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Table with columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO., EXAMINER, ART UNIT, PAPER NUMBER, NOTIFICATION DATE, DELIVERY MODE. Includes application details for Sujin YANG and examiner BAKER, ADAM D.

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.

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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.

Priority

Applicant's claim for the benefit of a prior-filed application KR10-2019-0031746 under 35 U.S.C. 119 is acknowledged.

Applicant's claim for the benefit of a prior-filed application PCT/KR2020/002639 under 35 U.S.C. 371 is acknowledged.

Claim Rejections - 35 USC § 103

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.

Claims 1-7 are rejected under 35 U.S.C. 103 as being unpatentable over Staab (US 2007/0175484) in view of Alieva (DE102008062426A1) and in view of Kumosani et al (US 10,154,958) and in view of Hajhashemi et al (Hajhashemi et al, *Analgesic and Anti-inflammatory Effects of Rosa damascene Hydroalcoholic Extract and its Essential Oil in Animal Models*, Iranian Journal of Pharmaceutical Research, 9 (2): 163-168 (2010)) and in view of Santo et al (US 2005/0255076).

With respect to claim 1, Staab discloses A condom comprising: a condom body ([0016], condom body 10); and a lubricant layer formed on an outer surface of the condom body by applying a lubricant solution comprising a mixture of a lubricant and a composition for antibacterial and anti-inflammatory activities to the outer surface ([0009], [0029], composition which improved lubricity- so is a lubricant- with an antibacterial and an anti-inflammatory).

Staab is silent on the composition comprising, as an active ingredient, a combination comprising a fisetin compound, a *Rose damascene* extract, a *Paeonia suffruticosa Andr.* extract, and a *Scutellaria baicalensis* extract.

Alieva teaches an analogous active ingredient in which the combined flavonoid (fisetin is a type of flavonoid) essential oil have an anti-inflammatory effect (p 2 II 16-17, Examiner notes that “phlovonoid” is the untranslated term “flavonoid”).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to modify the anti-inflammatory active ingredients of Staab to be an essential oil and a flavonoid as taught by Alieva to be effective in reducing inflammation (Alieva p 2 II 16-17).

Staab/Alieva is silent on the flavonoid being a fisetin compound and the essential oil being a *Rose damascene* extract, and a *Paeonia suffruticosa Andr.* extract, and a *Scutellaria baicalensis* extract.

Kumosani et al teaches an analogous anti-inflammatory flavonoid for vaginal use which is fisetin (col 16 II 30-35, col 1 II 10-15, col 6 II 10-20).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to modify the flavonoid of Staab/Alieva to be fisetin as taught by Kumosani et al in order to have a flavonoid that is effective as an anti-inflammatory and is known to be safe in the vagina (Kumosani et al col 16 II 30-35, col 1 II 10-15, col 6 II 10-20)

Staab/Alieva/Kumosani et al is silent on the essential oil being a *Rose damascene* extract, and a *Paeonia suffruticosa Andr.* extract, and a *Scutellaria baicalensis* extract.

Hajhashemi et al teaches an analogous essential oil for anti-inflammation in which the essential oil is *Rose damascene* extract (p 164 col 1).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to modify the essential oil of Staab/Alieva/Kumosani et al to be *Rose damascene* extract in order to have an ingredient with well-known anti-inflammatory effects (p 167 col 2).

Staab/Alieva/Kumosani et al/Hajhashemi et al is silent on and a *Paeonia suffruticosa Andr.* extract, and a *Scutellaria baicalensis* extract.

Santo et al teaches an analogous therapeutic compound with anti-bacterial and anti-inflammatory activities wherein the compound comprises *Paeonia suffruticosa Andr.* Extract ([0029], extract added to

other compounds with similar purposes, anti-inflammatory), and a *Scutellaria baicalensis* extract ([0051], [0054], antibacterial).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to modify the compound of Staab/Alieva/Kumosani et al/Hajhashemi et al with the addition of the extracts as taught by Santo et al in order to further the medical use of the compound with materials known to work on the outer user (Santo et al [0001]).

With respect to claim 2, Staab/Alieva/Kumosani et al/Hajhashemi et al/Santo et al discloses The condom of claim 1, wherein the fisetin compound is a kind of flavonoid and is a compound represented by a molecular formula of $C_{15}H_{10}O_6$ (Kumosani et al, col 16 ll 30-35, col 1 ll 10-15, col 6 ll 10-20, fisetin, this claimed formula is the formula for fisetin).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to modify the flavonoid of Staab/Alieva to be fisetin as taught by Kumosani et al in order to have a flavonoid that is effective as an anti-inflammatory and is known to be safe in the vagina (Kumosani et al col 16 ll 30-35, col 1 ll 10-15, col 6 ll 10-20)

With respect to claim 3, Staab/Alieva/Kumosani et al/Hajhashemi et al/Santo et al discloses The condom of claim 2, wherein the fisetin compound is a compound represented by the following formula (Kumosani et al, col 16 ll 30-35, col 1 ll 10-15, col 6 ll 10-20, fisetin, this claimed formula is the formula for fisetin).

It would have been obvious to one of ordinary skill in the art before the effective filing date of the claimed invention to modify the flavonoid of Staab/Alieva to be fisetin as taught by Kumosani et al in order to have a flavonoid that is effective as an anti-inflammatory and is known to be safe in the vagina (Kumosani et al col 16 ll 30-35, col 1 ll 10-15, col 6 ll 10-20)

With respect to claim 4, Staab/Alieva/Kumosani et al/Hajhashemi et al/Santo et al discloses The condom of claim 2, wherein the Rose damascene extract is a substance obtained by extraction from Rose damascene which is a small shrub belonging to the family Rosaceae of the order Rosales of Dicotyledoneae (Hajhashemi p 164 col 1, *Rose damascene* extract, a rose damascene extract obviously comes from the claimed tree); the Paeonia suffruticosa Andr. extract is a substance obtained by extraction from Paeonia suffruticosa Andr. which is a plant belonging to the family Ranunculaceae of

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