docket Number	GDZY01-66USP
Title of invention	Skin Care and Cosmetic Composition

Secrecy Order 37 CFR 5.2

- Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information

Inventor 1	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Zhiyun <i>Middle Name:</i> <i>Family Name:</i> WU <i>Suffix:</i>
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Country of Residence:</i> CN <i>Citizenship under 37 CFR 1.41(b):</i> CN
Mailing Address of Inventor	<i>Address 1:</i> 4/F, West Tower, PCI Business Building, 66 Jianzhong Road <i>Address 2:</i> <i>City:</i> Guangzhou <i>State/Province:</i> Guangdong <i>Postal Code:</i> 510665 <i>Country:</i> CN
Inventor 2	
Legal Name	<i>Prefix:</i> <i>Given Name:</i> Chungwah <i>Middle Name:</i> <i>Family Name:</i> Ma <i>Suffix:</i>

Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): HK
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Inventor 3	
Legal Name	Prefix: Given Name: Shiyu Middle Name: Family Name: ZOU Suffix:
Residence Information	<input type="checkbox"/> US Residency <input checked="" type="checkbox"/> Non US Residency <input type="checkbox"/> Active US Military Service City: Guangzhou State/Province: Guangdong Country of Residence: CN Citizenship under 37 CFR 1.41(b): CN
Mailing Address of Inventor	Address 1: 4/F, West Tower, PCI Business Building, 66 Jianzhong Road Address 2: City: Guangzhou State/Province: Guangdong Postal Code: 510665 Country: CN

Correspondence Information

<input type="checkbox"/> An Address is being provided for the correspondence Information of this application.		
Customer Number	50163	
Correspondence Information	Name 1:	Name 2:
	Address 1:	
	Address 2:	
	City:	State/Province:
	Country:	Postal Code:
	Phone Number:	Fax Number:

Application Information

<i>Title of the Invention:</i> Skin Care and Cosmetic Composition	
<i>Attorney Docket Number:</i> GDZY01-66USP	<i>Small Entity Status Claimed:</i> <input checked="" type="checkbox"/>
<i>Application Type:</i> Nonprovisional	<i>Subject Matter:</i> Utility
<i>Total Number of Drawing Sheets (if any):</i> 4	<i>Suggested Figure for Publication (if any):</i> N/A

Publication Information

<input type="checkbox"/> Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/> Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information

Please Select One:	<input checked="" type="checkbox"/> Customer Number <input type="checkbox"/> US Patent Practitioner <input type="checkbox"/> Limited Recognition
Customer Number	50163

Domestic Benefit/National Stage Information

<i>Prior Application Status:</i>			
<i>Application Number</i>	<i>Continuity Type</i>	<i>Prior Application Number</i>	<i>Filing Date (YYYY-MM-DD)</i>

Foreign Priority Information

<i>Application Number</i>	<i>Country</i>	<i>Filing Date (YYYY-MM-DD)</i>	<i>Access Code (if applicable)</i>
---------------------------	----------------	---------------------------------	------------------------------------

Statement under 37 CFR 1.55 or 1.78

This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access

Authorization to Permit Access to the Instant Application by the Participating Offices

Applicant Information

Applicant				
<input checked="" type="checkbox"/> Assignee <input type="checkbox"/> Legal Representative under 35 U.S.C.117 <input type="checkbox"/> Joint Inventor				
<input type="checkbox"/> Person to whom the inventor is obligated to assign. <input type="checkbox"/> Person who shows sufficient proprietary interest				
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
<input type="checkbox"/> Deceased <input type="checkbox"/> Legally Incapacitated and his or her name is:				
If the Applicant is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	
Mailing Address Information For Applicant				
<i>Address 1</i>	No.3, North District, Industry&Trading City			
<i>Address 2</i>	Qi Bao, Xin Hui District			
<i>City</i>	<i>State/Province</i>	<i>Country</i>	<i>Postal Code</i>	
Jiangmen	Guangdong	CN	529156	
<i>Phone Number</i>	<i>Fax Number</i>	<i>Email Address</i>		

Assignee Information

Assignee				
If the Assignee is an Organization check here. <input checked="" type="checkbox"/>				
Organization Name: Infinitus (China) Company Ltd.				
<i>Prefix</i>	<i>Given Name</i>	<i>Middle Name</i>	<i>Family Name</i>	<i>Suffix</i>
Mr	Huisen		Li	

Mailing Address Information For Non-Applicant Assignee			
Address 1	No.3, North District, Industry&Trading City		
Address 2	Qi Bao, Xin Hui District		
City Jiangmen	State/Province Guangdong	Country CN	Postal Code 529156
Phone Number	Fax Number	Email Address	

Signature

Signature	/George G Wang/		Date (YYYY-MM-DD)	2014-04-23
First Name	George G	Last Name	Wang	Registration Number 41,419

Electronic Acknowledgement Receipt

EFS ID:	18832798
Application Number:	14258031
International Application Number:	
Confirmation Number:	7410
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
Filer Authorized By:	
Attorney Docket Number:	GDZY01-66USP
Receipt Date:	23-APR-2014
Filing Date:	
Time Stamp:	01:23:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	ADS.pdf	22953 <small>188c739a2c9e8d01744eb8c9ba304e3e3b35c54</small>	no	5

Warnings:

Information:

Total Files Size (in bytes):

22953

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER OF ATTORNEY

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

Practitioners associated with Customer Number:

50163

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignments documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

The address associated with Customer Number:

50163

Assignee Name and Address: Infinitus (China) Company Ltd. No.3, North District, Industry&Trading City, Qi Bao, Xin Hui District Jiangmen, Guangdong, China		
A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be Filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.		
SIGNATURE of Assignee of Record The individual whose signature and title is supplied below is authorized to act on behalf of the assignee		
Signature:		Date: April 03, 2014
Name:	Huisen Li	Telephone:
Title:	General Manager	

李惠森

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(c)Applicant/Patent Owner: WU, et al.Application No./Patent No.: _____ Filed/Issue Date: April 18, 2014Titled: Skin Care and Cosmetic CompositionInfinitus (China) Company Ltd.

, a _____

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. The assignee of the entire right, title, and interest.
2. An assignee of less than the entire right, title, and interest (check applicable box):
- The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

- A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
- B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:
1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet(s).

As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/George G. Wang/
Signature

April 18, 2014
Date

George G. Wang
Printed or Typed Name

41,419
Title or Registration Number

PATENT

Bei & Ocean Docket No: GDZY01-66USP

ASSIGNMENT BY INVENTOR

THIS ASSIGNMENT, made by Zhiyun WU, Chungwah MA, and Shiyu ZOU, hereinafter collectively referred to as "ASSIGNOR", each with a mailing address indicated after the printed name under the signature signed below;

WHEREAS, ASSIGNOR has invented certain new and useful improvements which are inventions set forth in a Patent Application for Letters Patent of the United States, entitled SKIN CARE AND COSMETIC COMPOSITION and identified by the above docket number and

WHEREAS, Infinitus (China) Company Ltd., having a business place at No.3, North District, Industry&Trading City, Qi Bao, Xin Hui District, Jiangmen, Guangdong, China, hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patents in any countries to be obtained therefore and thereon.

NOW, THEREFORE, for good and sufficient consideration, the receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by ASSIGNEE, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by ASSIGNOR, had this sale and assignment not been made.

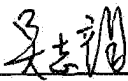
AND for the same consideration, ASSIGNOR hereby represents and warrants to ASSIGNEE, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to ASSIGNEE under law or that have already been transferred to ASSIGNEE, ASSIGNOR is the sole and lawful owner/owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-

mentioned, and that the same are unencumbered and that ASSIGNOR has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, ASSIGNOR hereby covenants and agrees to and with ASSIGNEE, its successors, legal representatives and assigns, that ASSIGNOR will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, whenever counsel of ASSIGNEE, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

AND ASSIGNOR hereby authorizes and requests the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to ASSIGNEE, as assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of ASSIGNEE, its successors, legal representatives and assigns.

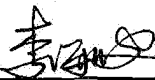
AND ASSIGNOR hereby grant practitioners at Customer Number: **50163** the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.



Zhiyun WU (4/F, West Tower, PCI Business Building, 66 Jianzhong Road, Guangzhou, Guangdong, China)

2014.4.10

Date:




WITNESS

2014/04/10

Date:

Application No:

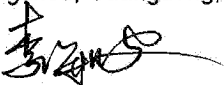
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2014. 4. 10


Date:



WITNESS

2014/04/10

Date:



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2014. 4. 10

Date:



WITNESS

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Date:

Electronic Patent Application Fee Transmittal

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Filing Date:	
Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Filer:	George G. Wang
Attorney Docket Number:	GDZY01-66USP

Filed as Small Entity

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Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360

Pages:

Claims:

Miscellaneous-Filing:

Petition:

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Total in USD (\$)				730

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Title of Invention:	Skin Care and Cosmetic Composition
First Named Inventor/Applicant Name:	Zhiyun WU
Customer Number:	50163
Filer:	George G. Wang
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Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1		ApplicationFinal.pdf	187804 d26f249b1bb9b7e290d95120fbde139311b309b4	yes	31
Multipart Description/PDF files in .zip description					
		Document Description	Start	End	
		Specification	1	27	
		Claims	28	30	
		Abstract	31	31	
Warnings:					
Information:					
2	Drawings-only black and white line drawings	Drawings.pdf	741704 34f956c9e3143d212cc5ce68c30a8055233cb59b	no	4
Warnings:					
Information:					
3	Oath or Declaration filed	Declaration.pdf	898800 66f63ea43e921f32de6ca38e759f858d2ff88b36	no	3
Warnings:					
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4	Power of Attorney	PoaAssign.pdf	1955717 9ab591aa87569442e5cb0fd81e8cfc0f9afcb285	no	6
Warnings:					
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5	Fee Worksheet (SB06)	fee-info.pdf	32391 f47fd49fd63f1e3e1c8eea2e46fb56fd586c6	no	2
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National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Skin Care and Cosmetic Composition

Field of the Invention

The present invention related to the cosmetic field, in particular it relates to a skin care composition and product with beneficial cosmetic effects and/or effects of relieving common undesirable skin conditions or symptoms.

Background of the Invention

Skin aging is part of the aging process of human body, which not only relates to the age itself, but also closely relates to sunlight exposure. The light induced skin aging (“light-aging”) is mainly caused by sunlight irradiation, and as depletion of the ozone layer is aggravating, the light-aging of the skin becomes more and more serious, which affects not only the appearance, but may also cause underlying etiological problems relating to skin cancer.

Extracts of traditional herbal medical materials used in China (“TCM”) generally comprises many active ingredients, such as saponins, flavonoids, and alkaloids, many of which ingredients have various skin-care functions. Beauty and skin-care products based on herbal ingredients have thousands of years of history in China. Particularly, nowadays, people prefer natural substances rather than chemically synthesized substances. Therefore, herbal medicine cosmetic products are getting more popular.

Summary of the Invention

An object of the present invention is to provide a skin care composition with beneficial cosmetic effects and/or effects of relieving common skin symptoms. The object is achieved by the following technical solution: selecting active ingredients for their effects of regulating immunity and for their effects in delaying skin aging process induced by sunlight and formulating a skin care composition comprising a powder part, an aqueous part and an emulsion part. The ingredients for each part and the rationale for their selection are summarized in the following.

The powder part comprises the following ingredients in portion by weight:

Oligopeptide-1	0~1.0 portion
Ginseng saponin	0~5.0 portions

and at least one of the two ingredients must be present.

The aqueous part comprises the following ingredients in portion by weight:

Glycyrrhiza glabra Root Extract	0~3.0 portions
Artemisia capillaris Flower Extract	0~3.0 portions
Radix Mori Albae Extract	0~2.0 portions
Zizyphus jujuba Fruit Extract	0~2.0 portions
Scutellaria baicalensis Root Extract	0~2.0 portions
hydrolyzed rice protein	0~5.0 portions
nicotinamide	0~3.0 portions

and at least one of the ingredients must be present.

The emulsion part comprises the following ingredients in portion by weight:

Bifida ferment lysate	0.5~10.0 portions
creatine	0~2.0 portions
carnosine	0~2.0 portions
Glucosyl Hesperidin	0~5.0 portions
Hexapeptide-3	0~5.0 portions
Centella asiatica Extract	0~3.0 portions
Coenzyme Q10 capsule	0~2.0 portions
Opuntia Ficus-indica Stem Extract	0~5.0 portions
Rhodiola rosea Extract	0~2.0 portions
Saussurea Involucrata Extract	0~5.0 portions
Panax notoginseng Root Extract	0~5.0 portions
Angelica sinensis Extract capsule	0~5.0 portions

and, in addition to Bifida ferment lysate, one of the other ingredients must be present.

In the powder part, Oligopeptide-1 is an epidermal growth factor, which is a protein secreted by microorganism in a high density and highly purified form, and has a biological effect of promoting the growth and metabolism of skin epidermal cells. Ginseng saponin might be the total saponins extracted and processed from the root of Panax plant Panax ginseng C.A. Mey., or may be any monomer of Ginseng saponin or the mixture of various monomers of Ginseng saponin, such as the mixture of one or two of Ginseng saponin Rb1, Rb2, Rb3, Rc, Rd, Rg3 and Rh2.

In the aqueous formulation, hydrolyzed rice protein is the zymolyte obtained through the co-hydrolysis of rice protein by alkaline protease and complex protease, which comprises thymic penta peptide. It can prevent the UV-induced atrophy of langerhans cells, prevent the UV-induced change of skin structure and integrity, protect the skin structure and integrity thereof, and promote the synthesis of β 1-integrin, keratin and filaggrin, so that the immune activity of skin is enhanced. It is proved by the culture experiment of human keratinocytes that the hydrolyzed rice protein can improve cellular vitality by 34%.

Glycyrrhiza glabra Root Extract comprises Glabridin, an isoflavones component, whose chemical structure comprises the nucleus of isoflavone, with ring A and ring B as aromatic rings, and ring B comprising 2 phenolic hydroxyl groups, and an ethylene bond on C9, therefore has a rather strong anti-oxidation activity. Rhodiola rosea has an effect on immune regulation, and it prevents the UV-caused fibroblast apoptosis, and delays the light-aging of skin.

The emulsion part of the present invention may be lotion, gel and cream formulations, where, Bifida ferment lysate is the lysate solution of Bifidobacterium obtained by means of bio-technique, which comprises metabolic product, cytoplasmic component, cell wall component and polysaccharide complex. It is found in studies that UV irradiation will reduce the secretion of IL-12, affect the proliferation of NK cells and T cells, increase the expression of IL-10 and cause immunosuppression, and thereby render DNA damage. It is proved by experiments that Bifida ferment lysate can fight against the immune suppression caused by

the UV-induced increase of IL-10 expression, stimulate the natural repair mechanism (matrix) of skin DNA after the UV irradiation, and postpone the UV-caused aging of skin.

Creatine can accumulate the stored energy of cells, thereby increasing the available ATP, and promote DNA repair and the DNA synthesis of cells after UV irradiation injury, which reduces the sunburn of cells induced by UV obviously and postpones the aging process of skin.

Carnosine, also termed as dipeptide or β -alanyl-L-histidine, has the effects of removing active free radicals, against oxidation, against glycosylation reaction, against protein cross-linking, chelating heavy metal ions, and postponing the shortening process of telomere, thus postpones the aging of skin.

Hesperidin is a kind of natural biological flavonoids extracted from citrus peel and termed as "Vitamin P", it has the effects of strengthening capillary resistance, reducing permeability and anti-inflammation. Glucosyl Hesperidin is a derivative of water-soluble Hesperidin, whose water solubility is increased by enzymatic combination techniques. It is proved by experiments that Glucosyl Hesperidin has the effects of enhancing blood circulation, improving skin tone and brightness.

Hexapeptide-3 is homologous substance having a 6-amino acid sequence in the Type-III unit of fibronectin protein molecule. It is proved by experiments that Hexapeptide-3 can improve cellular adhesion and the expression of β 1-integrin, facilitate a more even cellular extension on collagen, thus contribute to the prevention of light aging of skin.

Centella asiatica Extract comprises the active components, being total triterpene of Centella asiatica and madecassoside, which have the effects of promoting the proliferation of human fibroblasts in the skin, promoting the synthesis of collagen and inhibiting inflammation. Centella asiatica Extract can promote the regeneration of aged skin and promote the healing of wound.

Coenzyme Q10 is an anti-oxidant, which is the activator of cellular respiration and metabolism, it can bring energy and vitality to the body and skin, and can scavenge the active oxygen from the body. When the skin is affected externally or internally, a large number of free radicals are produced during the inflammatory procedure, whereas Coenzyme Q10 can remove free radicals and postpone skin aging. It is proved by experiments that, by improving the activity of Cathepsin D, stratum corneum chymotrypsin (SCCE) and stratum corneum trypsin-like enzymes (SCTE), *Opuntia Ficus-indica* Stem Extract can promote the shedding of keratinocytes, accelerate cell renewal, improve the transparency and gloss of skin, and reduce fine lines and wrinkles.

Saussurea Involucrata Extract comprises the active components of polysaccharide and flavone, it has the effects of promoting and regulating immune function, as well as fighting against free radicals. Together with other polysaccharide components and fibrous protein in the skin, it can form extracellular gel matrix comprising a large amount of moisture to moisturize the skin, delay the aging problems of skin, such as drying and loss of elasticity, etc.

The active component of *Panax notoginseng* Root is Notoginseng total saponin, it has an obvious effect on improving the skin SOD activity, reducing MDA content and improving the hydroxyproline in the skin.

Angelica sinensis is the dried Root of Umbrelliferae plant *Angelica sinensis*, it is able to eliminate free radicals, complex ferrous ion and inhibit tyrosinase, and has the effects of preventing skin aging and promoting skin whitening. *Angelica sinensis* Root mainly comprises volatile oil and non-volatile oil components, with heavy odor. Through encapsulation, the odor is reduced; meanwhile, the active ingredient are made easily permeable.

The Coenzyme Q10 capsule refers to the Coenzyme Q10 encapsulated by means of conventional liposome encapsulation techniques.

Preferably, the weight portions of the components of the powder part are:

Oligopeptide-1

0.01~0.5 portion

Ginseng saponin 0.1~2.0 portions.

More preferably, the weight portions of the components of the powder part are:

Oligopeptide-1 0.01~0.05 portion

Ginseng saponin 0.10~0.50 portion.

Preferably, the weight portions of the components of the aqueous part are:

Glycyrrhiza glabra Root Extract 0.10~1.50 portions

Artemisia capillaris Flower Extract 0.10~1.50 portions

Radix Mori Albae Extract 0.10~1.00 portion

Zizyphus jujuba Fruit Extract 0.10~1.00 portion

Scutellaria baicalensis Root Extract 0.10~1.00 portion

hydrolyzed rice protein 0.10~2.00 portions

nicotinamide 0.10~1.50 portions.

More preferably, the weight portions of the components of the aqueous part are:

Glycyrrhiza glabra Root Extract 0.5~1.0 portion

Artemisia capillaris Flower Extract 0.5~1.0 portion

Radix Mori Albae Extract 0.5~1.0 portion

Zizyphus jujuba Fruit Extract 0.5~1.0 portion

Scutellaria baicalensis Root Extract 0.5~1.0 portion

hydrolyzed rice protein 0.5~1.0 portion

nicotinamide 0.50~1.0 portion.

Preferably, the weight portions of the components of said emulsion part are:

Rhodiola rosea Extract 0.1~2.0 portions

Bifida ferment lysate 0.5~5.0 portions

creatine 0.5~1.5 portions

carosine 0.1~1.0 portion

Glucosyl Hesperidin 0.1~2.0 portion

Hexapeptide-3 0.5~1.5 portions

Centella asiatica Extract	0.1~1.0 portion
Coenzyme Q10 capsule	0.1~1.0 portion
Opuntia Ficus-indica Stem Extract	0.1~3.0 portions.

Besides the aforesaid major ingredients, the powder part, aqueous part and emulsion part according to the present invention may also include the common matrix for the external dosage form of cosmetics. They include excipients such as mannitol, disodium hydrogen phosphate and sodium dihydrogen phosphate. The common matrix for aqueous formulation comprises excipients such as sodium hyaluronate, oxhide glue, butanediol, disodium EDTA, dipotassium glycyrrhetate, panthenol and preservatives. The common matrix for emulsion formulation comprises excipients such as bisabolol, cetylhydroxyproline palmitamide, brassica campestris sterol, jojoba seed oil, phytosterol isostearate, Vitamin E acetate, silicone oil, Cetyl stearyl alcohol, Sucrose polystearate, Beheneth-25, Dipalmitoyl hydroxyproline, Acrylates/C10-30 alkyl acrylate crosspolymer, butanediol, glycerin, Sodium stearyl glutamate, disodium EDTA, xanthan gum, deionized water, acrylamide/ammonia acrylate copolymer(and) Poly(isobutylene) (and) Polysorbate-20, 1-methylhydantoin-2-imide, preservatives.

The present invention has the following beneficiary effects:

- (1). The combined administration of the three parts of the product has an effect of reducing wrinkles, reducing skin roughness, fading uneven skin tone, improving skin elasticity, firming skin, making the skin more delicate and looking younger.
- (2) The product can produce its effects quickly, and only requires intermittent administration, e.g., an administration of 28 days (one period) in 3 months, or it is administered when the skin condition is unsatisfying.
- (3) The separation of the powder part, aqueous part and emulsion part of the present invention ensures the active components intact during the storage process, thereby ensuring their effects and function when used.

Brief Description of the Drawings

FIG. 1 shows the overall effect of the skin care product of two particular embodiments on volunteers participated in a trial in comparison with a comparative products available in the prior art.

FIG. 2 shows the effects on specific skin conditions in the same trial as FIG. 2 of two particular embodiments and a comparative products available in the prior art.

The various features of novelty which characterize the invention are pointed out with particularity in the claims annexed to and forming a part of this disclosure. For a better understanding of the invention, its operating advantages, and specific objects attained by its use, reference should be made to the drawings and the following description in which there are illustrated and described preferred embodiments of the invention.

Detailed Description of the Invention

The present invention will be further described as follows in combination with specific embodiments, but the embodiments shall not restrict the present invention in any forms. The material and ingredients used in the embodiments are all commercially available. Unless specifically addressed, the portion number of each ingredient in the following description is weight portion.

Embodiment 1

1. Preparation of the powder part:

The ingredients are:

Oligopeptide-1	0.1 portion;
Ginseng saponin	1.0 portion;
mannitol	10.0 portions;
disodium hydrogen phosphate	0.5 portion;
sodium dihydrogen phosphate	0.2 portion.

The preparation process is as follows:

- (1) Dissolve all the components in an appropriate amount of deionized water, and filter the resulting solution through a 0.2 μm membrane.
- (2) Fill it into small glass vials, and place the vials into a vacuum freeze drier.
- (3) Vacuum dry for 45 hours so that it is in the form of powder.

2. Preparation of aqueous part:

The ingredients are:

Glycyrrhiza glabra Root Extract	2.0 portions;
Artemisia capillaris Flower Extract	2.0 portions;
Radix Mori Albae Extract	1.0 portion;
Zizyphus jujuba Fruit Extract	1.0 portion;
Scutellaria baicalensis Root Extract	1.0 portion;
hydrolyzed rice protein	3.0 portions;
nicotinamide	2.0 portions;
sodium hyaluronate	0.5 portion;
butanediol	10.0 portions;
disodium EDTA	0.5 portion;
dipotassium glycyrrhetate	1.0 portion;
panthenol	5.0 portions;
preservatives	0.1 portion;
deionized water	in an appropriate amount.

The molecular weight of the sodium hyaluronate is 300,000.

The preparation process is as follows:

- (1) Add sodium hyaluronate to the deionized water, and stir to dissolve.
- (2) Add all other components and stir to dissolve.
- (3) Adjust the resulting solution to pH 5.5~7.0, and passing quality examination fill it into small vials.

3. Preparation of a lotion part

The ingredients are:

Phase A:

jojoba seed oil	8 portions;
phytosterol isostearate	5 portions;
Vitamin E acetate	3 portions;
Rhodiola rosea Extract	0.1 portion;
Palmitoyl hydrolyzed wheat protein	3 portions;
Cetyl stearyl alcohol	2 portions;
Sucrose polystearate	2 portions;
hydrogenated Poly(isobutylene)	5 portions;
Dipalmitoyl hydroxyproline	2 portions;

Phase B:

Acrylates/C10-30 alkyl acrylate crosspolymer	0.5 portion;
butanediol	10 portions;
glycerin	5 portions;
Sodium stearoyl glutamate	1 portion;
disodium EDTA	0.1 portion;
xanthan gum	0.5 portion;
deionized water	margin;

Phase C:

acrylamide/ammonia acrylate copolymer(and) Poly(isobutylene) 2.0 portions;
(and) Polysorbate-20

Phase D:

aminomethyl propanol	0.2 portion
1-methylhydantoin-2-imide	1.0 portion;
creatine	0.5 portion;
carosine	0.5 portion;

Glucosyl Hesperidin	1.0 portion;
dipotassium glycyrrhetate	2.0 portions;
Bifida ferment lysate	5.0 portions;
Hexapeptide-3	0.5 portion
Centella asiatica Extract	1.0 portion;
Coenzyme Q10 capsule	1.0 portion;
Opuntia Ficus-indica Stem Extract	2.0 portions;
Saussurea Involucrata Extract	0.5 portion;
Panax notoginseng Root Extract	0.5 portion;
Angelica sinensis Extract capsule	0.5 portion;
preservatives	0.1 portion.

The preparation process is as follows:

- (1) All components in Phase A are mixed evenly, heated to 80°C, stirred to dissolve to obtain Phase A solution;
- (2) Acrylates/C10-30 alkyl acrylate crosspolymer is added to deionized water, stirred to dissolve, then other raw materials in Phase B are added, heated to 80°C, stirred to dissolve to obtain Phase B solution;
- (3) Phase A solution is added to Phase B solution, and then all components in Phase C are added, stirred to homogenize to be emulsified;
- (4) The mixture is stirred and cooled to 45°C, aminomethyl propanol is added, stirred to dissolve, and then other raw materials in Phase D are added, stirred and cooled to 30~35°C;
- (5) A lotion is obtained, whose pH value is adjusted to 5.5~6.5, upon passing quality examination, filled to the vessels.

Embodiment 2

1. Preparation of powder part

The ingredients are:

Oligopeptide-1	0.5 portion;
Ginseng saponin	2.0 portions;
mannitol	15 portions;

disodium hydrogen phosphate	0.5 portion;
sodium dihydrogen phosphate	0.2g portion.

The preparation process is as follows:

- (1) All components are dissolved in an appropriate amount of deionized water, then the obtained solution is filtered through a 0.2 μm membrane.
- (2) The solution is loaded on to a plate which is put into a vacuum freeze drier.
- (3) The solution is being vacuum dried for 45 hours into a form of powder, which is then distributed into small vials.

2. Preparation of aqueous part

The ingredients are:

Glycyrrhiza glabra Root Extract	0.5 portion
Artemisia capillaris Flower Extract	0.5 portion
Radix Mori Albae Extract	0.5 portion
Zizyphus jujuba Fruit Extract	0.5 portion
Scutellaria baicalensis Root Extract	0.5 portion
hydrolyzed rice protein	1.0 portion
sodium hyaluronate	0.5 portion
butanediol	8.0 portions
disodium EDTA	0.1 portion
dipotassium glycyrrhetate	0.5 portion
panthenol	0.5 portion
nicotinamide	0.3 portion
xanthan gum	1.2 portions
preservatives	0.1 portion
deionized water	in an appropriate amount.

The molecular weight of the sodium hyaluronate is 300,000.

The preparation process is as follows:

- (1) Xanthan gum is added to the deionized water, stirred to dissolve.

(2) All the other components are added to the solution of (1), stirred to dissolve.

(3) An aqueous formulation is obtained, which is adjusted to PH to 5.5~6.5, and after passing the quality examination, filled into vessels.

3. Preparation of a cream

The ingredients are:

Phase A:

jojoba seed oil	5 portions
phytosterol isostearate	2 portions
Vitamin E acetate	5 portions
Rhodiola rosea Extract	0.5 portion
Cetyl stearyl alcohol	3 portions
Sucrose polystearate	5 portions
Dipalmitoyl hydroxyproline	2 portions

Phase B:

Acrylates/C10-30 alkyl acrylate crosspolymer	1.5 portions
butanediol	15 portions
glycerin	15 portions
Sodium stearyl glutamate	0.5 portion
disodium EDTA	0.1 portion
xanthan gum	0.5 portion
deionized water	margin

Phase C:

acrylamide/ammonia acrylate copolymer(and) Poly(isobutylene) 2.0 portions;
(and) Polysorbate-20

Phase D:

aminomethyl propanol	0.15 portion
1-methylhydantoin-2-imide	1.0 portion

creatine	0.5 portion
carnosine	0.5 portion
Glucosyl Hesperidin	1.0 portion
dipotassium glycyrrhetate	2.0 portions
Bifida ferment lysate	5.0 portions
Hexapeptide-3	1.0 portion
Centella asiatica Extract	1.0 portion
Coenzyme Q10 capsule	1.0 portion
Opuntia Ficus-indica Stem Extract	2.0 portions
Saussurea Involucrata Extract	0.5 portion
Panax notoginseng Root Extract	0.5 portion
Angelica sinensis Extract capsule	0.5 portion
preservatives	0.1 portion

The preparation is as follows:

- (1) The components in Phase A are heated to 80~90°C, stirred to dissolve.
- (2) Acrylates/C10-30 alkyl acrylate crosspolymer is added to deionized water, stirred to dissolve, then other raw materials in Phase B are added, heated to 80~90°C, stirred to dissolve.
- (3) Phase A is added to Phase B, stirred to homogenize to be emulsified, and meanwhile, the raw materials in Phase C are added;
- (4) The above mixture is stirred and cooled to 45°C, and aminomethyl propanol is added, stirred to dissolve, and then other raw materials in Phase D are added, stirred and cooled to 30~35°C;
- (5) A cream is obtained, whose pH value is adjusted to 5.5~7.0;
- (6) Passing quality examination, the cream is then filled into vessels.

Example 3

1. Preparation of powder part

The ingredients are:

Oligopeptide-1	0.5 portion
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Ginseng saponin	2.0 portions
mannitol	margin;

The preparation process is as follows:

- (1) All components are mixed evenly.
- (2) The mixture are divided into small portions and filled into sachets.

2. Preparation of aqueous part

The ingredients are:

Glycyrrhiza glabra Root Extract	2.0 portions
Artemisia capillaris Flower Extract	2.0 portions
Radix Mori Albae Extract	1.0 portion
Zizyphus jujuba Fruit Extract	1.0 portion
Scutellaria baicalensis Root Extract	1.0 portion
hydrolyzed rice protein	3.0 portions
glycerin	10.0 portions
disodium EDTA	0.1 portion
dipotassium glycyrrhetate	2.0 portions
panthenol	0.5 portion
nicotinamide	1.0 portion
Acrylates/C10-30 alkyl acrylate crosspolymer	1.0 portion
aminomethyl propanol	0.15 portion
preservatives	0.10 portion
deionized water	in an appropriate amount.

The molecular weight of the sodium hyaluronate is 300,000.

The preparation process is as follows:

- (1) Acrylates/C10-30 alkyl acrylate crosspolymer is added to the deionized water, stirred to disperse, aminomethyl propanol is added, stirred to dissolve completely.
- (2) All the other components are added to (1), stirred to dissolve.
- (3) Adjusted pH to 5.5~7.0.

(4) Upon passing quality control, fill it into vessels.

3. Preparation of a gel

The ingredient are:

Phase A:

Cetyl stearyl alcohol	2 portions
Sucrose polystearate	2 portions
Dipalmitoyl hydroxyproline	2 portions
Rhodiola rosea Extract	0.1 portion

Phase B:

Acrylates/C10-30 alkyl acrylate crosspolymer	3 portions
butanediol	10 portions
glycerin	5 portions
disodium EDTA	0.1 portion
xanthan gum	0.5 portion
deionized water	margin

Phase C:

acrylamide/ammonia acrylate copolymer(and) Poly(isobutylene) 2.0 portions;
(and) Polysorbate-20

Phase D:

aminomethyl propanol	0.3 portion
creatine	0.5 portion
carosine	0.5 portion
Glucosyl Hesperidin	1.0 portion
dipotassium glycyrrhetate	2.0 portions
Bifida ferment lysate	5.0 portions
Hexapeptide-3	0.5 portion
Centella asiatica Extract	1.0 portion

Coenzyme Q10 capsule	1.0 portion
Opuntia Ficus-indica Stem Extract	2.0 portions
Saussurea Involucrata Extract	0.5 portion
Panax notoginseng Root Extract	0.5 portion
Angelica sinensis Extract capsule	0.5 portion
preservatives	0.1 portion.

The preparation process is as follows:

- (1) The raw materials in Phase A are heated to 80~90°C, stirred to dissolve;
- (2) Acrylates/C10-30 alkyl acrylate crosspolymer is added to deionized water, stirred to dissolve, then other raw materials in Phase B are added, heated to 80~90°C, stirred to dissolve.
- (3) Phase A is added to Phase B, stirred to homogenize to be emulsified, and meanwhile, the raw materials in Phase C are added;
- (4) The above mixture is stirred and cooled to 45°C, aminomethyl propanol is added, stirred to dissolve, and then other raw materials in Phase D are added, stirred and cooled to 30~35°C;
- (5) A gel is obtained, whose pH value is adjusted to 5.5~7.0;
- (6) Upon passing examination, the gel is then filled into vessels.

Example 4

1. Preparation of powder part

The ingredients are:

Oligopeptide-1	0.001 portion;
Ginseng saponin	0.1 portion;
mannitol	5.0 portions;
disodium hydrogen phosphate	0.5 portion;
sodium dihydrogen phosphate	0.2 portion.

The preparation process is as follows:

- (1) All components are dissolved in an appropriate amount of deionized water, then the obtained solution is sterilized in an autoclave at 121°C, 0.1Mpa for 30mins.

- (2) It is distributed into small glass vials, and then place them into a vacuum freeze drier.
- (3) It is then vacuum dried for 45 hours into the form of powder, and then vials are capped.

2. Preparation of aqueous part

The ingredients are:

Glycyrrhiza glabra Root Extract	0.5 portion;
Artemisia capillaris Flower Extract	0.5 portion;
Radix Mori Albae Extract	0.3 portion;
Zizyphus jujuba Fruit Extract	0.3 portion;
Scutellaria baicalensis Root Extract	0.3 portion;
hydrolyzed rice protein	1.0 portion;
nicotinamide	0.5 portion;
sodium hyaluronate	0.1 portion;
butanediol	8.0 portions;
disodium EDTA	0.1 portion;
dipotassium glycyrrhetate	0.1 portion;
panthenol	0.5 portion;
preservatives	0.01 portion;
deionized water	in an appropriate amount.

The molecular weight of the sodium hyaluronate is 300,000.

The preparation process is as follows:

- (1) Sodium hyaluronate is added to the deionized water, stirred to dissolve.
- (2) Other components are added, stirred to dissolve.
- (3) An aqueous part is obtained, whose pH value is adjusted to 5.5~7.0, and upon passing quality control, filled into vials.

3. Preparation of a lotion

The ingredients are:

Phase A:

phytosterol isostearate	0.5 portion;
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Vitamin E acetate	1 portion;
Cetyl stearyl alcohol	1 portion;
Sucrose polystearate	2 portions;
Dipalmitoyl hydroxyproline	1 portion;
Rhodiola rosea Extract	0.1 portion

Phase B:

Acrylates/C10-30 alkyl acrylate crosspolymer	0.1 portion;
butanediol	5 portions;
glycerin	2 portions;
Sodium stearyl glutamate	0.5 portion;
disodium EDTA	0.1 portion;
xanthan gum	0.1 portion;
deionized water	margin;

Phase C:

acrylamide/ammonia acrylate copolymer(and) Poly(isobutylene) (and) Polysorbate-20	1.0 portion;
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Phase D:

aminomethyl propanol	0.2 portion
1-methylhydantoin-2-imide	1.0 portion;
creatine	0.2 portion;
carnosine	0.2 portion;
Glucosyl Hesperidin	0.5 portion;
dipotassium glycyrrhetate	0.1 portion;
Bifida ferment lysate	1.0 portion;
Centella asiatica Extract	0.5 portion;
Coenzyme Q10 capsule	0.5 portion;
Opuntia Ficus-indica Stem Extract	1.0 portion;
Hexapeptide-3	1.0 portion;

Saussurea Involucrata Extract	0.1 portion;
Panax notoginseng Root Extract	0.1 portion;
Angelica sinensis Extract capsule	0.1 portion;
preservatives	0.05 portion.

The preparation process is as follows:

- (1) All components in Phase A are mixed evenly, heated to 80°C, stirred to dissolve to obtain Phase A solution.
- (2) Acrylates/C10-30 alkyl acrylate crosspolymer is added to deionized water, stirred to dissolve, then other raw materials in Phase B are added, heated to 80°C, stirred to dissolve to obtain Phase B solution.
- (3) Phase A solution is added to Phase B solution, and then all components in Phase C are added, stirred to homogenize to be emulsified.
- (4) The above mixture is stirred and cooled to 45°C, aminomethyl propanol is added, stirred to dissolve, and then other raw materials in Phase D are added, stirred and cooled to 30~35°C;
- (5) A lotion is obtained, whose pH value is adjusted to 5.5~6.5, and upon passing quality control, filled into the vessels.

Example 5

1. Preparation of powder part

The ingredients are:

Oligopeptide-1	1.0 portion;
Ginseng saponin	5.0 portions;
mannitol	20.0 portions.

The preparation process is as follows:

- (1) All components are dissolved in an appropriate amount of deionized water, then the obtained solution is sterilized in an autoclave at 121°C, 0.1Mpa for 30mins.
- (2) Distribute it into glass vials, and then put into the vacuum freeze drier.
- (3) Vacuum freeze dried for 45 hours, to form a powder, then cap the vials.

2. Preparation of aqueous part

The ingredients are:

Glycyrrhiza glabra Root Extract	3.0 portions;
Artemisia capillaris Flower Extract	3.0 portions;
Radix Mori Albae Extract	2.0 portions;
Zizyphus jujuba Fruit Extract	2.0 portions;
Scutellaria baicalensis Root Extract	2.0 portions;
hydrolyzed rice protein	5.0 portions;
nicotinamide	3.0 portions;
sodium hyaluronate	2.0 portions;
butanediol	20.0 portions;
disodium EDTA	0.1 portion;
dipotassium glycyrrhetate	2.0 portions;
panthenol	5.0 portions;
preservatives	0.01 portion;
deionized water	in an appropriate amount.

The molecular weight of the sodium hyaluronate is 300,000.

The preparation process is as follows:

- (1) Sodium hyaluronate is added to the deionized water, stirred to dissolve.
- (2) Other components are added, stirred to dissolve;
- (3) An aqueous part is obtained, whose pH value is adjusted to 5.5~7.0, upon passing quality examination, filled into vessels.

3. Preparation of a lotion

The ingredients are:

Phase A:

phytosterol isostearate	0.5 portion;
Vitamin E acetate	3 portions;
Rhodiola rosea Extract	2.0 portions
Cetyl stearyl alcohol	1 portion;

Sucrose polystearate	2 portions;
Dipalmitoyl hydroxyproline	1 portion;

Phase B:

Acrylates/C10-30 alkyl acrylate crosspolymer	0.1 portion;
butanediol	5 portions;
glycerin	2 portions;
Sodium stearoyl glutamate	0.5 portion;
disodium EDTA	0.1 portion;
xanthan gum	0.1 portion;
deionized water	margin;

Phase C:

acrylamide/ammonia acrylate copolymer(and) Poly(isobutylene) 1.0 portion;
(and) Polysorbate-20

Phase D:

aminomethyl propanol	0.2 portion;
1-methylhydantoin-2-imide	1.0 portion;
creatine	2.0 portions;
carosine	2.0 portions;
Glucosyl Hesperidin	5.0 portions;
dipotassium glycyrrhetate	0.1 portion;
Bifida ferment lysate	10.0 portions;
Hexapeptide-3	5.0 portions
Centella asiatica Extract	3.0 portions;
Coenzyme Q10 capsule	0.5 portion;
Opuntia Ficus-indica Stem Extract	1.0 portion;
Saussurea Involucrata Extract	0.1 portion;
Panax notoginseng Root Extract	0.1 portion;
Angelica sinensis Extract capsule	0.1 portion;

preservatives

0.05 portion.

The preparation process as follows:

- (1) All components in Phase A are mixed evenly, heated to 80°C, stirred to dissolve to obtain Phase A solution.
- (2) Acrylates/C10-30 alkyl acrylate crosspolymer is added to deionized water, stirred to dissolve, then other raw materials in Phase B are added, heated to 80°C, stirred to dissolve to obtain Phase B solution.
- (3) Phase A solution is added to Phase B solution, and all components in Phase C are added, stirred to homogenize to be emulsified.
- (4) The above mixture is stirred and cooled to 45°C, aminomethyl propanol is added, stirred to dissolve, and then other components in Phase D are added, stirred and cooled to 30~35°C;
- (5) A lotion is obtained, whose pH value is adjusted to 5.5~6.5, upon passing quality examination, the lotion filled in vessels.

Comparative Product

The comparative product used in the present invention is a skin care product available in the prior art, which has a composition as follows (portions by weight):

PPG-3 Benzyl ether myristate	2~5 portions
Polyglycerin-3 methylglucose distearate	2~5 portions
Hydrogenated Poly(isobutylene)	2~5 portions
Palmitoyl Pentapeptide -3	2~5 portions
Polyglycerin-3 methylglucose distearate	1~3 portions
Oat Extract	1~3 portions
hexadecanol - octadecanol	1~3 portions
Glycerin monostearate	1~3 portions
bisabolol	0.1~0.5 portion
Butcher's Broom Root Extract	0.1~0.3 portion
Centella asiatica Extract	0.1~0.5 portion
panthenol	0.1~0.5 portion
<i>Calendula officinalis L.</i> Extract	0.1~0.5 portion

Hydrolyzed yeast protein	0.1~0.5 portion
<i>Aesculus hippocastanum</i> Extract	0.1~0.5 portion
Monoammonium glycyrrhizinate	0.1~0.5 portion
BOSWELLIA SERRATA Extract	0.1~0.3 portion
carnosine	0.1~0.5 portion
xanthan gum	0.1~0.5 portion
<i>Radix Ginseng</i> Extract	0.1~0.5 portion
<i>Ganoderma lucidum</i> Extract	0.1~0.5 portion
<i>Boswellia carteri</i> Extract	0.1~0.5 portion
Oligopeptide-1	0.1~0.5 portion
preservatives	0.1~0.2 portion

For all the embodiments described above, the three parts of the composition are separately prepared and stored in separate containers until being used by users. In use, first mix the powder part in the aqueous part in a weight ratio between 1:50 and 1:500, preferably 1:100, and apply the mixture to the skin under gentle massage. Then, the emulsion part (in an amount roughly equal to the mixture of the powder and aqueous part) is applied to the skin. The product is to be applied twice a day in the morning and the evening, respectively.

Testing Conducted and Effects Observed

In order to confirm the intended effects of the present invention, testing was conducted on female volunteers who had various undesirable skin conditions or symptoms and voluntarily enrolled for the trial. For each particular skin conditions (see below), three groups of volunteers, with 50 or more in each group, were assigned to use the products of embodiment 1, embodiment 2 and comparative prior art (described above), respectively. For each of the following skin conditions, the products were applied to the facial skin twice a day for 4 weeks (about 3% volunteers terminated the use due to side effects during the 4-week trial period). The application of the product on facial skin was conducted in a manner that a person normally uses a cosmetic product. About one gram of the product was used each time with a ratio of 1:100:100 among the powder part, aqueous part and emulsion part (first applying the mixture of powder and aqueous parts and then applying the emulsion part with a gentle

massage in between). At the end of each week during the trial, each volunteer was asked about what was her degree of satisfaction with the product on a scale from 1 to 5 and how effective she found the product on relieving a particular skin condition on a scale from 1 to 3 (1 means no effect, 2 means some effect, and 3 means significant effect). The following skin conditions/symptoms were tried:

1. Facial wrinkles/fine lines. The result was shown in FIG. 2(a).
2. Rough skin. The result was shown in FIG. 2(b).
3. Dry skin/dehydration. The result was shown in FIG. 2(c).
4. Flabby skin/lack of elasticity. The result was shown in FIG. 2(d).
5. Dull skin tone/lack of gloss. The result was shown in FIG. 2(e).
6. Large skin pore size. The result was shown in FIG. 2(f).
7. Variated skin colors/lack of color uniformity. The result was shown in FIG. 2(g).
8. Oily skin. The result was shown in FIG. 2(h).
9. Skin with colored spots. The result was shown in FIG. 2(i).
10. Pigment sediment. The result was shown in FIG. 2(j).
11. Scar left after acne. The result was shown in FIG. 2(k).

Other skin conditions, such as, reddish-prone skin, couperose-prone skin, scurf-prone skin and allergic sensitive skin, were also tried but the data are not shown here as there were not enough volunteers enrolled for the trial.

FIG. 1 is the summary of the overall satisfactory rate of each product by the participating volunteers (1, 2 and c refers to products of embodiment 1 embodiment 2 and the comparative prior art product, respectively). As can be seen from FIG. 1, comparing with the existing product available in the art (c), both embodiments (1 and 2) of the present invention demonstrated a superior result. At the end of the 4 week trial, both received higher satisfactory rates, 3.81 and 3.58, respectively, comparing to 3.38 for the prior art product. More significantly, the longer the present invention product was used, the result was better. By comparison, the prior art product peaked at week 3 and continued use had a declined satisfaction. The data suggest that not only the products of the present invention have quicker

and better effects from onset but also are better suited for long-term use.

FIG. 2 shows the effects on specific skin conditions/symptoms tried. For example, FIG. 2(a) relates to the condition of facial wrinkles and appearance of fine lines. The left-side curves show that volunteers in the embodiment 1 group (◆) rated the effectiveness at 1.29 (average) after the first week, 1.69 after the second week, 1.79 after the week and 1.90 after the fourth week. The corresponding data for the embodiment 1 group (■) are 1.31., 1.49, 1.64 and 1.80 and for the prior art group (▲), the data are 1.23, 1.37, 1.58 and 1.67. For effectiveness rate, 1 means no effect, 2 means some effect, and 3 means significant effects. Understandably, for a cosmetic product, the effectiveness rarely reaches 3. The right-side table shows that Embodiment 1 has an onset time of 13.3 days, which refers to the average time when the volunteers observed at least some effects. The onset time is 13.5 days for Embodiment 2 and 15.3 days for the comparative product. In the Embodiment 1 group, 29% volunteers observed at least some effect (i.e., giving an effectiveness rate of either 2 or 3) at week 1, 62% at week 2, 69% at week 3 and 76% at week 4. The corresponding percentages for Embodiment 2 are 31%, 49%, 58% and 67%. For comparison, the data for the prior art product are 21%, 35%, 53% and 67%. Similar trends can be found in FIG. 2(b) – (k), and it shows that for all the skin conditions/symptoms tried, the products of the present invention had consistently achieved better results than the prior art comparative product in terms of the onset time, the percentage and the degree of effectiveness.

Although not wishing to be bound to any particular theory, the inventors believe that the product of the present invention may achieve its beneficial effects on skin conditions by regulating the immunity and delaying the aging process of skin induced by the sun light. This mechanism was at least part of the consideration in selecting the various ingredients, many of which are derived from natural sources and used in the traditional medicine showing effects in regulating immunity. This may serve as a guideline in modifying the embodiments disclosed herewith and such modifications may achieve similar effects without departing from the spirit of the present invention.

While there have been described and pointed out fundamental novel features of the invention as applied to a preferred embodiment thereof, it will be understood that various omissions and substitutions and changes, in the form and details of the embodiments

illustrated, may be made by those skilled in the art without departing from the spirit of the invention. The invention is not limited by the embodiments described above which are presented as examples only but can be modified in various ways within the scope of protection defined by the appended patent claims

What is claimed is:

1. An skin care composition, comprising three part being a powder part, an aqueous part and an emulsion part, each part in a separate containers, wherein:

said powder part comprises the following ingredients in specified portions by weight:

Oligopeptide-1	0~1.0 portion
Ginseng saponin	0~5.0 portions

provided that at least one of the ingredients must be present;

said aqueous part comprises the following ingredients in specified portions by weight:

Glycyrrhiza glabra Root Extract	0~3.0 portions
Artemisia capillaris Flower Extract	0~3.0 portions
Radix Mori Albae Extract	0~2.0 portions
Zizyphus jujuba Fruit Extract	0~2.0 portions
Scutellaria baicalensis Root Extract	0~2.0 portions
hydrolyzed rice protein	0~5.0 portions
nicotinamide	0~3.0 portions

provided that at least one of the ingredients must be present; and

said emulsion part comprises the following ingredients in specified portions by weight:

Bifida ferment lysate	0.5~10.0 portions
creatine	0~2.0 portions
carnosine	0~2.0 portions
Glucosyl Hesperidin	0~5.0 portions
Hexapeptide-3	0~5.0 portions
Centella asiatica Extract	0~3.0 portions
Coenzyme Q10 capsule	0~2.0 portions
Opuntia Ficus-indica Stem Extract	0~5.0 portions
Rhodiola rosea Extract	0~2.0 portions
Saussurea Involucrata Extract	0~5.0 portions
Panax notoginseng Root Extract	0~5.0 portions
Angelica sinensis Extract capsule	0~5.0 portions

provided that Bifida ferment lysate and at least one other ingredient must be present.

2. The skin care composition of claim 1, wherein:

said powder part is:

Oligopeptide-1	0.01~0.5 portion
Ginseng saponin	0.1~2.0 portions.

3. The skin care composition of claim 2, wherein:

said powder part is:

Oligopeptide-1	0.01~0.05 portion
Ginseng saponin	0.10~0.50 portion.

4. The skin care composition of claim 1, wherein:

said aqueous part is:

Glycyrrhiza glabra Root Extract	0.10~1.50 portions
Artemisia capillaris Flower Extract	0.10~1.50 portions
Radix Mori Albae Extract	0.10~1.00 portion
Zizyphus jujuba Fruit Extract	0.10~1.00 portion
Scutellaria baicalensis Root Extract	0.10~1.00 portion
hydrolyzed rice protein	0.10~2.00 portions
nicotinamide	0.10~1.50 portions.

5. The skin care composition of claim 4, wherein:

said aqueous part is:

:

Glycyrrhiza glabra Root Extract	0.5~1.0 portion
Artemisia capillaris Flower Extract	0.5~1.0 portion
Radix Mori Albae Extract	0.5~1.0 portion
Zizyphus jujuba Fruit Extract	0.5~1.0 portion
Scutellaria baicalensis Root Extract	0.5~1.0 portion
hydrolyzed rice protein	0.5~1.0 portion
nicotinamide	0.50~1.0 portion.

6. The skin care composition of claim 1, wherein:

said emulsion part is:

Rhodiola rosea Extract	0.1~2.0 portions
Bifida ferment lysate	0.5~5.0 portions
creatine	0.5~1.5 portions
carnosine	0.1~1.0 portion
Glucosyl Hesperidin	0.1~2.0 portion
Hexapeptide-3	0.5~1.5 portions
Centella asiatica Extract	0.1~1.0 portion
Coenzyme Q10 capsule	0.1~1.0 portion
Opuntia Ficus-indica Stem Extract	0.1~3.0 portions.

7. The skin care composition of claim 1, wherein said emulsion is of lotion, gel or cream.

8. The skin care composition of claim 1, wherein said powder part further comprises an external dosage form matrix with one or more ingredients selected from the group consisting of mannitol, disodium hydrogen phosphate and sodium dihydrogen phosphate.

9. The skin care composition of claim 1, wherein said aqueous part further comprises an external dosage form matrix with one or more ingredients selected from the group consisting sodium hyaluronate, oxhide glue, butanediol, disodium EDTA, dipotassium glycyrrhetate, panthenol and preservatives.

10. The skin care composition of claim 7, wherein said emulsion part further comprises an external dosage form matrix with one or more ingredients selected from the group consisting bisabolol, cetylhydroxyproline palmitamide, brassica campestris sterol, jojoba seed oil, phytosterol isostearate, Vitamin E acetate, silicone oil, cetyl stearyl alcohol, sucrose polystearate, Beheneth-25, dipalmitoyl hydroxyproline, Acrylates/C10-30 alkyl acrylate crosspolymer, butanediol, glycerin, sodium stearyl glutamate, disodium EDTA, xanthan gum, deionized water, acrylamide/ammonia acrylate copolymer-Poly(isobutylene)-Polysorbate-20, 1-methylhydantoin-2-imide and preservatives.

ABSTRACT

A skin care composition and product having beneficial effects on skin conditions/symptoms, such as reducing wrinkles and skin roughness and improving skin elasticity, etc. The composition has three separate parts: a powder part, an aqueous part and an emulsion part. The powder part comprises Oligopeptide-1 and Ginseng saponin. The aqueous part comprises Glycyrrhiza glabra Root Extract, Artemisia capillaris Flower Extract, Radix Mori Albae Extract, Zizyphus jujuba Fruit Extract, Scutellaria baicalensis Root Extract, hydrolyzed rice protein and nicotinamide. The emulsion part comprises Bifida ferment lysate, creatine, carnosine, Glucosyl Hesperidin, Hexapeptide-3, Centella asiatica Extract, Coenzyme Q10 capsule, Opuntia Ficus-indica Stem Extract, Rhodiola rosea Extract, Saussurea Involucrata Extract, Panax notoginseng Root Extract and Angelica sinensis Extract capsule.

FIG. 1

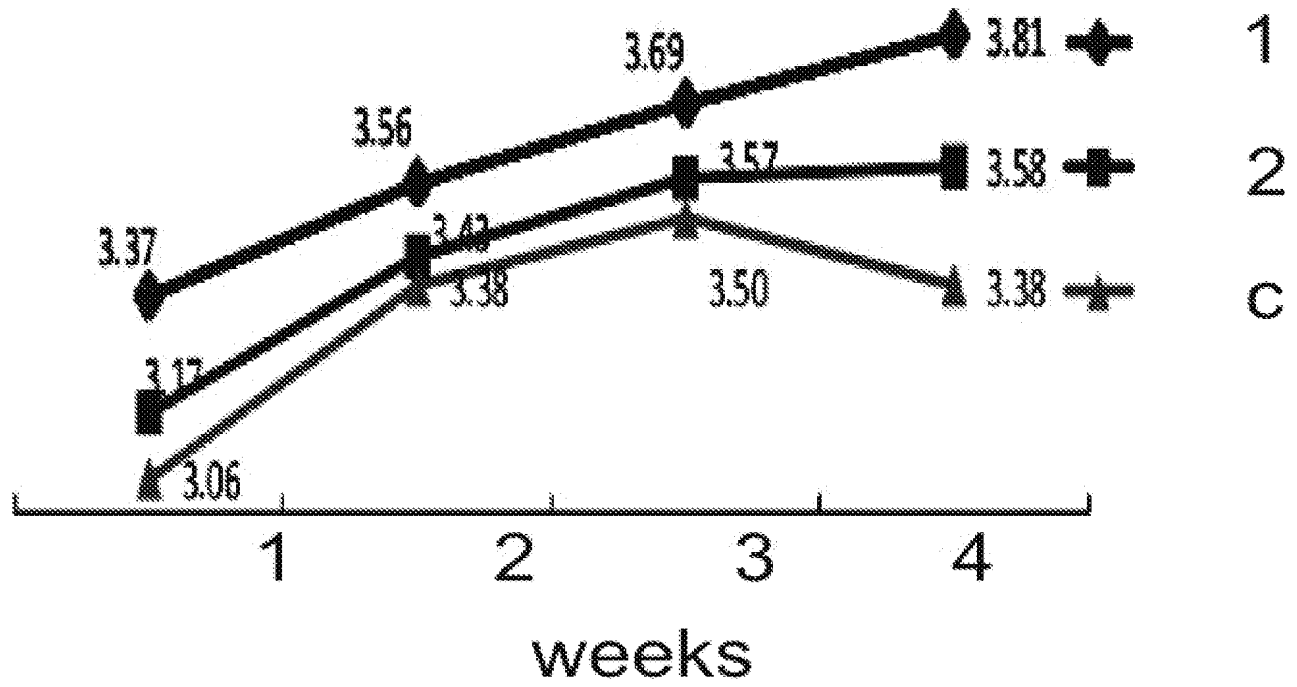
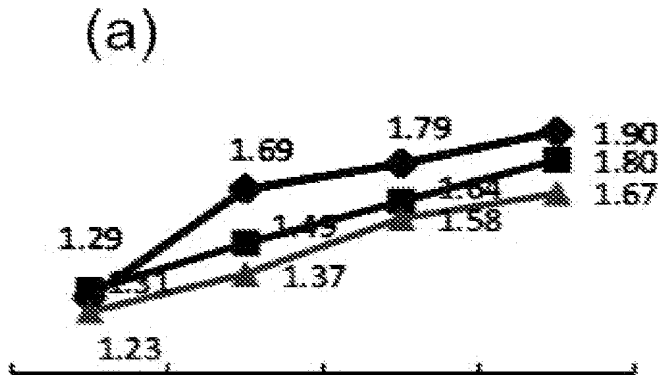
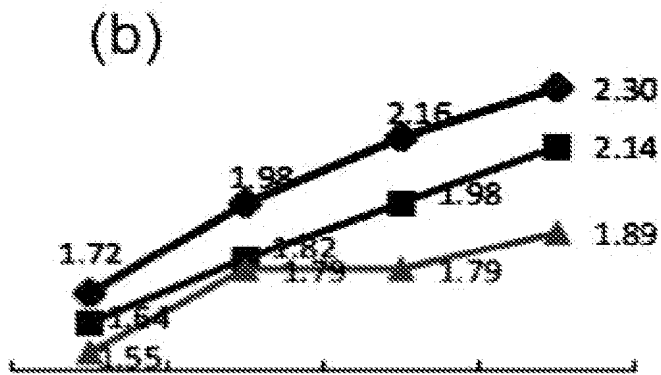


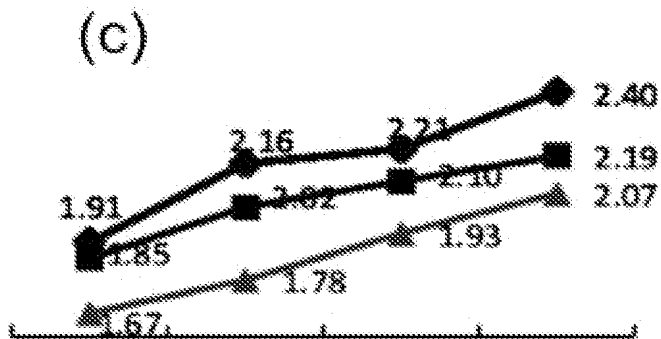
FIG. 2



Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	29	62	69	76	13.3
2	31	49	58	67	13.5
C	21	35	53	60	15.3



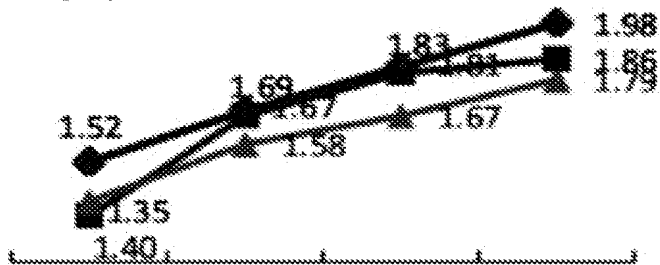
Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	72	88	95	100	10.1
2	61	77	82	91	11.0
C	53	74	74	82	10.8



Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	84	95	98	98	8.2
2	77	85	85	85	7.7
C	61	72	78	80	9.6

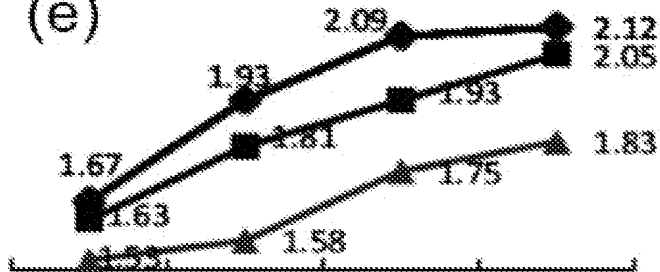
FIG. 2(continued)

(d)



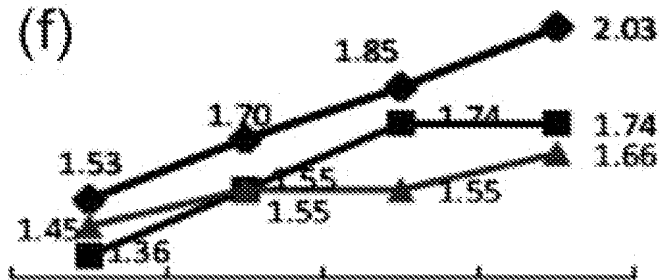
Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	50	64	74	81	11.7
2	35	63	72	74	12.0
C	35	56	60	67	12.3

(e)



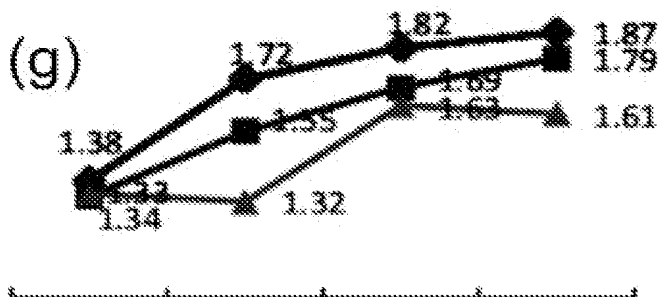
Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	63	79	91	91	10.1
2	60	79	81	81	9.0
C	45	50	65	70	12.0

(f)



Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	59	68	75	83	11.5
2	36	57	64	66	11.3
C	45	55	58	61	9.7

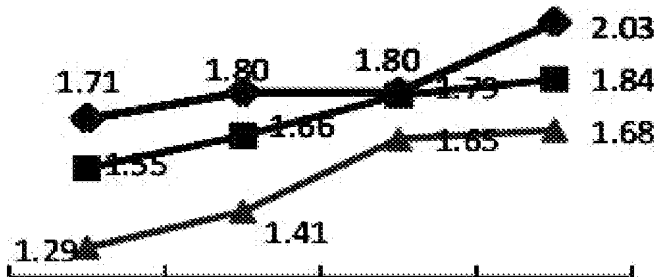
(g)



Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	36	59	74	77	12.6
2	33	50	60	67	13.0
C	34	37	58	61	13.1

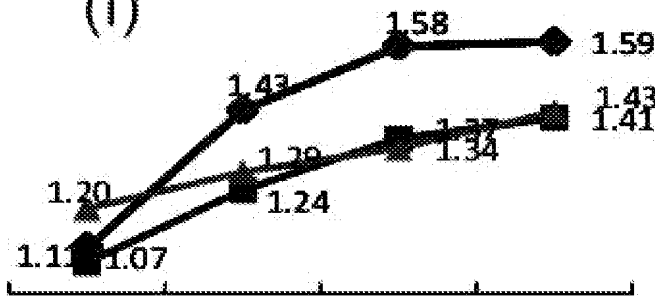
FIG. 2(continued)

(h)



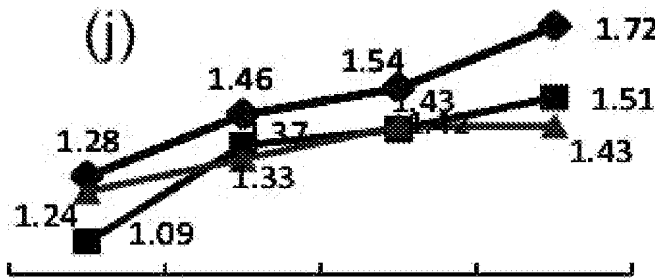
Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	66	71	77	86	10.5
2	53	66	74	79	11.0
C	29	50	62	65	12.7

(i)



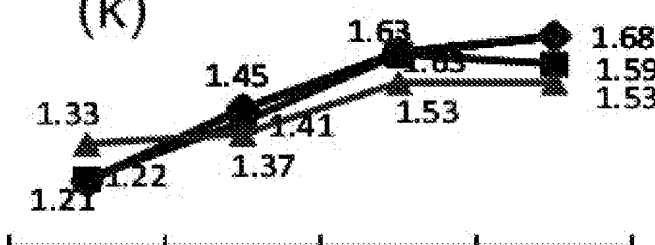
Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	11	43	57	59	15.0
2	7	22	27	32	15.6
C	20	29	31	37	12.9

(j)



Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	28	46	56	64	13.7
2	9	35	40	42	14.0
C	24	36	43	45	12.2

(k)



Product	cumulative effectiveness after week:				onset time (days)
	1	2	3	4	
1	21	45	58	63	14.3
2	22	44	56	56	12.8
C	23	40	50	50	12.1

PATENT

Bei & Ocean Docket No: GDZY01-66USP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of invention	SKIN CARE AND COSMETIC COMPOSITION
--------------------	------------------------------------

As the below named inventor, I hereby declare that:

This declaration is directed to: The attached application, or
 United States application or PCT international application number
_____ filed on _____

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

LEGAL NAME OF INVENTOR

Inventor: Zhiyun WU Date(Optional) 2014.4.10

Signature: 

PATENT

Bei & Ocean Docket No: GDZY01-66USP

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LEGAL NAME OF INVENTOR

Inventor: Chungwah MA Date(Optional) 2014. 4. 10

Signature:  _____

PATENT

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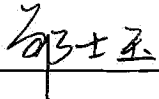
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LEGAL NAME OF INVENTOR

Inventor: Shiyu ZOU Date(Optional) 2014. 4. 10

Signature: 

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Document Date: 04/22/2014

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