



(51) International Patent Classification:

A61Q 19/00 (2006.01) *A61K 8/58* (2006.01)
A61K 8/25 (2006.01) *A61K 8/02* (2006.01)
A61K 8/895 (2006.01)

(21) International Application Number:

PCT/EP2012/051250

(22) International Filing Date:

26 January 2012 (26.01.2012)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

11155551.2 23 February 2011 (23.02.2011) EP

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(81) **Designated States** (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.

(84) **Designated States** (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, RW, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report (Art. 21(3))
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))

(88) Date of publication of the international search report:

10 January 2013

(54) Title: IMPROVEMENTS RELATING TO THE SKIN FEEL OF PRODUCTS

(57) **Abstract:** A composition comprising an oil phase, wherein the oil phase comprises: a) 2-10%wt of particles of an elastomeric polymer; b) a swelling agent for the elastomeric polymer, and; c) 1-10%wt of a thickener comprising flocculated particles, said particles having a surface area in excess of 100m²/gram, as measured by the BET method using nitrogen adsorption; wherein the ratio of the shear stress (σ) of the composition measured at 316s⁻¹ to the shear stress measured at 0.1 s⁻¹ is such that: $\log_{10}(\sigma_{316s^{-1}}/\sigma_{0.1s^{-1}}) \leq 0.64 + (0.4 \times \text{internal phase volume})$ where internal phase volume = internal phase volume%/100%.



INTERNATIONAL SEARCH REPORT

International application No
PCT/EP2012/051250

A. CLASSIFICATION OF SUBJECT MATTER INV. A61Q19/00 A61K8/25 A61K8/895 A61K8/58 A61K8/02 ADD.		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) A61K A61Q Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) EPO-Internal		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2006/041764 A1 (JOHNSON & JOHNSON CONSUMER [US]; HALAS LYNN [US]; MILLER JONATHAN [US]) 20 April 2006 (2006-04-20)	1-15
Y	page 2, line 12 - line 18 page 2, line 28 - line 31 page 2, line 32 - page 3, line 9 page 8, line 9 - line 18 examples 1-3 page 23, line 1 - line 5 -----	1-15
X	US 5 846 550 A (PERRIN MARTINE [FR] ET AL) 8 December 1998 (1998-12-08)	1-15
Y	examples 1-3 column 1, line 40 - line 50 ----- -/--	1-15
☒ Further documents are listed in the continuation of Box C. ☒ See patent family annex.		
* Special categories of cited documents : "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family		
Date of the actual completion of the international search	Date of mailing of the international search report	
9 November 2012	16/11/2012	
Name and mailing address of the ISA/ European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Authorized officer Cismaru, L	

INTERNATIONAL SEARCH REPORT

International application No

PCT/EP2012/051250

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 97/32560 A1 (PROCTER & GAMBLE [US]; NAWAZ ZAHID [GB]; OWEN EDWARD [GB]) 12 September 1997 (1997-09-12)	1-15
Y	examples 1,3 page 3, line 20 - line 22 -----	1-15
X	WO 2007/132971 A1 (AMOREPACIFIC CORP [KR]; KIM EUN JEONG [KR]; LEE WHA YOUNG [KR]; CHEON) 22 November 2007 (2007-11-22)	1-12,15
Y	table 1 -----	1-15
X	DATABASE STN CHEMICAL ABSTRAC [Online] NAGANUMA ET AL: "Makeup cosmetics containing powdered organopolysiloxane elastomers, nonporous spherical silica, and oils", XP002102037, retrieved from STN CHEMICAL ABSTRAC Database accession no. 124-37392	1-3, 5-13,15
Y	abstract -----	1-15

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2012/051250

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 1-15(partially)
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 1-15(partially)

Present claims 1-15 encompass a virtually unlimited number of compounds defined only by their desired function (elastomeric polymer, swelling agent, thickener), contrary to the requirements of clarity of Article 6 PCT, because the result-to-be-achieved type of definition does not allow the scope of the claim to be ascertained. The fact that any compound could be screened does not overcome this objection, as the skilled person would not have knowledge beforehand as to whether it would fall within the scope claimed, except for the compounds disclosed in the description, see examples 1a, 1b, 2a, 2b, 2c and 2d. Undue experimentation would be required to screen compounds randomly. This non-compliance with the substantive provisions is to such an extent, that a meaningful search of the whole claimed subject-matter cannot be carried out for claims 1-15. The applicant indicated a combination of claims 1, 3, 7 and 9 as an object for search. However, given that the description only offers support for silicone elastomers, and not any elastomer, the search was restricted to a composition comprising: a) 2-10 %wt of particles of a cross-linked silicone elastomer, b) a swelling agent, which is a silicone, for the elastomeric polymer, c) 1-10 %wt of a thickener, which is silica, comprising flocculated particles, said particles having a surface area in excess of 100m²/gram, as measured by the BET method using nitrogen adsorption, wherein the ratio of shear stress of the composition measured at 316 s⁻¹ to the shear stress measured at 0,1 s⁻¹ is such that: $\log_{10}(\tau_{316s^{-1}} / \tau_{0.1s^{-1}}) \geq 0.64 + (0.4 \times \text{internal phase volume})$ where internal phase volume = internal phase volume%/100%.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.2), should the problems which led to the Article 17(2) declaration be overcome.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/EP2012/051250

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WO 2006041764	A1	20-04-2006	CA 2583142 A1 20-04-2006
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