

# EXHIBIT 4



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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			HENRY, MICHAEL C	
			ART UNIT	PAPER NUMBER
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### DETAILED ACTION

The following office action is a responsive to the amendment filed, 07/03/08.

The amendment filed 07/03/08 affects the application, 10/701,495 as follows:

1. Claims 1, 4-6, 13-15, 23 have been amended. Applicants' amendments have overcome the rejections made under 35 U.S.C. 102(b) with Dobson et al. Consequently, the said rejections are withdrawn. However, the rejections made under 35 U.S.C. 103(a) with Dobson et al. and under 35 U.S.C. 102(b) with Lapinet et al. the are maintained
2. The responsive to applicants' arguments is contained herein below.

Claims 1-6, 8-15, 17-23 are pending in application

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-2, 4, 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Lapinet et al. (US 3,978,213).

In claim 1, applicant claims “A method for softening expression lines on a face and/or forehead in need thereof, comprising topically applying a composition to one or more zones of the face or forehead marked with expression lines a composition comprising at least one compound selected from the group consisting of adenosine and adenosine analogues and a physiologically acceptable medium, wherein the composition comprises 0.1% to 10% by weight of adenosine and/or adenosine analogue with respect to the total composition weight.” Lapinet

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et al. disclose applicant's method of softening and enhancing the natural elasticity of the skin comprising applying topically to human skin a composition comprising an adenosine analogue, cyclic 3',5'-adenosine monophosphate (see claims 1-2 and col. 2, line 48- col. 4, line 7). It should be noted that the application of the composition to skin also encompasses the skin on the face and forehead and especially since that is where wrinkles (including expression lines) generally occur. Furthermore, it should be noted that the examiner considers that the softening of skin also includes a softening of lines especially since Lapinet also disclose that wrinkles (expression lines) are decreased (softened) by said treatment (see col. 4, lines 3-7) and that said treatment is applied to soften and soothe human skin that is wrinkled and dry (see col. 1, lines 47-52). It must also be noted that Lapinet et al. apply the same composition to the skin of the same subject as applicant and consequently it should have the same inherent effect of softening of expression lines. Claim 2, which is drawn to the method according to claim 1 wherein said composition comprises an adenosine analogue, is also encompassed by this rejection, since Lapinet et al.'s composition also comprises the adenosine analogue, cyclic 3',5'-adenosine monophosphate (see claims 1-2 and col. 2, line 48- col. 4, line 7). It should be noted that the application of the composition to skin also encompasses the skin on the face and forehead and especially since that is where wrinkles (including expression lines) generally occur.

Furthermore, it should be noted that the examiner considers that the softening of skin also includes a softening of lines especially since Lapinet also disclose that wrinkles (expression lines) are decreased (softened) by said treatment (see col. 4, lines 3-7) and that said treatment is applied to soften and soothe human skin that is wrinkled and dry (see col. 1, lines 47-52). It must also be noted that Lapinet et al. apply the same composition to the skin of the same subject

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