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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
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FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2017/037712

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International Patent Classification (IPC) or both national classification and IPC
INV. B65D75/00 B65D75/56 B65D75/58

Applicant
DOW GLOBAL TECHNOLOGIES LLC

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:



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Date of completion of
this opinion

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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed.
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:
 - a. ☐ forming part of the international application as filed:
 - ☐ in the form of an Annex C/ST.25 text file.
 - ☐ on paper or in the form of an image file.
 - b. ☐ furnished together with the international application under PCT Rule 13ter.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.
 - c. ☐ furnished subsequent to the international filing date for the purposes of international search only:
 - ☐ in the form of an Annex C/ST.25 text file (Rule 13ter.1(a)).
 - ☐ on paper or in the form of an image file (Rule 13ter.1(b) and Administrative Instructions, Section 713).
4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>1-10</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-10</u>
Industrial applicability (IA)	Yes: Claims	<u>1-10</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

1 **Re Item V**

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.1 Reference is made to the following documents:

- D1 US 2015/314928 A1 (WILKES KENNETH R [US] ET AL) 5 November 2015 (2015-11-05)
- D2 WO 2015/171171 A1 (DOW GLOBAL TECHNOLOGIES LLC [US]) 12 November 2015 (2015-11-12)
- D3 WO 2011/031343 A1 (SMART BOTTLE INC [US]; WILKES KENNETH R [US]; SCHULDT FREDERIC W [US];) 17 March 2011 (2011-03-17)

1.2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

1.3 D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses (see esp. page 2, paragraph 45; figures 1-8):

A flexible container (10) comprising:

A. a front panel (22), a rear panel (24), a first gusseted side panel (18), and a second gusseted side panel (20), the gusseted side panels adjoining the front panel and the rear panel along peripheral seals (41) to form a chamber;

B. each peripheral seal having

(i) a body seal inner edge (BSIE) with opposing ends,

(ii) a tapered seal inner edge (TSIE) (40a-40d) extending from each end of the body seal;

(iii) an inner arc (39a, 39c) where each tapered seal inner edge extends from a respective BSIE end; and

C. the container comprises at least one inner arc having a radius of curvature, R_c , from greater than 3.18 mm to 7.95 mm.

1.4 The subject-matter of claim 1 consists in the selection of a smaller range of values for the inner arc radius of curvature, from the range of 1.0 mm - 19.0 mm described in D1. Such a selection can only be regarded as inventive, if the selected range presents unexpected effects or properties in relation to the

rest of the range. However, no such effects or properties are indicated in the application. Hence, no inventive step is present in the subject-matter of claim 1.

- 1.5 Dependent claims 2-10 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step. The features of the dependent claims 2-10 are either known from prior art and/or are considered as being within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can be readily contemplated in advance, see e.g. D1.

2 Re Item VII

Certain defects in the international application

- 2.1 The independent claim is not in the two-part form in accordance with Rule 6.3(b) PCT.
- 2.2 The features of the claims 1-10 are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
- 2.3 The vibration test employed in claim 3 is not recognised in international practice, contrary to the requirements of Rule 10.1 PCT.
- 2.4 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1-D3 is not mentioned in the description, nor are these documents identified therein.

3 Re Item VIII

Certain observations on the international application

- 3.1 The application does not meet the requirements of Article 6 PCT, because claims 1, 2, 4-7 are not clear:
- The terms "body seal inner edge", "tapered seal inner edge", "inner arc", "top inner arc", "bottom inner arc", "bottom apex", "overseal in the apex" used in claims 1, 2, 4-7 are vague and unclear and leave the reader in doubt as to the meaning of the technical feature to which they refer, thereby rendering the definition of the subject-matter of said claims unclear, Article 6 PCT.
- 3.2 The description contains expressions like "in an embodiment" being used in relation to the features of claim 1.

- 3.3 The description introduces essential features (e.g. the "body seal inner edge", "tapered seal inner edge" see pages 18-19, paragraph 96) as part of an embodiment, while these features are claimed as essential to the definition of the invention.



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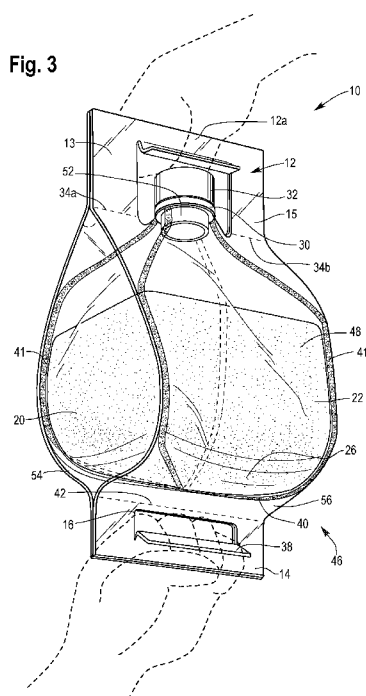
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(54) Title: FLEXIBLE CONTAINER

Fig. 3



(57) Abstract: The present disclosure provides a flexible container. In an embodiment, the flexible container includes (A) a front panel, a rear panel, a first gusseted side panel, and a second gusseted side panel. The gusseted side panels adjoin the front panel and the rear panel along peripheral seals to form a chamber. The flexible container includes (B) each peripheral seal having (i) a body seal inner edge (BSIE) with opposing ends, (ii) a tapered seal inner edge (TSIE) extending from each end of the body seal, and (iii) an inner arc where each tapered seal inner edge extends from a respective BSIE end. The flexible container includes (C) at least one inner arc having a radius of curvature, R_c , from greater than 3.18 mm to 7.95 mm.



FLEXIBLE CONTAINER

BACKGROUND

[0001] The present disclosure is directed to a flexible container for dispensing a flowable material.

[0002] Known are flexible containers with a gusseted body section. These gusseted flexible containers are currently produced using flexible films which are folded to form gussets and heat sealed in a perimeter shape. The gusseted body section opens to form a flexible container with a square cross section or a rectangular cross section. The gussets are terminated at the bottom of the container to form a substantially flat base, providing stability when the container is partially or wholly filled.

[0003] When a filled gusseted flexible container is handled, transported, or dropped, burst or leakage may occur, resulting in lost product, waste, spill damage, and clean-up cost. Desired is a gusseted flexible container with improved drop strength, improved compression strength, and/or improved vibration strength.

SUMMARY

[0004] The present disclosure provides a flexible container. In an embodiment, the flexible container includes (A) a front panel, a rear panel, a first gusseted side panel, and a second gusseted side panel. The gusseted side panels adjoin the front panel and the rear panel along peripheral seals to form a chamber. The flexible container includes (B) each peripheral seal having (i) a body seal inner edge (BSIE) with opposing ends, (ii) a tapered seal inner edge (TSIE) extending from each end of the body seal, and (iii) an inner arc where each tapered seal inner edge extends from a respective BSIE end. The flexible container includes (C) at least one inner arc having a radius of curvature, R_c from greater than 3.18 mm to 7.95 mm.

BRIEF DESCRIPTION OF THE DRAWINGS

[0005] FIG. 1 is a perspective view of a filled flexible container having top and bottom flexible handles in a rest position.

[0006] FIG. 2 is a bottom plan view of the flexible container of FIG. 1.

[0007] FIG. 3 is a perspective view of the flexible container of FIG. 1 shown with its top and bottom handles extended.

- [0008] FIG. 4 is a top plan view of the flexible container of FIG. 1.
- [0009] FIG. 5 is a side plan view of the flexible container of FIG. 11 in an inverted position for transferring the contents.
- [0010] FIG. 6 is a cross-sectional view taken along the line 6-6 of FIG. 1.
- [0011] FIG. 7 is a perspective view of the container of FIG. 1 in a collapsed configuration.
- [0012] FIG. 8 is an enlarged view of the bottom seal area of FIG. 7.
- [0013] FIG. 9 is a top plan view of a flexible container in the collapsed configuration in accordance with an embodiment of the present disclosure.
- [0014] FIG. 9A is an enlarged view of Area 9A of FIG. 9.
- [0015] FIG. 10 is a perspective view of the flexible container of FIG. 9, partially expanded to show the inner arcs.
- [0016] FIG. 11 is a perspective view of the flexible container of FIG. 9, partially expanded to show the inner arcs.
- [0017] FIG. 12 is a perspective view of a die plate used to produce the flexible container of FIG. 9.

DETAILED DESCRIPTION

- [0018] The present disclosure provides a flexible container. The flexible container includes:
- [0019] A. A front panel, a rear panel, a first gusseted side panel, and a second gusseted side panel, the gusseted side panels adjoining the front panel and the rear panel along peripheral seals to form a chamber.
- [0020] B. Each panel includes a bottom segment comprising two opposing peripheral tapered seals, each peripheral tapered seal extending from a respective peripheral seal, each peripheral tapered seal comprising an inner edge, the peripheral tapered seals converging at a bottom seal area.
- [0021] C. The front panel bottom segment includes a first line defined by the inner edge of the first peripheral tapered seal and a second line defined by the inner edge of the second peripheral tapered seal, the first line intersecting the second line at an apex point in the bottom seal area.

[0022] D. The front panel bottom segment has a bottom distalmost inner seal point on the inner edge.

[0023] E. The apex point is separated from the bottom distalmost inner seal point by a distance from 0 mm to less than 8.0 mm.

[0024] FIGS. 1-2 show a flexible container 10 having a flexible top 12 and a bottom 14. The flexible container 10 has four panels, a front panel 22, a back panel 24, a first gusset panel 18 and a second gusset panel 20. The four panels 18, 20, 22, and 24 extend toward a top end 44 and a bottom end 46 of the container 10 to form the top segment 28 and bottom segment 26, respectively. When the container 10 is inverted, the top and bottom positions in relation to the container 10 change. However, for consistency the handle adjacent the spout 30 will be called the top or upper handle 12 and the opposite handle will be called the bottom or lower handle 14. Likewise, the top or upper portion, segment or panel will be the surface adjacent the spout 30, and the bottom or lower portion, segment, or panel will be the surface opposite the top segment.

[0025] The four panels 18, 20, 22 and 24 can each be composed of a separate web of film. The composition and structure for each web of film can be the same or different. Alternatively, one web of film may also be used to make all four panels and the top and bottom segments. In a further embodiment, two or more webs can be used to make each panel.

[0026] In an embodiment, four webs of film are provided, one web of film for each respective panel 18, 20, 22, and 24. The edges of each film are sealed to the adjacent web of film to form peripheral seals 41 (FIG. 1). The peripheral tapered seals 40a-40d are located on the bottom segment 26 of the container as shown in FIG. 2. The peripheral seals 41 are located on the side edges of the container 10.

[0027] To form the top segment 28 and the bottom segment 26, the four webs of film converge together at the respective end and are sealed together. For instance, the top segment 28 can be defined by extensions of the panels sealed together at the top end 44 and when the container 10 is in a rest position it can have four top panels 28a-28d (FIG. 4) of film that define the top segment 28. The bottom segment 26 can also have four bottom panels 26a-26d of film sealed together and can also be defined by extensions of the panels at the opposite end 46 as shown in FIG. 2.

[0028] In an embodiment, a portion of the four webs of film that make up the top segment 28 terminate at a spout 30. A portion of a top end section of each of the four webs of film is sealed, or otherwise welded, to an outer, lower rim 52 of the spout 30 to form a tight seal. The spout is sealed to the flexible container by way of compression heat seal, ultrasonic seal, and combinations thereof. Although the base of spout 30 has a circular cross-sectional shape, it is understood that the base of spout 30 can have other cross-sectional shapes such as a polygonal cross-sectional shape, for example. The base with circular cross-sectional shape is distinct from fitments with canoe-shaped bases used for conventional two-panel flexible pouches.

[0029] In an embodiment, the outer surface of the base of spout 30 has surface texture. The surface texture can include embossment and a plurality of radial ridges to promote sealing to the inner surface of the top segment 28.

[0030] In an embodiment, the spout 30 excludes fitments with oval, wing-shaped, eye-shaped, or canoe-shaped bases.

[0031] Furthermore, the spout 30 can contain a removable closure 32. The spout 30 has an access opening 50 through the top segment 28 to the interior as shown in FIGS. 5-6. Alternatively, the spout 30 can be positioned on one of the panels, where the top segment would then be defined as an upper seal area defined by the joining together of at least two panel ends. In a further embodiment, the spout 30 is positioned at generally a midpoint of the top segment 28 and can be sized smaller than a width of the container 10, such that the access opening 50 of the spout 30 can have an area that is less than a total area of the top segment 28. In yet a further embodiment, the spout area is not more than 20% of the total top segment area. This can ensure that the spout 30 and its associated access opening 50 will not be large enough to insert a hand therethrough, thus avoiding any unintentional contact with the product 58 stored therein.

[0032] The spout 30 can be made of a rigid construction and can be formed of any appropriate plastic, such as high density polyethylene (HDPE), low density polyethylene (LDPE), polypropylene (PP), and combinations thereof. The location of the spout 30 can be anywhere on the top segment 28 of the container 10. In an embodiment the spout 30 is located at the center or midpoint of the top segment 28. The closure 32 covers the access opening 50 and prevents the product from spilling out of the container 10. The cap 32 may

be a screw-on cap, a flip-top cap or other types of removable (and optionally reclosable) closures.

[0033] In an embodiment, the container does not have a rigid spout and the panels are across the neck, by way of a releasable seal (tear seal), for example.

[0034] As shown in FIGS. 1-2, the flexible bottom handle 14 can be positioned at a bottom end 46 of the container 10 such that the bottom handle 14 is an extension of the bottom segment 26.

[0035] Each panel includes a respective bottom face. FIG. 2 shows four triangle-shaped bottom faces 26a, 26b, 26c, 26d, each bottom face being an extension of a respective film panel. The bottom faces 26a-26d make up the bottom segment 26. The four panels 26a-26d come together at a midpoint of the bottom segment 26. The bottom faces 26a-26d are sealed together, such as by using a heat-sealing technology, to form the bottom handle 14. For instance, a weld can be made to form the bottom handle 14, and to seal the edges of the bottom segment 26 together. Nonlimiting examples of suitable heat-sealing technologies include hot bar sealing, hot die sealing, impulse sealing, high frequency sealing, or ultrasonic sealing methods.

[0036] FIG. 2 shows bottom segment 26. Each panel 18, 20, 22, 24 has a respective bottom face 26a-26d that is present in the bottom segment 26. Each bottom face is bordered by two opposing peripheral tapered seals 40a, 40b, 40c, 40d. Each peripheral tapered seal 40a-40d extends from a respective peripheral seal 41. The peripheral tapered seals for the front panel 22 and the rear panel 24 have an inner edge 29a-29d (FIG. 2) and an outer edge 31 (FIG. 8). The peripheral tapered seals 40a-40d converge at a bottom seal area 33 (FIG. 2, FIG. 7, FIG. 8).

[0037] The front panel bottom face 26a includes a first line A defined by the inner edge 29a of the first peripheral tapered seal 40a and a second line B defined by the inner edge 29b of the second peripheral tapered seal 40b. The first line A intersects the second line B at an apex point 35a in the bottom seal area 33. The front panel bottom face 26a has a bottom distalmost inner seal point 37a ("BDISP 37a"). The BDISP 37a is located on an inner seal edge defined by inner edge 29a and inner edge 29b.

[0038] The apex point 35a is separated from the BDISP 37a by a distance S from 0 millimeter (mm) to less than 8.0 mm.

[0039] In an embodiment, the rear panel bottom face 26c includes an apex point similar to the apex point on the front panel bottom face. The rear panel bottom face 26c includes a first line C defined by the inner edge of the 29c first peripheral tapered seal 40c and a second line D defined by the inner edge 29d of the second peripheral tapered seal 40d. The first line C intersects the second line D at an apex point 35c in the bottom seal area 33. The rear panel bottom face 26c has a bottom distalmost inner seal point 37c (“BDISP 37c”). The BDISP 37c is located on an inner seal edge defined by inner edge 29c and inner edge 29d. The apex point 35c is separated from the BDISP 37c by a distance T from 0 millimeter (mm) to less than 8.0 mm.

[0040] It is understood the following description to the front panel bottom face applies equally to the rear panel bottom face, with reference numerals to the rear panel bottom face shown in adjacent closed parentheses.

[0041] In an embodiment, the BDISP 37a (37c) is located where the inner edges 29a (29c) and 29b (29d) intersect. The distance between the BDISP 37a (37c) and the apex point 35a (35c) is 0 mm.

[0042] In an embodiment, the inner seal edge diverges from the inner edges 29a, 29b (29c, 29d), to form a distal inner seal arc 39a (front panel) a distal inner seal arc 39c (rear panel) as shown in FIGS. 2 and 8. The BDISP 37a (37c) is located on the inner seal arc 39a (39c). The apex point 35a (apex point 35c) is separated from the BDISP 37a (BDISP 37c) by the distance S (distance T) which is from greater than 0 mm, or 1.0 mm, or 2.0 mm, or 2.6 mm, or 3.0 mm, or 3.5 mm, or 3.9 mm, to 4.0 mm, or 4.5 mm, or 5.0 mm, or 5.2 mm, or 5.3 mm, or 5.5 mm, or 6.0 mm, or 6.5 mm, or 7.0 mm, or 7.5 mm, or 7.9 mm.

[0043] In an embodiment, apex point 35a (35c) is separated from the BDISP 37a (37c) by the distance S (distance T) which is from greater than 0 mm to less than 6.0 mm.

[0044] In an embodiment, the distance from S (distance T) from the apex point 35a (35c) to the BDISP 37a (37c) is from greater than 0 mm, or 0.5 mm, or 1.0 mm, or 2.0 mm to 4.0 mm, or 5.0 mm, or less than 5.5 mm.

[0045] In an embodiment, apex point 35a (apex point 35c) is separated from the BDISP 37a (BDISP 37c) by the distance S (distance T) which is from 3.0 mm, or 3.5 mm, or 3.9 mm to 4.0 mm, or 4.5 mm, or 5.0 mm, or 5.2 mm, or 5.3 mm, or 5.5 mm.

[0046] In an embodiment, the distal inner seal arc 39a (39c) has a radius of curvature from 0 mm, or greater than 0 mm, or 1.0 mm to 19.0 mm, or 20.0 mm.

[0047] In an embodiment, each peripheral tapered seal 40a-40d (outside edge) and an extended line from respective peripheral seal 41 (outside edge) form an angle G as shown in FIG. 7. The angle G is from 40°, or 42°, or 44°, or 45° to 46°, or 48, or 50°. In an embodiment, angle G is 45°.

[0048] The bottom segment 26 includes a pair of gussets 54 and 56 formed thereat, which are essentially extensions of the bottom faces 26a-26d. The gussets 54 and 56 can facilitate the ability of the flexible container 10 to stand upright. These gussets 54 and 56 are formed from excess material from each bottom face 26a-26d that are joined together to form the gussets 54 and 56. The triangular portions of the gussets 54 and 56 comprise two adjacent bottom segment panels sealed together and extending into its respective gusset. For example, adjacent bottom faces 26a and 26d extend beyond the plane of their bottom surface along an intersecting edge and are sealed together to form one side of a first gusset 54. Similarly, adjacent bottom faces 26c and 26d extend beyond the plane of their bottom surface along an intersecting edge and are sealed together to form the other side of the first gusset 54. Likewise, a second gusset 56 is similarly formed from adjacent bottom faces 26a-26b and 26b-26c. The gussets 54 and 56 can contact a portion of the bottom segment 26, where the gussets 54 and 56 can contact bottom faces 26b and 26d covering them, while bottom segment panels 26a and 26c remain exposed at the bottom end 46.

[0049] As shown in FIGS. 1-2, the gussets 54 and 56 of the flexible container 10 can further extend into the bottom handle 14. In the aspect where the gussets 54 and 56 are positioned adjacent bottom segment panels 26b and 26d, the bottom handle 14 can also extend across bottom faces 26b and 26d, extending between the pair of panels 18 and 20. The bottom handle 14 can be positioned along a center portion or midpoint of the bottom segment 26 between the front panel 22 and the rear panel 24.

[0050] The bottom handle 14 can comprise up to four layers of film sealed together when four webs of film are used to make the container 10. When more than four webs are used to make the container, the handle will include the same number of webs used to produce the container. Any portion of the bottom handle 14 where all four layers are not completely sealed together by the heat-sealing method, can be adhered together in any appropriate

manner, such as by a tack seal to form a fully-sealed multi-layer bottom handle 14. The bottom handle 14 can have any suitable shape and generally will take the shape of the film end. For example, typically the web of film has a rectangular shape when unwound, such that its ends have a straight edge. Therefore, the bottom handle 14 would also have a rectangular shape.

[0051] Additionally, the bottom handle 14 can contain a handle opening 16 or cutout section therein sized to fit a user's hand, as can be seen in FIG. 3. The opening 16 can be any shape that is convenient to fit the hand and, in one aspect, the opening 16 can have a generally oval shape. In another aspect, the opening 16 can have a generally rectangular shape. Additionally, the opening 16 of the bottom handle 14 can also have a flap 38 that comprises the cut material that forms the opening 16. To define the opening 16, the handle 14 can have a section that is cut out of the multilayer handle 14 along three sides or portions while remaining attached at a fourth side or lower portion. This provides a flap of material 38 that can be pushed through the opening 16 by the user and folded over an edge of the opening 16 to provide a relatively smooth gripping surface at an edge that contacts the user's hand. If the flap of material were completely cut out, this would leave an exposed fourth side or lower edge that could be relatively sharp and could possibly cut or scratch the hand when placed there.

[0052] Furthermore, a portion of the bottom handle 14 attached to the bottom segment 26 can contain a dead machine fold 42 or a score line that provides for the handle 14 to consistently fold in the same direction, as illustrated in FIGS. 1 and 3. The machine fold 42 can comprise a fold line that permits folding in a first direction toward the front side panel 22 and restricts folding in a second direction toward the rear panel 24. The term "restricts" as used throughout this application can mean that it is easier to move in one direction, or the first direction, than in an opposite direction, such as the second direction. The machine fold 42 can cause the handle 14 to consistently fold in the first direction because it can be thought of as providing a generally permanent fold line in the handle that is predisposed to fold in the first direction X, rather than in the second direction Y. This machine fold 42 of the bottom handle 14 can serve multiple purposes, one being that when a user is transferring the product from the container 10 they can grasp the bottom handle 14 and it will easily bend in the first direction X to assist in pouring. Secondly, when the flexible container 10 is stored in an

upright position, the machine fold 42 in the bottom handle 14 encourages the handle 14 to fold in the first direction X along the machine fold 42, such that the bottom handle 14 can fold underneath the container 10 adjacent one of the bottom segment panels 26a, as shown in FIG. 6. The weight of the product can also apply a force to the bottom handle 14, such that the weight of the product can further press on the handle 14 and maintain the handle 14 in the folded position in the first direction X. As will be discussed herein, the top handle 12 can also contain a similar machine fold 34a-34b that also allows it to fold consistently in the same first direction X as the bottom handle 14.

[0053] Additionally, as the flexible container 10 is evacuated and less product remains, the bottom handle 14 can continue to provide support to help the flexible container 10 to remain standing upright unsupported and without tipping over. Because the bottom handle 14 is sealed generally along its entire length extending between the pair of side panels 18 and 20, it can help to keep the gussets 54 and 56 (FIG. 1, FIG. 3) together and continue to provide support to stand the container 10 upright even as the container 10 is emptied.

[0054] As seen in FIGS. 3-4, the top handle 12 can extend from the top segment 28 and, in particular, can extend from the four panels 28a-28d that make up the top segment 28. The four panels 28a-28d of film that extend into the top handle 12 are all sealed together to form a multi-layer top handle 12. The top handle 12 can have a U-shape and, in particular, an upside down U-shape with a horizontal upper handle portion 12a having a pair of spaced legs 13 and 15 extending therefrom. The legs 13 and 15 extend from the top segment 28, adjacent the spout 30 with one 13 on one side of the spout 30 and other leg 15 on the other side of the spout 30, with each leg 13, 15 extending from opposite portions of the top segment 28.

[0055] The bottommost edge of the upper handle portion 12a when extended in a position above the spout 30, can be just tall enough to clear the uppermost edge of the spout 30. A portion of the top handle 12 can extend above the spout 30 and above the top segment 28 when the handle 12 is extended in a position perpendicular to the top segment 28 and, in particular, the entire upper handle portion 12a can be above the spout 30 and the top segment 28. The two pairs of legs 13 and 15 along with the upper handle portion 12a together make up the handle 12 surrounding a handle opening that allows a user to place her hand therethrough and grasp the upper handle portion 12a of the handle 12.

[0056] As with the bottom handle 14, the top handle 12 also can have a dead machine fold 34a-34b that permits folding in a first direction toward the front side panel 22 and restricts folding in a second direction toward the rear side panel 24. The machine fold 34a-34b can be located in each leg 13, 15 at a location where the seal begins. The handle 12 can be adhered together, such as with a tack adhesive, beginning from the machine folded portion 34a-34b up to and including the horizontal upper handle portion 12a of the handle 12. The positioning of the machine fold 34a-34b can be in the same latitude plane as the spout 30 and, in particular, as the bottommost portion of the spout 30. The two machine folds 34a-34b in the handle 12 can allow for the handle 12 to be inclined to fold or bend consistently in the same first direction X as the bottom handle 14, rather than in the second direction Y. As shown in FIGS. 1 and 3, the handle 12 can likewise contain a flap portion 36, that folds upwards toward the upper handle portion 12a of the handle 12 to create a smooth gripping surface of the handle 12, as with the bottom handle 14, such that the handle material is not sharp and can protect the user's hand from getting cut on any sharp edges of the handle 12.

[0057] When the container 10 is in a rest position, such as when it is standing upright on its bottom segment 26, as shown in FIG. 1, the bottom handle 14 can be folded underneath the container 10 along the bottom machine fold 42 in the first direction X, so that it is parallel to the bottom segment 26 and adjacent bottom panel 26a, and the top handle 12 will automatically fold along its machine fold 34a-34b in the same first direction X, with a front surface of the handle 12 parallel to a top section or panel 28a of the top segment 28. The top handle 12 folds in the first direction X, rather than extending straight up, perpendicular to the top segment 28, because of the machine folds 34a-34b. Both handles 12 and 14 are inclined to fold in the same direction X, such that upon dispensing the handles can fold the same direction, relatively parallel to its respective end panel or end segment, to make dispensing easier and more controlled. Therefore, in a rest position, the handles 12 and 14 are both folded generally parallel to one another. Additionally, the flexible container 10 can stand upright even with the bottom handle 14 positioned underneath the upright flexible container 10.

[0058] Alternatively, in another aspect the flexible container can contain a fitment or pour spout positioned on a sidewall, where the top handle is essentially formed in and from the top portion or segment. The top handle can be formed from the four webs of film, each

extending from its respective sidewall, extending into a sidewall or flap positioned at the top end of the container, such that the top segment of the container converges into the handle and they are one and the same, with the spout to the side of the extended handles, rather than underneath.

[0059] The material of construction of the flexible container 10 can comprise a food-grade plastic. For instance, nylon, polypropylene, polyethylene such as high density polyethylene (HDPE) and/or low density polyethylene (LDPE) may be used as discussed later. The film of the flexible container 10 can have a thickness that is adequate to maintain product and package integrity during manufacturing, distribution, product shelf life and customer usage. In an embodiment, the flexible multilayer film has a thickness from 100 micrometers, or 200 micrometers, or 250 micrometers to 300 micrometers, or 350 micrometers, or 400 micrometers. The film material can also be such that it provides the appropriate atmosphere within the flexible container 10 to maintain the product shelf life of at least about 180 days. Such films can comprise an oxygen barrier film, such as a film having a low oxygen transmission rate (OTR) from 0, or greater than 0 to 0.4, or 1.0 cc/m²/24 hrs/atm) at 23°C and 80% relative humidity (RH). Additionally, the flexible multilayer film can also comprise a water vapor barrier film, such as a film having a low water vapor transmission rate (WVTR) from 0, or greater than 0, or 0.2, or 1.0 to 5.0, or 10.0, or 15.0 g/m²/24 hrs at 38°C and 90% RH. Moreover, it may be desirable to use materials of construction having oil and/or chemical resistance particularly in the seal layer, but not limited to just the seal layer. The flexible multilayer film can be either printable or compatible to receive a pressure sensitive label or other type of label for displaying of indicia on the flexible container 10.

[0060] In an embodiment, each panel is made from a flexible multilayer film having at least one, or at least two, or at least three layers. The flexible multilayer film is resilient, flexible, deformable, and pliable. The structure and composition of the flexible multilayer film for each panel may be the same or different. For example, each of the four panels can be made from a separate web, each web having a unique structure and/or unique composition, finish, or print. Alternatively, each of the four panels can be the same structure and the same composition.

[0061] In an embodiment, each panel 18, 20, 22, 24 is a flexible multilayer film having the same structure and the same composition.

[0062] The flexible multilayer film may be (i) a coextruded multilayer structure or (ii) a laminate, or (iii) a combination of (i) and (ii). In an embodiment, the flexible multilayer film has at least three layers: a seal layer, an outer layer, and a tie layer between. The tie layer adjoins the seal layer to the outer layer. The flexible multilayer film may include one or more optional inner layers disposed between the seal layer and the outer layer.

[0063] In an embodiment, the flexible multilayer film is a coextruded film having at least two, or three, or four, or five, or six, or seven to eight, or nine, or 10, or 11, or more layers. Some methods, for example, used to construct films are by cast co-extrusion or blown co-extrusion methods, adhesive lamination, extrusion lamination, thermal lamination, and coatings such as vapor deposition. Combinations of these methods are also possible. Film layers can comprise, in addition to the polymeric materials, additives such as stabilizers, slip additives, antiblocking additives, process aids, clarifiers, nucleators, pigments or colorants, fillers and reinforcing agents, and the like as commonly used in the packaging industry. It is particularly useful to choose additives and polymeric materials that have suitable organoleptic and or optical properties.

[0064] In another embodiment, the flexible multilayer film can comprise a bladder wherein two or more films that are adhered in such a manner as to allow some delamination of one or more plies to occur during a significant impact such that the inside film maintains integrity and continues to hold contents of the container.

[0065] Nonlimiting examples of suitable polymeric materials for the seal layer include olefin-based polymer (including any ethylene/ C_3 - C_{10} α -olefin copolymers linear or branched), propylene-based polymer (including plastomer and elastomer, random propylene copolymer, propylene homopolymer, and propylene impact copolymer), ethylene-based polymer (including plastomer and elastomer, high density polyethylene ("HDPE"), low density polyethylene ("LDPE"), linear low density polyethylene ("LLDPE"), medium density polyethylene ("MDPE"), ethylene-acrylic acid or ethylene-methacrylic acid and their ionomers with zinc, sodium, lithium, potassium, magnesium salts, ethylene vinyl acetate copolymers and blends thereof.

[0066] Nonlimiting examples of suitable polymeric material for the outer layer include those used to make biaxially or monoaxially oriented films for lamination as well as coextruded films. Some nonlimiting polymeric material examples are biaxially oriented polyethylene terephthalate (OPET), monoaxially oriented nylon (MON), biaxially oriented nylon (BON), and biaxially oriented polypropylene (BOPP). Other polymeric materials useful in constructing film layers for structural benefit are polypropylenes (such as propylene homopolymer, random propylene copolymer, propylene impact copolymer, thermoplastic polypropylene (TPO) and the like, propylene-based plastomers (e.g., VERSIFY™ or VISTAMAX™), polyamides (such as Nylon 6, Nylon 6,6, Nylon 6,66, Nylon 6,12, Nylon 12 etc.), polyethylene norbornene, cyclic olefin copolymers, polyacrylonitrile, polyesters, copolyesters (such as PETG), cellulose esters, polyethylene and copolymers of ethylene (e.g., LLDPE based on ethylene octene copolymer such as DOWLEX™, blends thereof, and multilayer combinations thereof.

[0067] Nonlimiting examples of suitable polymeric materials for the tie layer include functionalized ethylene-based polymers such as ethylene-vinyl acetate (“EVA”), polymers with maleic anhydride-grafted to polyolefins such as any polyethylene, ethylene-copolymers, or polypropylene, and ethylene acrylate copolymers such as ethylene methyl acrylate (“EMA”), glycidyl containing ethylene copolymers, propylene and ethylene based olefin block copolymers (OBC) such as INTUNETM (PP-OBC) and INFUSE™ (PE-OBC) both available from The Dow Chemical Company, and blends thereof.

[0068] The flexible multilayer film may include additional layers which may contribute to the structural integrity or provide specific properties. The additional layers may be added by direct means or by using appropriate tie layers to the adjacent polymer layers. Polymers which may provide additional mechanical performance such as stiffness or opacity, as well polymers which may offer gas barrier properties or chemical resistance can be added to the structure.

[0069] Nonlimiting examples of suitable material for the optional barrier layer include copolymers of vinylidene chloride and methyl acrylate, methyl methacrylate or vinyl chloride (e.g., SARAN resins available from The Dow Chemical Company); vinyl ethylene vinyl alcohol (EVOH), metal foil (such as aluminum foil). Alternatively, modified polymeric

films such as vapor deposited aluminum or silicon oxide on such films as BON, OPET, or OPP, can be used to obtain barrier properties when used in laminate multilayer film.

[0070] In an embodiment, the flexible multilayer film includes a seal layer selected from LLDPE (sold under the trade name DOWLEX™ (The Dow Chemical Company)), single-site LLDPE (substantially linear, or linear, olefin polymers, including polymers sold under the trade name AFFINITY™ or ELITE™ (The Dow Chemical Company) for example, propylene-based plastomers or elastomers such as VERSIFY™ (The Dow Chemical Company), and blends thereof. An optional tie layer is selected from either ethylene-based olefin block copolymer PE-OBC (sold as INFUSE™) or propylene-based olefin block copolymer PP-OBC (sold as INTUNE™). The outer layer includes greater than 50 wt% of resin(s) having a melting point, T_m , that is from 25°C, to 30°C, or 40°C or higher than the melting point of the polymer in the seal layer wherein the outer layer polymer is selected from resins such as VERSIFY or VISTAMAX, ELITE™, HDPE or a propylene-based polymer such as propylene homopolymer, propylene impact copolymer or TPO.

[0071] In an embodiment, the flexible multilayer film is co-extruded.

[0072] In an embodiment, flexible multilayer film includes a seal layer selected from LLDPE (sold under the trade name DOWLEX™ (The Dow Chemical Company)), single-site LLDPE (substantially linear, or linear, olefin polymers, including polymers sold under the trade name AFFINITY™ or ELITE™ (The Dow Chemical Company) for example, propylene-based plastomers or elastomers such as VERSIFY™ (The Dow Chemical Company), and blends thereof. The flexible multilayer film also includes an outer layer that is a polyamide.

[0073] In an embodiment, the flexible multilayer film is a coextruded film and includes:

[0074] (i) a seal layer composed of an olefin-based polymer having a first melt temperature less than 105°C, (T_{m1}); and

[0075] (ii) an outer layer composed of a polymeric material having a second melt temperature, (T_{m2}),

[0076] wherein $T_{m2} - T_{m1} > 40^\circ\text{C}$.

[0077] The term “ $T_{m2} - T_{m1}$ ” is the difference between the melt temperature of the polymer in the outer layer and the melt temperature of the polymer in the seal layer, and is

also referred to as “ ΔT_m .” In an embodiment, the ΔT_m is from 41°C, or 50°C, or 75°C, or 100°C, to 125°C, or 150°C, or 175°C, or 200°C.

[0078] In an embodiment, the flexible multilayer film is a coextruded film, the seal layer is composed of an ethylene-based polymer, such as a linear or a substantially linear polymer, or a single-site catalyzed linear or substantially linear polymer of ethylene and an alpha-olefin monomer such as 1-butene, 1-hexene or 1-octene, having a T_m from 55°C to 115°C and a density from 0.865 to 0.925 g/cm³, or from 0.875 to 0.910 g/cm³, or from 0.888 to 0.900 g/cm³ and the outer layer is composed of a polyamide having a T_m from 170°C to 270°C.

[0079] In an embodiment, the flexible multilayer film is a coextruded film having at least five layers, the coextruded film having a seal layer composed of an ethylene-based polymer, such as a linear or substantially linear polymer, or a single-site catalyzed linear or substantially linear polymer of ethylene and an alpha-olefin comonomer such as 1-butene, 1-hexene or 1-octene, the ethylene-based polymer having a T_m from 55°C to 115°C and density from 0.865 to 0.925 g/cm³, or from 0.875 to 0.910 g/cm³, or from 0.888 to 0.900 g/cm³ and an outermost layer composed of a polyamide having a T_m from 170°C to 270°C.

[0080] In an embodiment, the flexible multilayer film is a coextruded film having at least seven layers. The seal layer is composed of an ethylene-based polymer, such as a linear or substantially linear polymer, or a single-site catalyzed linear or substantially linear polymer of ethylene and an alpha-olefin comonomer such as 1-butene, 1-hexene or 1-octene, the ethylene-based polymer having a T_m from 55°C to 115°C and density from 0.865 to 0.925 g/cm³, or from 0.875 to 0.910 g/cm³, or from 0.888 to 0.900 g/cm³. The outer layer is a polyamide having a T_m from 170°C to 270°C.

[0081] In an embodiment, the flexible multilayer film includes a seal layer composed of an ethylene-based polymer, or a linear or substantially linear polymer, or a single-site catalyzed linear or substantially linear polymer of ethylene and an alpha-olefin monomer such as 1-butene, 1-hexene or 1-octene, having a heat seal initiation temperature (HSIT) from 65°C to less than 125°C. In a further embodiment, the seal layer of the flexible multilayer film has an HSIT from 65°C, or 70°C, or 75°C, or 80°C, or 85°C, or 90°C, or 95°C, or 100°C to 105°C, or 110°C, or 115°C, or 120°C, or less than 125°C. Applicant discovered that the seal layer with an ethylene-based polymer with a HSIT from 65°C to less than 125°C

advantageously enables the formation of secure seals and secure sealed edges around the complex perimeter of the flexible container. The ethylene-based polymer with HSIT from 65°C to less than 125°C is a robust sealant which also allows for better sealing to the rigid fitment which is prone to failure. The ethylene-based polymer with HSIT from 65°C to 125°C enables lower heat sealing pressure/temperature during container fabrication. Lower heat seal pressure/temperature results in lower stress at the fold points of the gusset, and lower stress at the union of the films in the top segment and in the bottom segment. This improves film integrity by reducing wrinkling during the container fabrication. Reducing stresses at the folds and seams improves the finished container mechanical performance. The low HSIT ethylene-based polymer seals at a temperature below what would cause the outer layer to be compromised.

[0082] In an embodiment, the flexible multilayer film is a coextruded five layer film, or a coextruded seven layer film having at least two layers containing an ethylene-based polymer. The ethylene-based polymer may be the same or different in each layer.

[0083] In an embodiment, the flexible multilayer film is a coextruded five layer, or a coextruded seven layer film having at least two layers containing a polyamide polymer.

[0084] In an embodiment, the flexible multilayer film is a seven-layer coextruded film with a seal layer composed of an ethylene-based polymer, or a linear or substantially linear polymer, or a single-site catalyzed linear or substantially linear polymer of ethylene and an alpha-olefin monomer such as 1-butene, 1-hexene or 1-octene, having a T_m from 90°C to 104°C. The outer layer is a polyamide having a T_m from 170°C to 270°C. The film has a ΔT_m from 40°C to 200°C. The film has an inner layer (first inner layer) composed of a second ethylene-based polymer, different than the ethylene-based polymer in the seal layer. The film has an inner layer (second inner layer) composed of a polyamide the same or different to the polyamide in the outer layer. The seven layer film has a thickness from 100 micrometers to 250 micrometers.

[0085] Flexible container 10 has an expanded configuration (shown in FIGS. 1-6) and a collapsed configuration as shown in FIG. 7. When the container 10 is in the collapsed configuration, the flexible container is in a flattened, or in an otherwise evacuated state. The gusset panels 18, 20 fold inwardly (dotted lines of FIG. 7) and are sandwiched by the front panel 22 and the rear panel 24.

[0086] FIG. 8 shows an enlarged view of the bottom seal area 33 of FIG. 7 and the front panel 26a. The fold lines 60 and 62 of respective gusset panels 18, 20 are separated by a distance U that is from 0 mm, or 0.5 mm, or 1.0 mm, or 2.0 mm to 12.0 mm, or 60 mm, or greater than 60 mm. In an embodiment, distance U varies based on the size and volume of the flexible container 10. For example, the flexible container 10 may have a distance U (in mm) that is from greater than 0 mm to three times the volume (in liters) of the container. For example, a 2-liter flexible container can have a distance U from greater than 0 to less than or equal to 6.0 mm. In another example, a 20-liter flexible container 10 has a distance U that is from greater than 0 mm to less than or equal to 60 mm.

[0087] FIG. 8 shows line A (defined by inner edge 29a) intersecting line B (defined by inner edge 29b) at apex point 35a. BDISP 37a is on the distal inner seal arc 39a. Apex point 35a is separated from BDISP 37a by distance S having a length from greater than 0 mm, or 1.0 mm, or 2.0 mm, or 2.6 mm, or 3.0 mm, or 3.5 mm, or 3.9 mm to 4.0 mm, or 4.5 mm, or 5.0 mm, or 5.2 mm, or 5.5 mm, or 6.0 mm, or 6.5 mm, or 7.0 mm, or 7.5 mm, or 7.9 mm.

[0088] In FIG. 8, an overseal 64 is formed where the four peripheral tapered seals 40a-40d converge in the bottom seal area. The overseal 64 includes 4-ply portions 66, where a portion of each panel (18, 20, 22, 24) is heat sealed to a portion of every other panel. Each panel represents 1-ply in the 4-ply heat seal. The overseal 64 also includes a 2-ply portion 68 where two panels (front panel 22 and rear panel 24) are sealed together. Consequently, the “overseal,” as used herein, is the area where the peripheral tapered seals converge and that is subjected to a subsequent heat seal operation (and subjected to at least two heat seal operations altogether). The overseal 64 is located in the peripheral tapered seals and does not extend into the chamber of the flexible container 10.

[0089] In an embodiment, the apex point 35a is located above the overseal 64. The apex point 35a is separated from, and does not contact the overseal 64. The BDISP 37a is located above the overseal 64. The BDISP 37a is separated from and does not contact the overseal 64.

[0090] In an embodiment, the apex point 35a is located between the BDISP 37a and the overseal 64, wherein the overseal 64 does not contact the apex point 35a and the overseal 64 does not contact the BDISP 37a.

[0091] The distance between the apex point 35a to the top edge of the overseal 64 is defined as distance W shown in FIG. 8. In an embodiment, the distance W has a length from 0 mm, or greater than 0 mm, or 2.0 mm, or 4.0 mm to 6.0 mm, or 8.0 mm, or 10.0 mm or 15.0 mm.

[0092] When more than four webs are used to produce the container, the portion 68 of the overseal 64 may be a 4-ply, or a 6-ply, or an 8-ply portion.

[0093] In an embodiment, the flexible container 10 has a vertical drop test pass rate from 90%, or 95% to 100%. The vertical drop test is conducted as follows. The container is filled with tap water to its nominal capacity, conditioned at 25°C for at least 3 hours, held in an upright position from its upper handle at 1.5 m height (from the base or side of the container to the ground), and released to a free fall drop onto a concrete slab floor. If any leak is detected immediately after the drop, the test is recorded as a failure. If no leak is detected immediately after the drop, the test is recorded as a success or “pass.” A minimum of twenty flexible containers are tested. A percentage for pass/fail containers is then calculated.

[0094] In an embodiment, the flexible container 10 has a side drop pass rate from 90%, or 95% to 100%. This side drop test is conducted as follows. The container is filled with tap water to its nominal capacity, conditioned at 25°C for at least 3 hours, held in upright position from its upper handle. The flexible container is released on its side from a 1.5m height to a free fall drop onto a concrete slab floor. If any leak is detected immediately after the drop, the test is recorded as failure. If no leak is detected immediately after the drop, the test is recorded as a success or “pass.” A minimum of twenty flexible containers are tested. A percentage for pass/fail containers is then calculated.

[0095] In an embodiment, the flexible container 10 passes the stand-up test where the package is filled with water at ambient temperature and placed on a flat surface for seven days. The flexible container remains in the same position, with unaltered shape or position for the seven days.

1. Flexible container with inner arc

[0096] The present disclosure provides another container. In an embodiment, a flexible container is provided and includes: (A) a front panel, a rear panel, a first gusseted side panel, and a second gusseted side panel, the gusseted side panels adjoining the front panel and the rear panel along peripheral seals to form a chamber. (B) Each peripheral seal has (i) a body

seal inner edge (BSIE) with opposing ends, (ii) a tapered seal inner edge (TSIE) extending from each end of the body seal, between each BSIE and TSIE. Each TSIE extends from a respective BSIE end. An inner arc is present between each BSIE and TSIE. The flexible container includes at least one inner arc having a radius of curvature, R_c , from greater than 3.18 mm to 7.95 mm.

[0097] FIGS. 9-11 show a flexible container 110. Flexible container 110 may include, one, some, or all of the features of flexible container 10. The flexible container 110 may optionally include one or more handles. In an embodiment, the flexible container 110 includes a top handle 112 and a bottom handle 114. It is understood that flexible container 110 may contain only one of handles 112, 114.

[0098] The flexible container 110 has four panels, a front panel 122, a rear panel 124, a first gusset panel 118, and a second gusset panel 120. The flexible container 110 includes a bottom segment 126, a top segment 128, and a spout 130. The spout may include a closure, such as a cap, for example.

[0099] Each panel 118-124 is made of a flexible multilayer film. The flexible multilayer film can be any flexible multilayer film as disclosed above. The gusseted side panels 118, 120 adjoin the front panel 122 and the rear panel 124 along peripheral seals 132a, 132b, 132c, and 132d shown in FIGS. 10-11. The sealed panels form an interior chamber.

[00100] Each peripheral seal 132a-132d has opposing ends, a top end and a bottom end. Each peripheral seal 132a-132d includes a respective body seal inner edge (BSIE) 134a, 134b, 134c, and 134d. Each peripheral seal 132a-132d further includes a respective tapered seal inner edge (TSIE) extending from the bottom end and from the top end of each respective BSIE. TSIEs 136a, 136b, 136c, 136d extend from the bottom end of each respective BSIE 134a-134d and are hereafter collectively referred to as “b-TSIE.” TSIEs 138a, 138b, 138c, and 138d extend from the top end of each respective BSIE and are hereafter collectively referred to as “t-TSIE.”

[00101] An inner arc 140a-140h (or “IA 140a-140h”) extends between each BSIE and TSIE to connect, or otherwise adjoin, each TSIE to its respective BSIE end (top end or bottom end). The flexible container 110 has eight inner arcs (or IAs), 140a-140h. As best shown in FIGS. 9 and 9A, IA 140a extends between BSIE 134a and b-TSIE 136a. IA 140a connects BSIE 134a to b-TSIE 136a. It is understood that IAs 140b-140h connect respective

BSIEs and TSIEs in a similar manner as shown and described with respect to IA 140a. It is further understood that inner arcs 140a-140h are distinct from the distal inner seal arcs 39a, 39c in the bottom seal area.

[00102] Each inner arc defines a radius of curvature, R_c . As flexible container 110 has eight inner arcs (IAs 140a-140h), the flexible container 110 has eight radii of curvature, R_c . The radii of curvature for the AIs may be the same or different.

[00103] The “radius of curvature,” or “ R_c ,” as used herein, is the radius of a circle that fits the inner arc for flexible container 110 (or fits the inner seal arc for flexible container 10, FIG. 8). The radius of curvature is measured when the flexible container 110 is in its collapsed configuration. As best shown in FIG. 9A, inner arc 140a has a radius of curvature, R_c . It is understood that IAs 140b-140h each has a similar respective radius of curvature, R_c , as described for inner arc 140a.

[00104] In an embodiment, at least one of the inner arcs 140a-140h, (IAs), has a radius of curvature from greater than 3.18 millimeter (mm) to 7.95 mm. In an further embodiment, at least one of the IAs has a radius of curvature, R_c , from greater than 3.18 mm, or 3.30 mm, or 3.81 mm, or 4.32 mm, or 4.77 mm, or 5.08 mm, or 5.33 mm, or 5.59 mm, or 5.84 mm, or 6.10 mm, or 6.35 mm to 6.60 mm, or 6.86 mm, or 7.11 mm, or 7.36 mm, or 7.62 mm, or 7.95 mm.

[00105] In an embodiment, at least two of the inner arcs 140a-140h have a radius of curvature from greater than 3.18 millimeter (mm) to 7.95 mm.

[00106] Inner arcs 140a-140d are hereafter collectively referred to as bottom inner arcs, or “b-IAs.” Inner arcs 140e-140h are hereafter collectively referred to as top inner arcs, or “t-IAs.”

[00107] In an embodiment, at least one b-IA and at least one t-IA has a radius of curvature from greater than 3.18 mm to 7.95 mm.

[00108] In an embodiment, each of the four b-IAs of flexible container 110 (IAs 140a-140d) has a radius of curvature from greater than 3.18 mm to 7.95 mm. In a further embodiment, each of the four b-IAs has the same radius of curvature in the range from 4.78 mm to 7.95 mm.

[00109] In an embodiment, each of the four t-IAs of flexible container 110 (IAs 140e-140h) has a radius of curvature from greater than 3.18 mm to 7.95 mm. In a further

embodiment, each of the four t-IAs have the same radius of curvature in the range from 4.78 mm to 7.95 mm.

[00110] In an embodiment, each of the four b-IAs and each of the four t-IAs of flexible container 110 (IAs 140a-140h) has a radius of curvature from greater than 3.18 mm to 7.95 mm. In a further embodiment, each of the four b-IAs and each of the four t-IAs has the same radius of curvature in the range from greater than 4.78 mm to 7.95 mm.

[00111] In an embodiment, the b-IAs and/or the t-IAs have a radius of curvature from greater than 3.18 mm to 7.95 mm, and the flexible container 110 exhibits greater than 20 hours time to failure when subjected to a modified ISTA 1E vibration test. In an embodiment, the b-IAs and/or the t-IAs have a radius of curvature from 4.78 mm to 7.95 mm and the flexible container 110 exhibits a time to failure from greater than 20 hours, or 25 hours, or 30 hours, or 40 hours, or 50 hours to 60 hours, or 70 hours, or 80 hours when subjected to the modified ISTA 1E vibration test.

[00112] In an embodiment, the flexible container 110 has the geometry and structure of flexible container 10 in addition to the one or more inner arcs 140a-140h with Rc from greater than 3.18 mm to 7.95 mm and shown in FIGS. 9-11. In a further embodiment, the flexible container 110 has a bottom apex and an overseal 242. The bottom apex and the overseal 242 of the flexible container 110 have the same geometry as shown in FIGS. 2 and 8 (and supporting text) as disclosed above.

[00113] The flexible container 110 can be produced by way of hot die sealing. The four panels (or four webs) are sandwiched between opposing die plates under heat and pressure to seal the panels to each other. In an embodiment, a die plate 210 shown in FIG. 12 is used to form the seals of the flexible container 110. It is understood that an opposing die plate that is a mirror image of die plate 210 is used in the hot die sealing.

[00114] The die plate 210 includes peripheral seal segments 232 and tapered seal segments 233 which respectively form the peripheral seals and the tapered seals of the flexible container 110. The die plate 210 includes body seal inner edge 234 which forms the body seal inner edges 134a-134d in the flexible container 110. The die plate 210 includes bottom tapered seal inner edge 236 which forms the bottom tapered seal inner edges 136a-136d in the flexible container 110. The die plate 210 includes top tapered seal inner edges 238 which form the bottom tapered seal inner edges 138a-138d in flexible container 110.

The die plate 210 includes inner arcs 240a-240d with form the inner arcs 140a-140h in the flexible container 110. The die plate 210 can be produced so that one, some, or all of the inner arcs 240a-240d has/have an Rc from greater than 3.18 mm to 7.95 mm.

[00115] In an embodiment, the flexible container 10 and/or flexible container 110 has a volume from 0.25 liters (L), or 0.5L, or 0.75L, or 1.0L, or 1.5L, or 2.5L, or 3L, or 3.5L, or 4.0L, or 4.5L, or 5.0L to 6.0L, or 7.0L, or 8.0L, or 9.0L, or 10.0L, or 20L, or 30L.

[00116] The flexible container 10 and/or flexible container 110 can be used to store any number of flowable substances therein. In particular, a flowable food product can be stored within the flexible container 10. In one aspect, flowable food products such as salad dressings, sauces, dairy products, mayonnaise, mustard, ketchup, other condiments, beverages such as water, juice, milk, or syrup, carbonated beverages, beer, wine, animal feed, pet feed, and the like can be stored inside of the flexible container 10.

[00117] The flexible container 10 and/or flexible container 110 is suitable for storage of other flowable substances including, but not limited to, oil, paint, grease, chemicals, cleaning solutions, washing fluids, suspensions of solids in liquid, and solid particulate matter (powders, grains, granular solids).

[00118] The flexible container 10 and/or flexible container 110 is suitable for storage of flowable substances with higher viscosity and requiring application of a squeezing force to the container in order to discharge. Nonlimiting examples of such squeezable and flowable substances include grease, butter, margarine, soap, shampoo, animal feed, sauces, and baby food.

DEFINITIONS AND TEST METHODS

[00119] The numerical ranges disclosed herein include all values from, and including, the lower value and the upper value. For ranges containing explicit values (e.g., 1, or 2, or 3 to 5, or 6, or 7) any subrange between any two explicit values is included (e.g., 1 to 2; 2 to 6; 5 to 7; 3 to 7; 5 to 6; etc.).

[00120] Unless stated to the contrary, implicit from the context, or customary in the art, all parts and percents are based on weight, and all test methods are current as of the filing date of this disclosure.

[00121] The term "composition," as used herein, refers to a mixture of materials which comprise the composition, as well as reaction products and decomposition products formed from the materials of the composition.

[00122] The terms "comprising," "including," "having," and their derivatives, are not intended to exclude the presence of any additional component, step or procedure, whether or not the same is specifically disclosed. In order to avoid any doubt, all compositions claimed through use of the term "comprising" may include any additional additive, adjuvant, or compound, whether polymeric or otherwise, unless stated to the contrary. In contrast, the term, "consisting essentially of" excludes from the scope of any succeeding recitation any other component, step or procedure, excepting those that are not essential to operability. The term "consisting of" excludes any component, step or procedure not specifically delineated or listed.

[00123] An "ethylene-based polymer," as used herein is a polymer that contains more than 50 mole percent polymerized ethylene monomer (based on the total amount of polymerizable monomers) and, optionally, may contain at least one comonomer.

[00124] The term "heat seal initiation temperature," is minimum sealing temperature required to form a seal of significant strength, in this case, 2 lb/in (8.8N/25.4 mm). The seal is performed in a Topwave HT tester with 0.5 seconds dwell time at 2.7 bar (40 psi) seal bar pressure. The sealed specimen is tested in an Instron Tensiomer at 10 in/min (4.2 mm/sec or 250 mm/min).

[00125] T_m or "melting point" as used herein (also referred to as a melting peak in reference to the shape of the plotted DSC curve) is typically measured by the DSC (Differential Scanning Calorimetry) technique for measuring the melting points or peaks of polyolefins as described in USP 5,783,638. It should be noted that many blends comprising two or more polyolefins will have more than one melting point or peak, many individual polyolefins will comprise only one melting point or peak.

[00126] Moisture permeability is a normalized calculation performed by first measuring Water Vapor Transmission Rate (WVTR) of the film and then multiplying WVTR by the film thickness (usually thickness in units of mil). WVTR is measured at 38°C, 100% relative humidity and 1 atm pressure with a MOCON Permatran-W 3/31. For values of WVTR at 90% relative humidity the measured WVTR (at 100% relative humidity) is multiplied by

0.90. The instrument is calibrated with National Institute of Standards and Technology certified 25 μm -thick polyester film of known water vapor transport characteristics. The specimens are prepared and the WVTR is performed according to ASTM F1249. WVTR units are $\text{g}/\text{m}^2/24\text{hr}$.

[00127] An “olefin-based polymer,” as used herein is a polymer that contains more than 50 mole percent polymerized olefin monomer (based on total amount of polymerizable monomers), and optionally, may contain at least one comonomer. Nonlimiting examples of olefin-based polymer include ethylene-based polymer and propylene-based polymer.

[00128] Oxygen permeability is a normalized calculation performed by first measuring Oxygen Transmission Rate (OTR) for a given film thickness and then multiplying this measured OTR by the film thickness (usually thickness in units of mil). OTR is measured at 23°C, 50% relative humidity and 1 atm pressure with a MOCON OX-TRAN 2/20. The instrument is calibrated with National Institute of Standards and Technology certified Mylar film of known O_2 transport characteristics. The specimens are prepared and the OTR is performed according to ASTM D 3985. Typical OTR units are $\text{cc}/\text{m}^2/24\text{hr}/\text{atm}$.

[00129] A “polymer” is a compound prepared by polymerizing monomers, whether of the same or a different type, that in polymerized form provide the multiple and/or repeating “units” or “mer units” that make up a polymer. The generic term polymer thus embraces the term homopolymer, usually employed to refer to polymers prepared from only one type of monomer, and the term copolymer, usually employed to refer to polymers prepared from at least two types of monomers. It also embraces all forms of copolymer, e.g., random, block, etc. The terms “ethylene/ α -olefin polymer” and “propylene/ α -olefin polymer” are indicative of copolymer as described above prepared from polymerizing ethylene or propylene respectively and one or more additional, polymerizable α -olefin monomer. It is noted that although a polymer is often referred to as being “made of” one or more specified monomers, “based on” a specified monomer or monomer type, “containing” a specified monomer content, or the like, in this context the term “monomer” is understood to be referring to the polymerized remnant of the specified monomer and not to the unpolymerized species. In general, polymers herein are referred to as being based on “units” that are the polymerized form of a corresponding monomer.

[00130] A “propylene-based polymer” is a polymer that contains more than 50 mole percent polymerized propylene monomer (based on the total amount of polymerizable monomers) and, optionally, may contain at least one comonomer.

[00131] By way of example, and not by limitation, some embodiments of the present disclosure will now be described in detail in the following Examples.

EXAMPLES

1. Materials for Composition of the Flexible Multilayer Film – for Example 1 (7 layer co-extruded flexible multilayer film)

Table 1. 152.4 micron-extruded film structure used for making flexible containers for Example 1 (Example 1 film)

Overall	% Thickness	Weight %	Layer	Density
ULTRAMID C33L01	13.0%	15.3%	1	1.12
AMPLIFY TY1352	12.0%	11.6%	2	0.922
ELITE 5400G	20.0%	19.2%	3	0.916
AMPLIFY TY1352	12.0%	11.6%	4	0.922
ULTRAMID C33L01	6.0%	7.0%	5	1.12
AMPLIFY TY1352	12.0%	11.6%	6	0.922
AFFINITY PF1146G	23.6%	22.3%	7	0.899
AMPACET 10090(Slip)	1.0%	1.0%	7	0.92
AMPACET 10063 (Antiblock)	0.4%	0.4%	7	1.05
Total	100.0%	100.0%		

[00132] Layer 7 of the film structure is a three-component blend of AFFINITY PF1146G, AMPACET 10090(Slip agent), and AMPACET 10063 (Antiblock agent).

2. Vibration Testing

[00133] The standard International Safe Transit Association (ISTA) 1E procedure is a ‘non-simulation’ integrity test designed for unitized loads. The ISTA series 1 tests are primarily intended to accelerate improvements in package development, and therefore do not simulate actual transportation conditions. The 1E tests consist of four parts: 1) atmospheric preconditioning, 2) vibration testing at pallet resonance (G_{rms} of 1.15G, 3) shock testing via horizontal impact at 1.7 m/s, and 4) shock testing via rotational edge drop at a height of 200 mm. The test is cumulative, with a passing package proceeding through each of the 4 stages.

Pallet resonance in the vibration test is considered as the lowest frequency vibration at which it is possible to pass a metal shim under the pallet (indicating the pallet is completely leaving the vibration table during each displacement cycle).

[00134] Applicant utilized a modified ISTA 1E (hereafter “modified ISTA 1E test”) that is a prolonged vibration test. A vibration table is driven at 4.625 Hz and the amplitude is adjusted until a distinct change in the response of the flexible containers is observed, indicating that the flexible containers are in resonance and a timer is started. The vibration test is continued until the first failure is observed for each respective flexible container, which stops the timer. The results are measured in “time to failure” (hours, or hrs). Failure is defined as visually observed leakage from the flexible containers being tested.

[00135] Four flexible containers with a volume of 3.875L (1 gallon) are made using the Example 1 film shown in Table 1 above. The flexible containers for Example 1 have the container geometry shown in FIGS. 1-8 (i.e., the overseal) and also include the geometry shown in FIGS. 9-11. Each of the four flexible containers (flexible containers 1, 2, 3, 4) is made with a different radius of curvature for its respective four b-IAs. For each flexible container 1-4, the four t-IAs each has a radius of curvature of 3.18 mm.

[00136] The flexible containers 1-4 are subjected to the modified ISTA 1E test described above. Each of the four 1-gallon (3.875L) flexible containers is filled with water. The four flexible containers are placed into a corrugated box. The corrugated box is subsequently placed on a vibration table. Each flexible container has a different Rc for its respective b-IAs as set forth in Table 2 below. The vibration table is driven at 4.625 Hz and the amplitude is adjusted until a distinct change in the response of the bottles is observed, indicating that the packages are in resonance and the timer is started. The vibration test is continued until the first failure for each respective flexible container is observed. The timer is stopped when a failure in a flexible container is observed and the time is recorded. The results are measured in hours as time to failure. Table 2 below shows the hours to failure as related to Rc for the b-IAs for each flexible container.

3. Results

Table 2. Rc and modified ISTA 1E failure rates

Flexible container ID	Corner Radius Increase Factor	Radius of curvature (inch)	Radius of curvature (mm)	Hours to failure (modified ISTA 1E test)
1*	1.0 (Control)	0.125	3.18	19.5
2	1.5	0.188	4.78	42.5
3	2.0	0.250	6.48	45.3
4	2.5	0.313	7.95	70.4

*--comparative sample

[00137] Flexible container 1 is a control/comparative sample and flexible containers 2, 3, 4 are examples of the present flexible container. Applicant discovered that flexible container with geometry in FIGS. 1-11 and b-IAs with Rc from greater than 3.18 mm to 7.95 mm show improved strength (improved vibration strength) compared to flexible container of same geometry and having b-IA Rc less than or equal to 3.18 mm. Each flexible container 2-4, with respective b-IA Rc's from greater than 3.18 mm to 7.95 mm show improved strength (i.e., improved vibration resistance) compared to control flexible container 1 (comparative sample) container 1 which has b-IAs with Rc of 3.18 mm.

[00138] Flexible containers 2-3 each shows a greater than two-fold improvement in vibration strength (42.5/45.3 vs 19.5 hrs time to failure) over flexible container 1. Flexible container 4 shows a greater than three-fold improvement in vibration strength (70.4 vs 19.5 hrs to failure) compared to control container 1.

[00139] It is specifically intended that the present disclosure not be limited to the embodiments and illustrations contained herein, but include modified forms of those embodiments including portions of the embodiments and combinations of elements of different embodiments as come with the scope of the following claims.

CLAIMS

1. A flexible container comprising:
 - A. a front panel, a rear panel, a first gusseted side panel, and a second gusseted side panel, the gusseted side panels adjoining the front panel and the rear panel along peripheral seals to form a chamber;
 - B. each peripheral seal having
 - (i) a body seal inner edge (BSIE) with opposing ends,
 - (ii) a tapered seal inner edge (TSIE) extending from each end of the body seal;
 - (iii) an inner arc where each tapered seal inner edge extends from a respective BSIE end; and
 - C. the container comprises at least one inner arc having a radius of curvature, R_c , from greater than 3.18 mm to 7.95 mm.
2. The flexible container of claim 1 comprising four bottom inner arcs (b-IAs), each b-IA having a R_c from greater than 3.18 mm to 7.95 mm.
3. The flexible container of claim 2 wherein the flexible container exhibits a greater than 20 hours time to failure when subjected to a modified ISTA 1E vibration test.
4. The flexible container of claim 1 comprising four top inner arcs (t-IAs), each t-IA having a radius of clearance from greater than 3.18 mm to 7.95 mm.
5. The flexible container of any of claims 1-4 comprising at least one bottom inner arc and at least one top inner arc, each inner arc having a radius of curvature from greater than 3.18 mm to 7.95 mm.
6. The flexible container of claim 1 comprising four bottom inner arcs and four top inner arcs, each inner arc having a radius of curvature from greater than 3.18 mm to 7.95 mm.
7. The flexible container of any of claims 1-6 comprising a bottom apex and an overseal in the apex.
8. The flexible container of any of claims 1-7 comprising a handle.
9. The flexible container of any of claims 1-8 wherein a portion of a top end section of each panel is sealed to a spout.

10. The flexible container of claim 9 wherein each panel is sealed to a base of the spout, the base having a circular cross-sectional shape.

Fig. 1

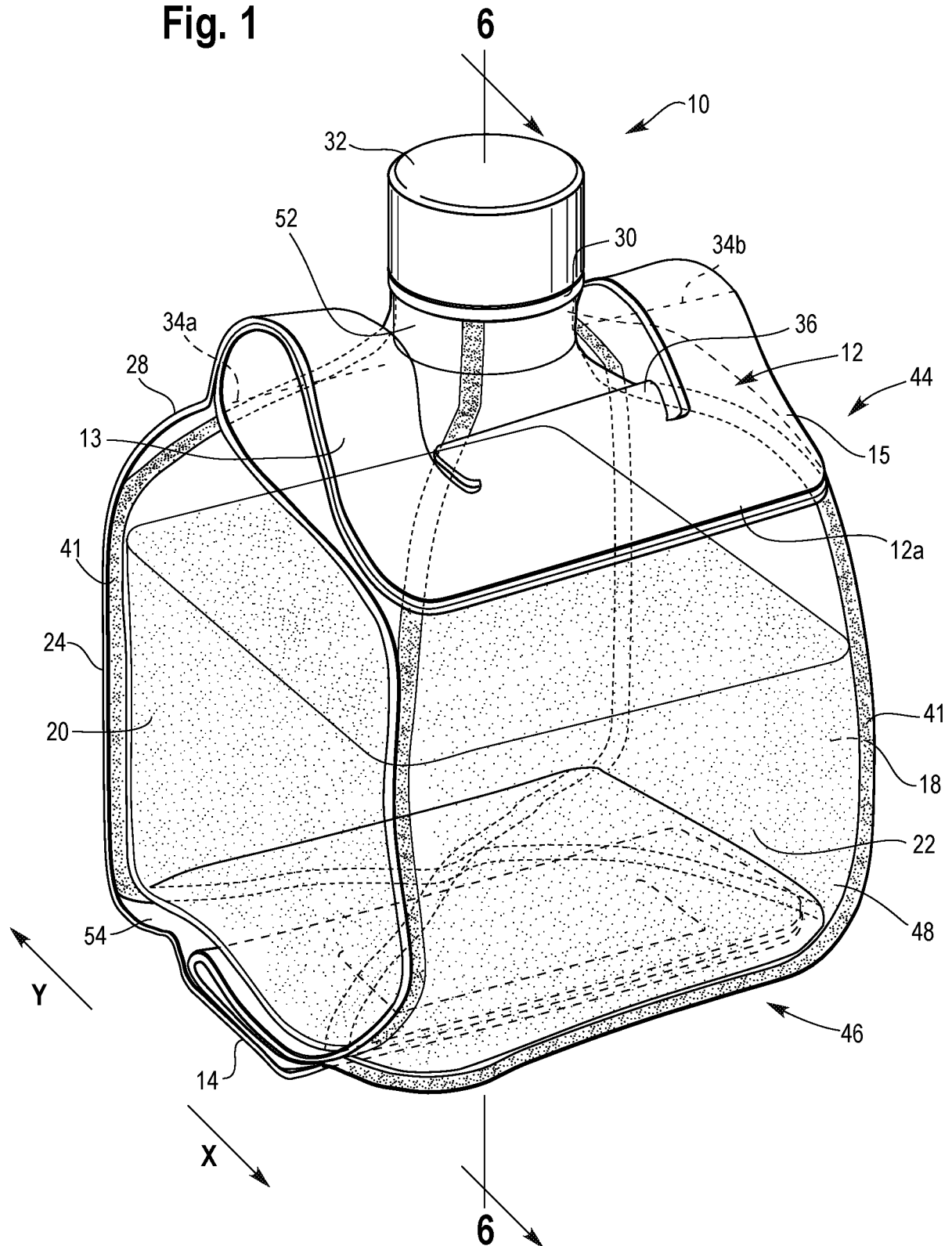
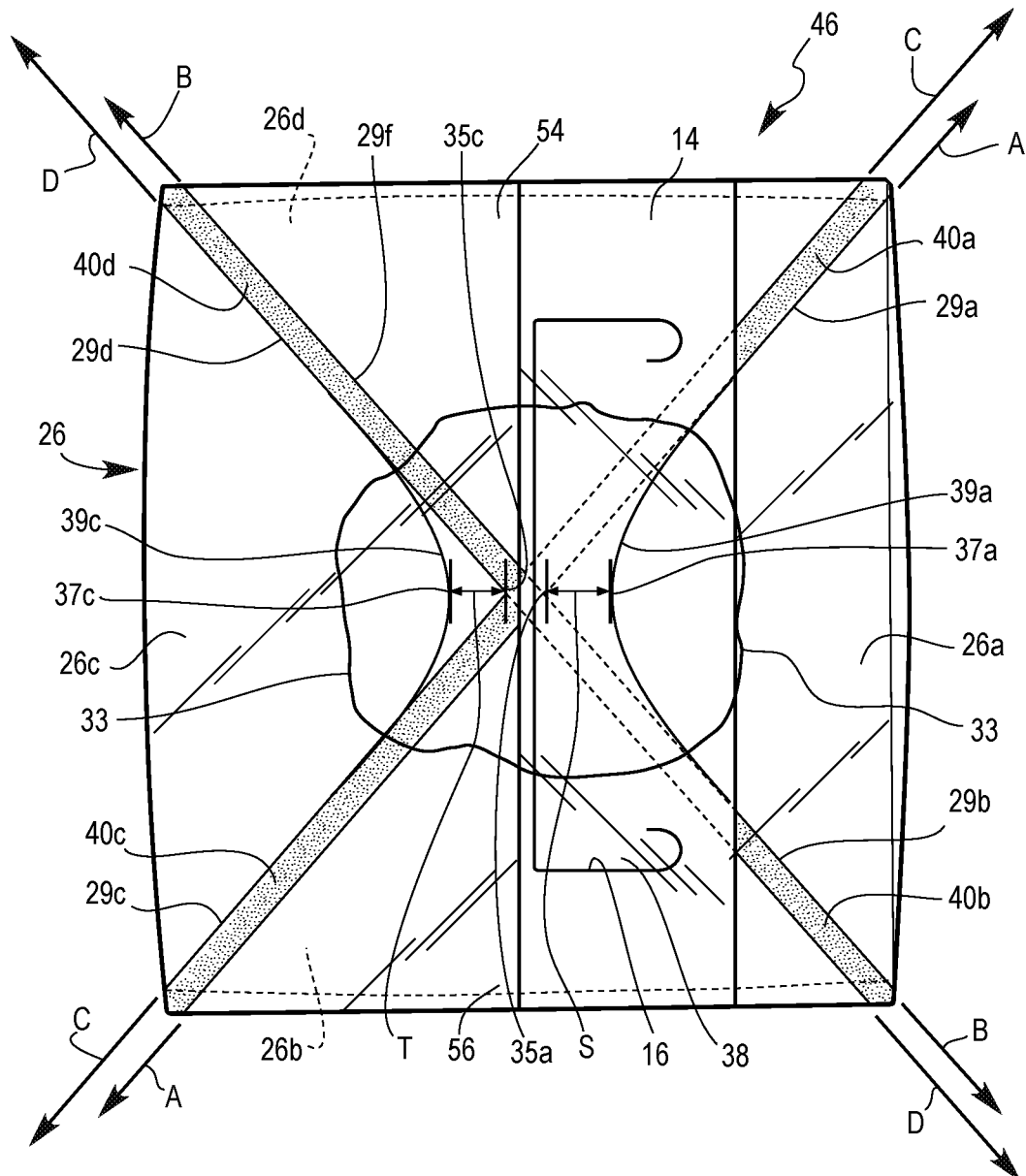


Fig. 2



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Fig. 3

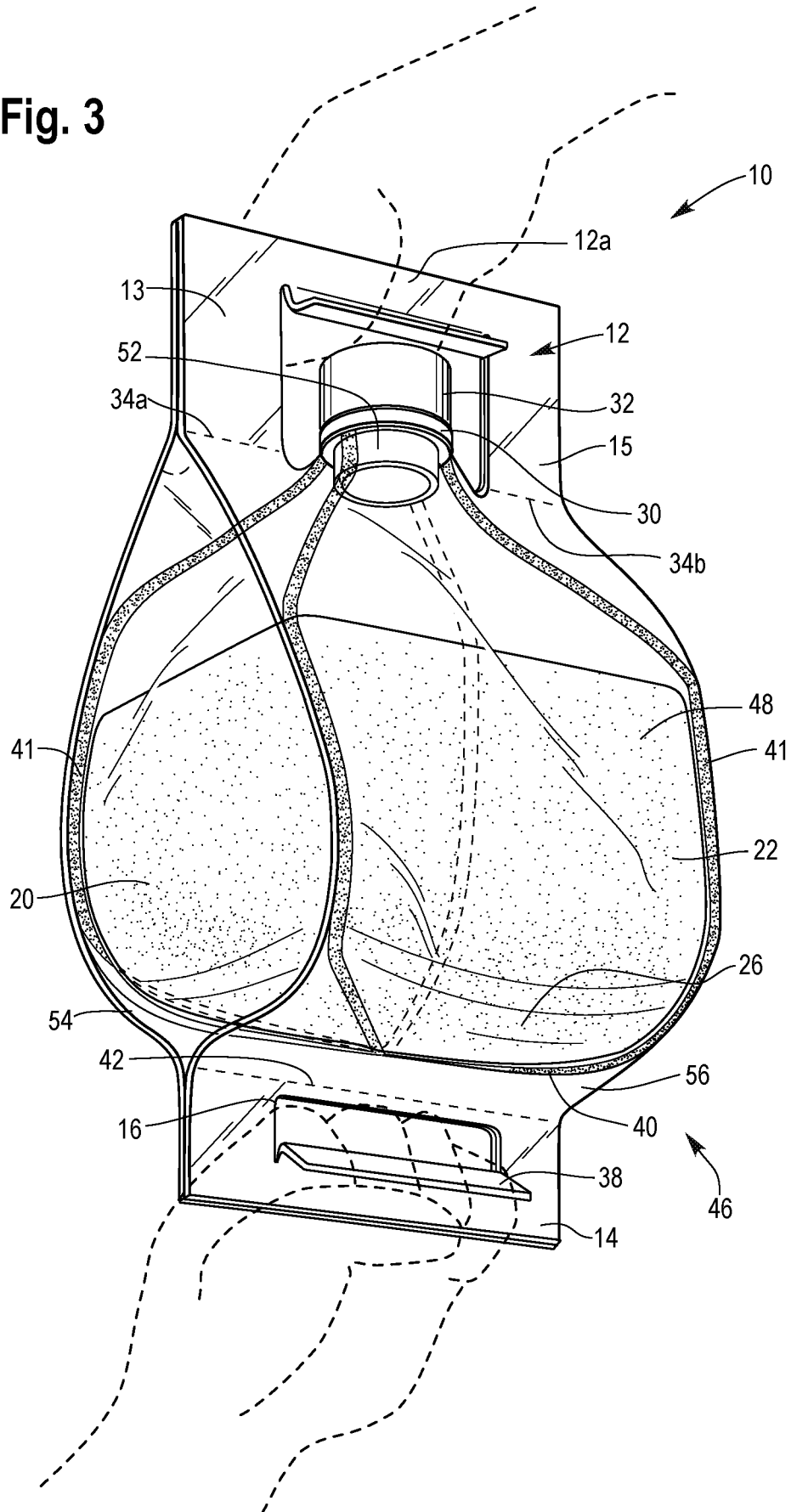
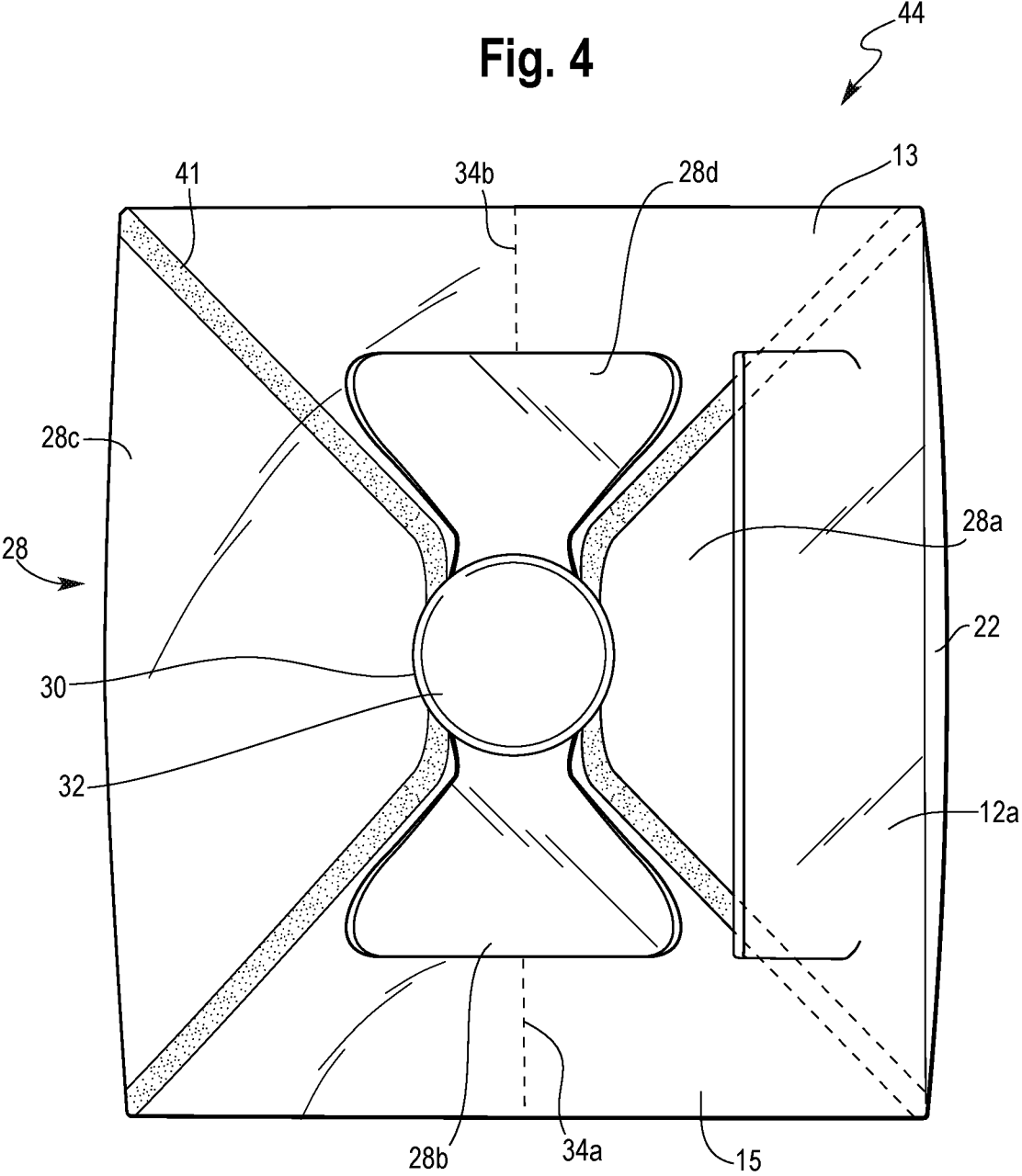
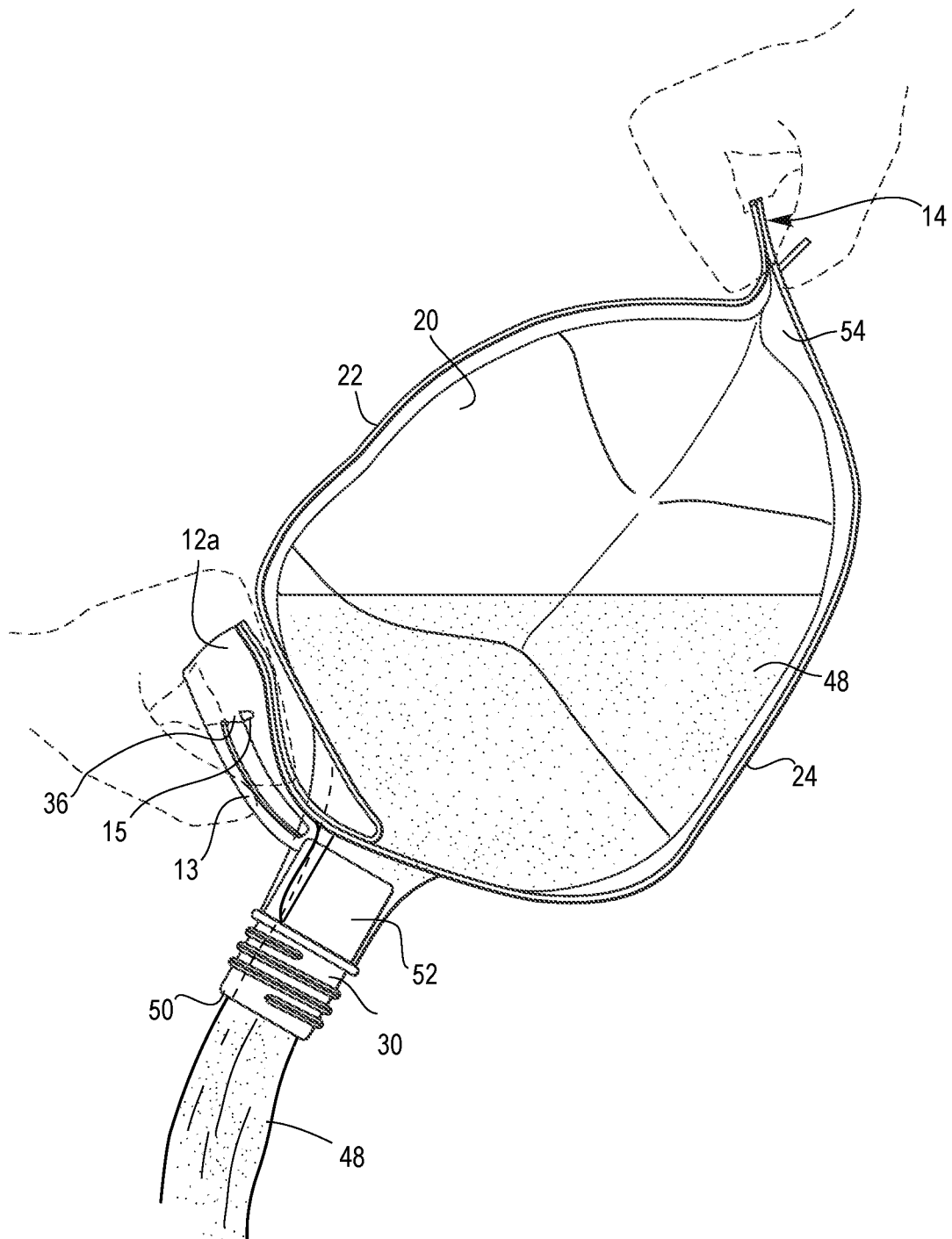


Fig. 4



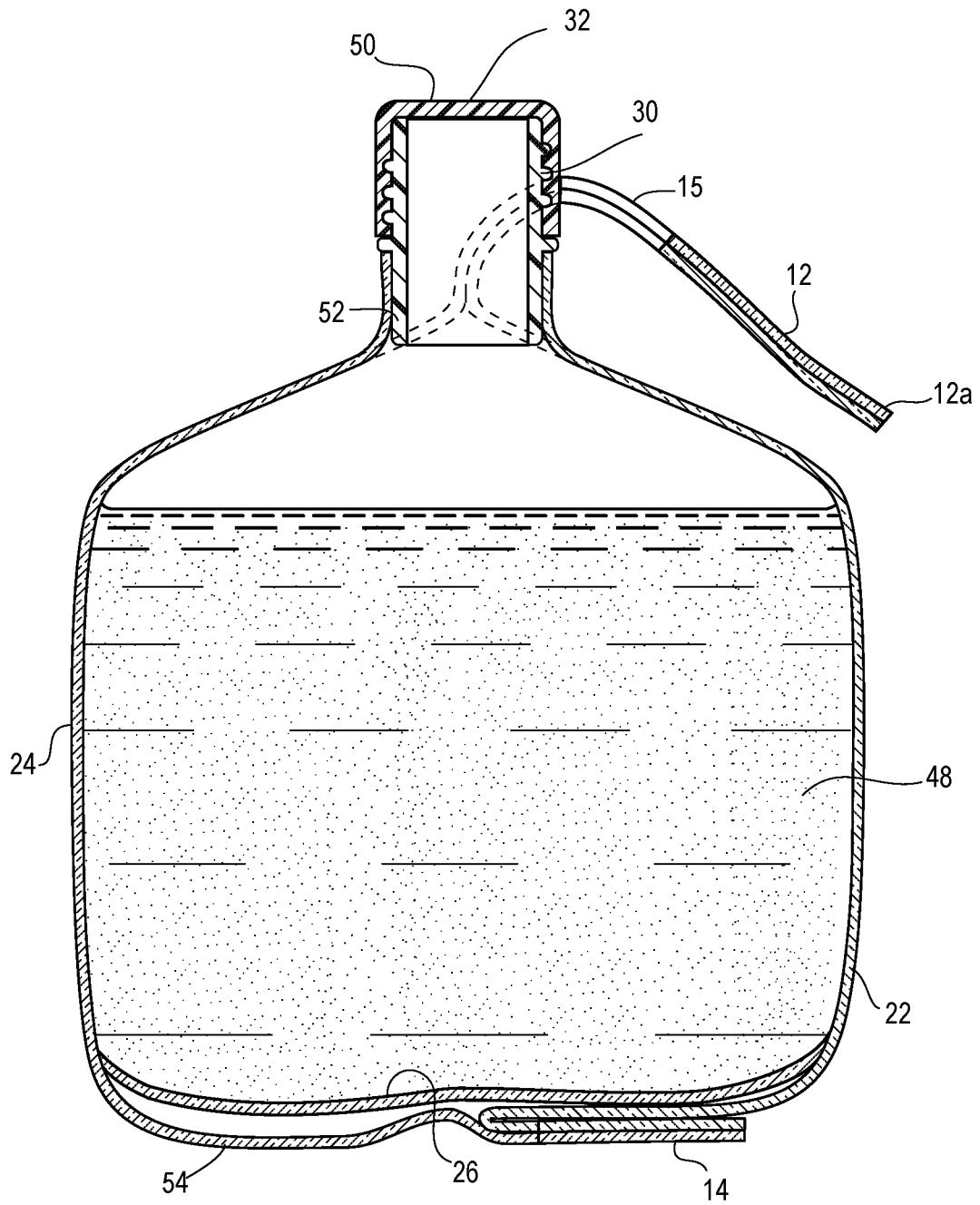
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Fig. 5



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Fig. 6



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Fig. 7

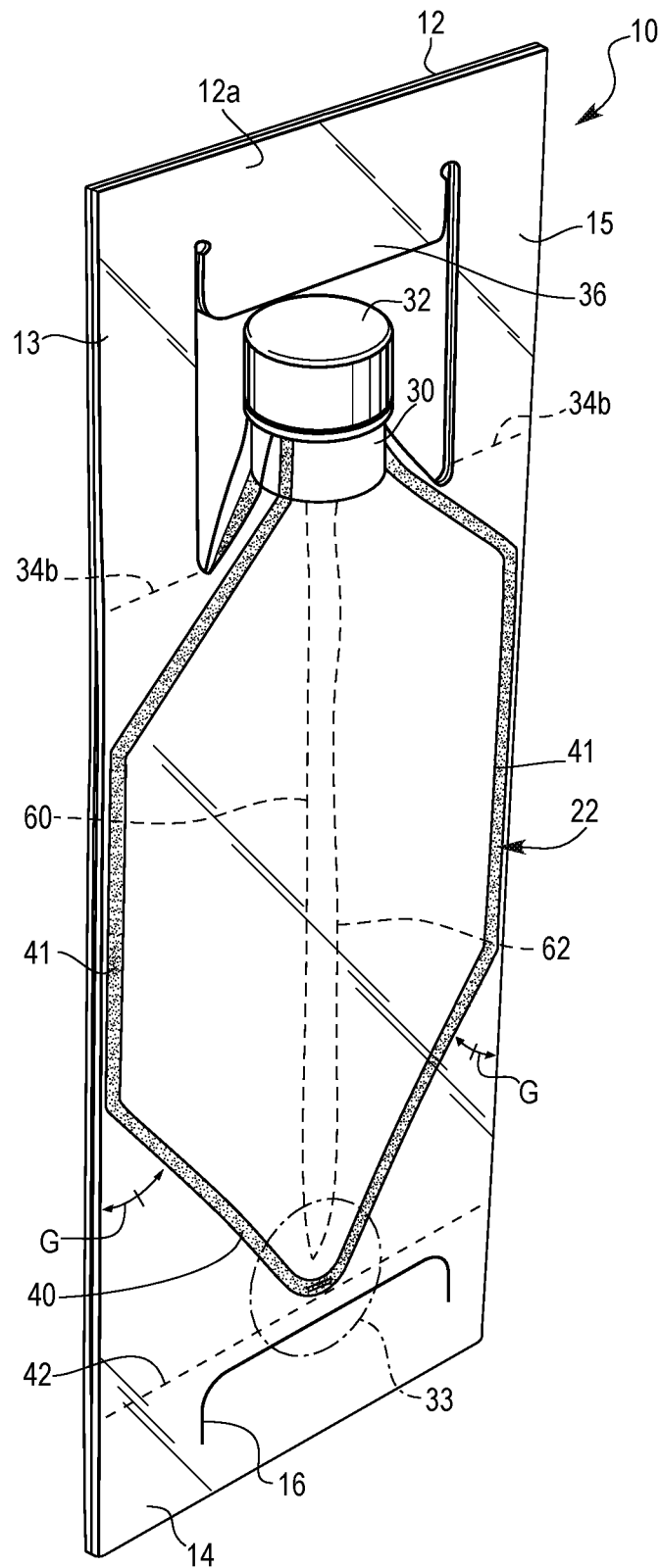


Fig. 8

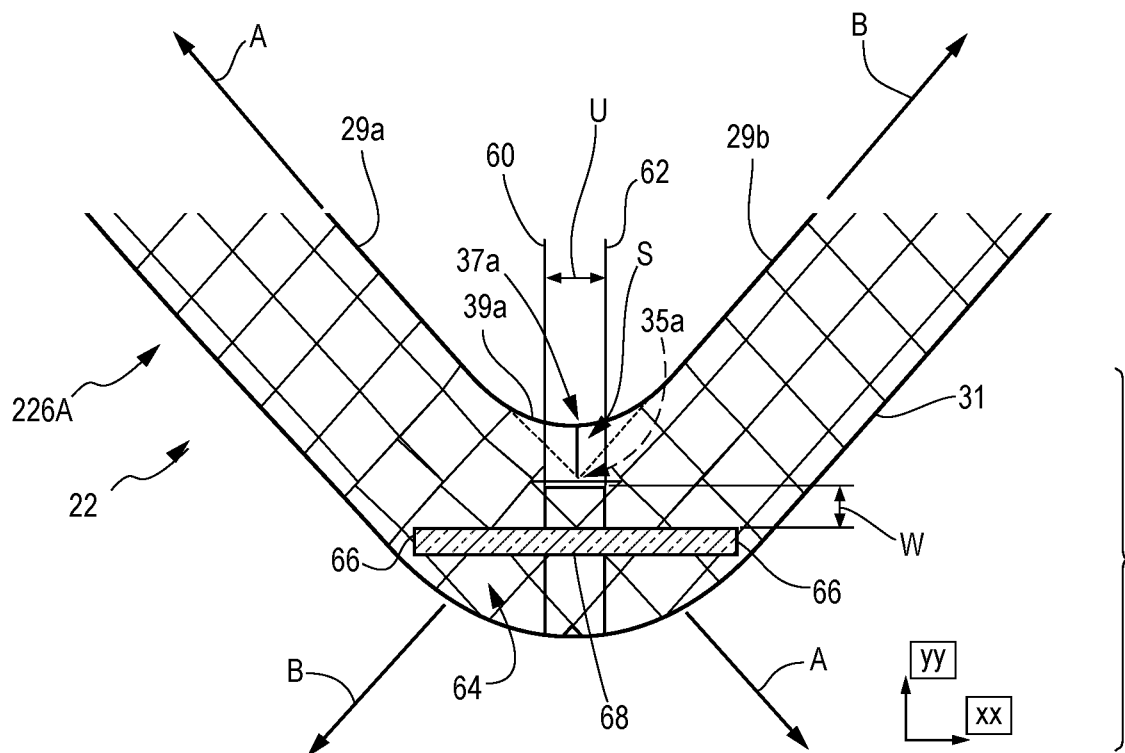


Fig. 9

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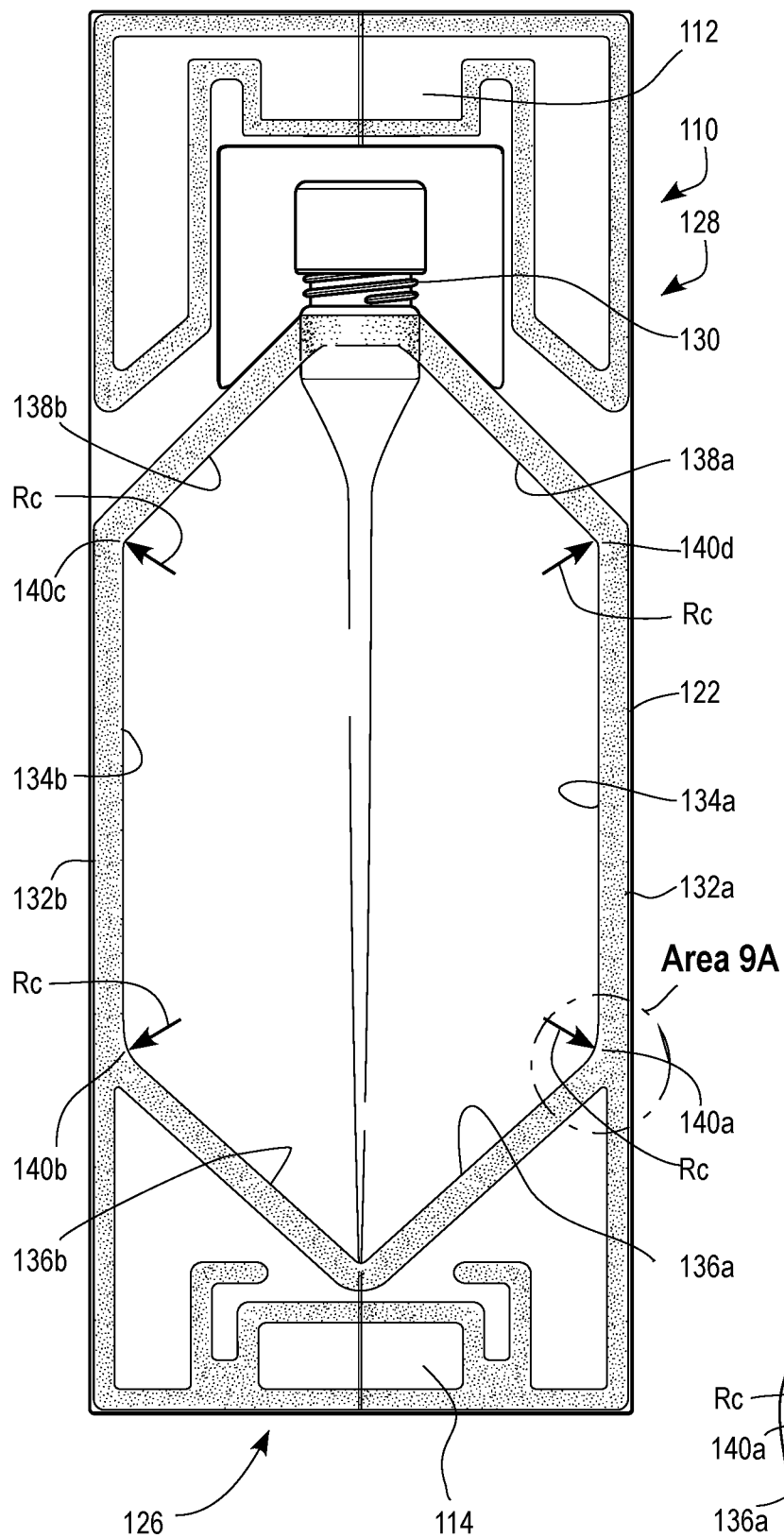
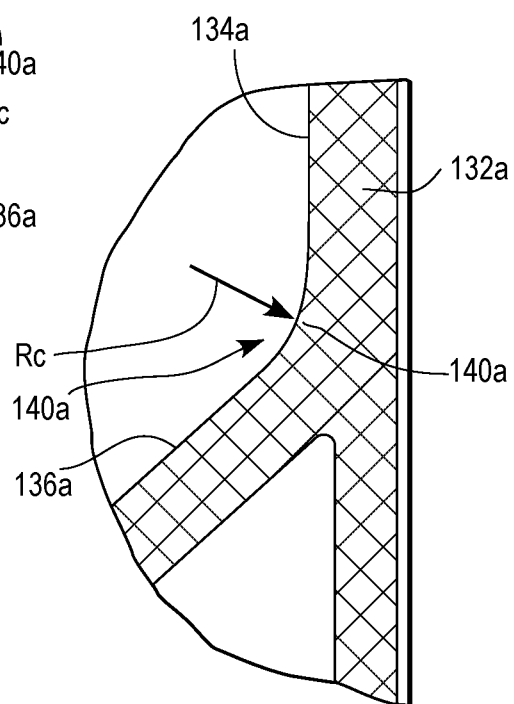
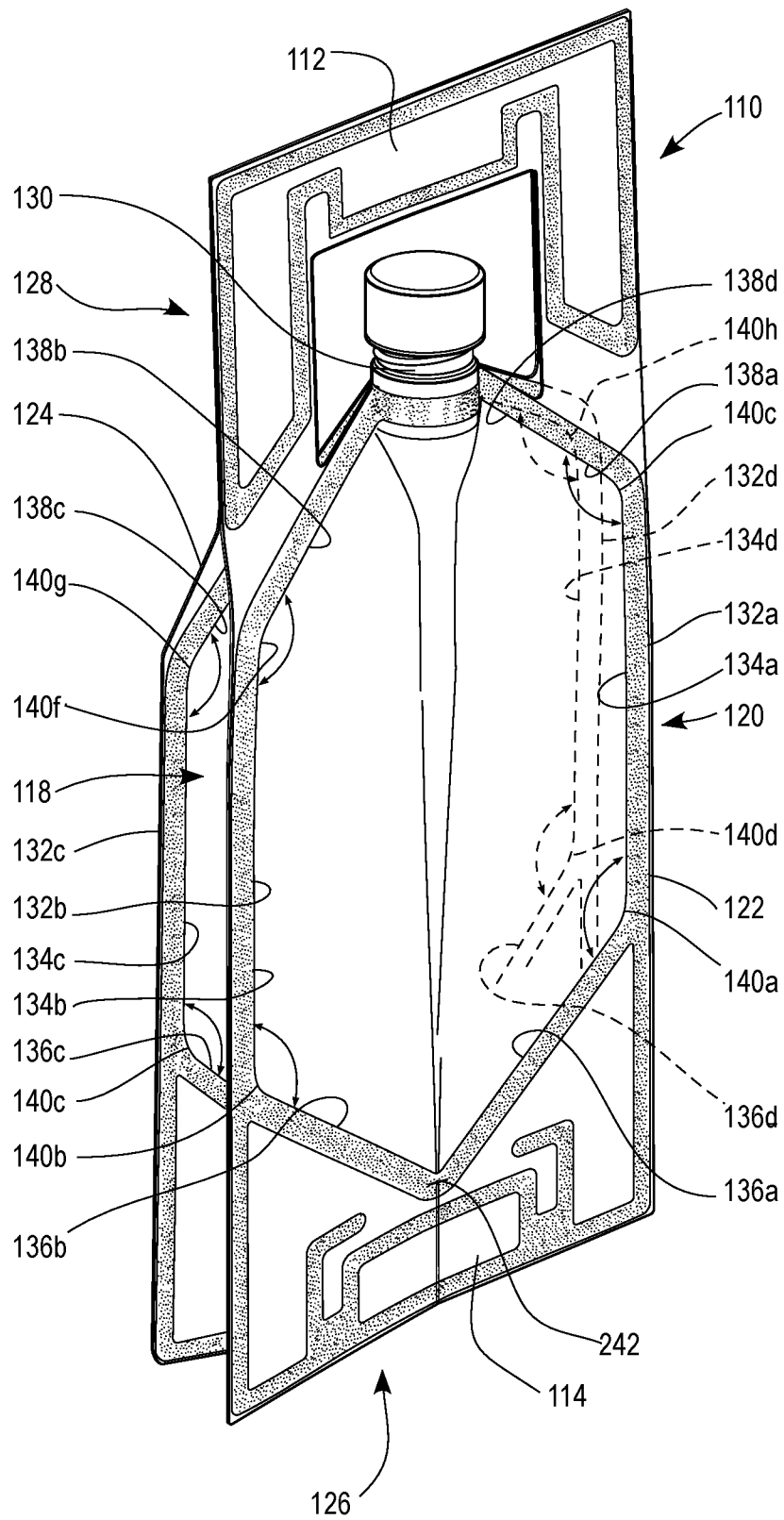


Fig. 9A



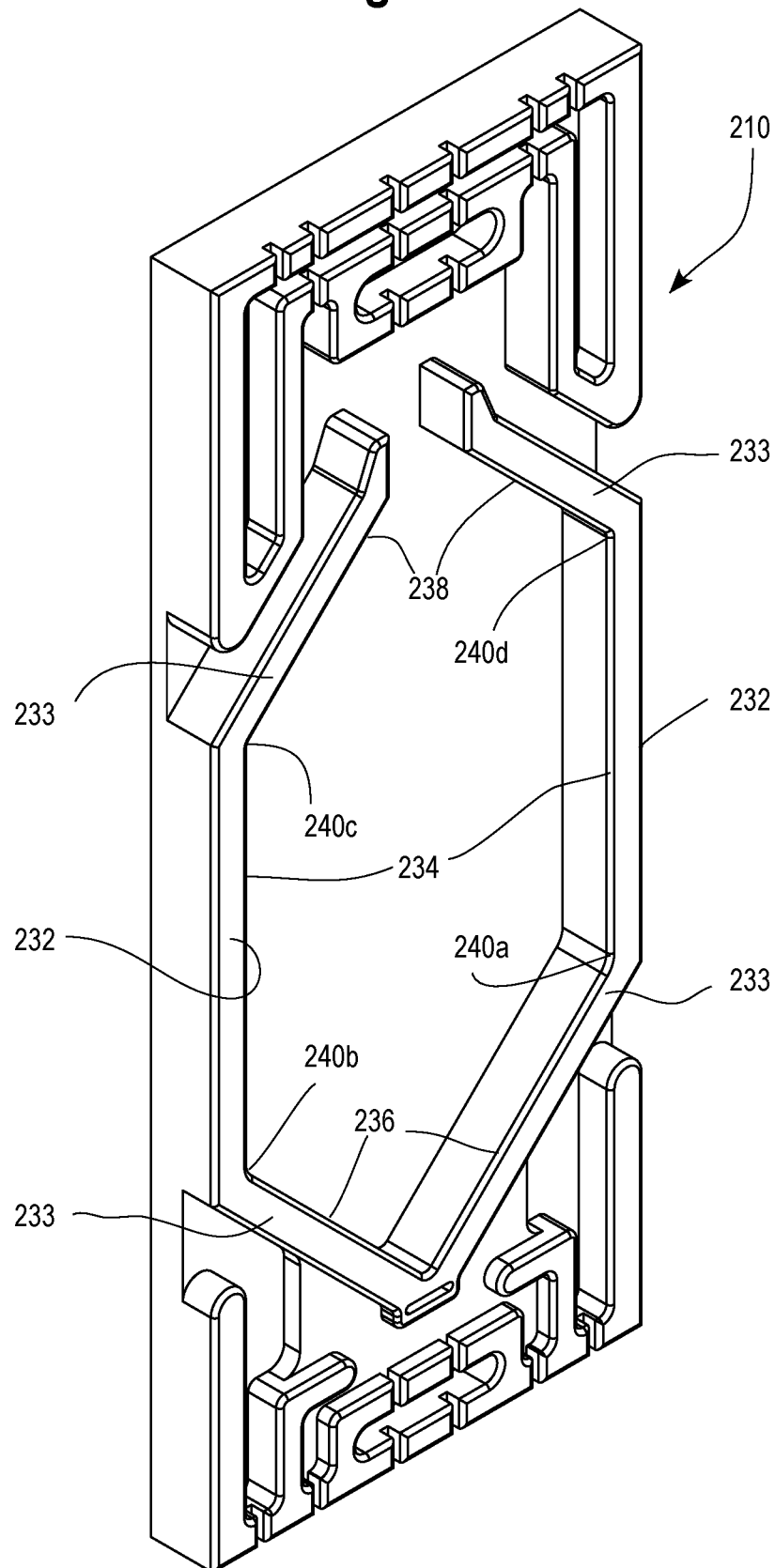
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Fig. 11



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Fig. 12



INTERNATIONAL SEARCH REPORT

International application No
PCT/US2017/037712

A. CLASSIFICATION OF SUBJECT MATTER INV. B65D75/00 B65D75/56 B65D75/58 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) B65D		
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, WPI Data		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 2015/314928 A1 (WILKES KENNETH R [US] ET AL) 5 November 2015 (2015-11-05) page 2, paragraph 45; figures 1-8 -----	1-10
Y	WO 2015/171171 A1 (DOW GLOBAL TECHNOLOGIES LLC [US]) 12 November 2015 (2015-11-12) page 7, paragraph 49; figures 1-8 -----	1-10
Y	WO 2011/031343 A1 (SMART BOTTLE INC [US]; WILKES KENNETH R [US]; SCHULDT FREDERIC W [US];) 17 March 2011 (2011-03-17) figures 1-7 -----	1-10
☐ 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 21 September 2017	Date of mailing of the international search report 02/10/2017	
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 Serbescu, Anca	

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2017/037712

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference DOW-39291-A	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2017/037712	International filing date (<i>day/month/year</i>) 15 June 2017 (15.06.2017)	Priority date (<i>day/month/year</i>) 30 June 2016 (30.06.2016)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant DOW GLOBAL TECHNOLOGIES LLC		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																								
2.	This REPORT consists of a total of 7 sheets, including this cover sheet.																								
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																									
3.	This report contains indications relating to the following items: <table style="width: 100%;"> <tr> <td style="width: 5%; text-align: center;">☒</td> <td style="width: 25%;">Box No. I</td> <td style="width: 70%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;">☐</td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;">☒</td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	☒	Box No. I	Basis of the report	☐	Box No. II	Priority	☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	☐	Box No. IV	Lack of unity of invention	☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	☐	Box No. VI	Certain documents cited	☒	Box No. VII	Certain defects in the international application	☒	Box No. VIII	Certain observations on the international application
☒	Box No. I	Basis of the report																							
☐	Box No. II	Priority																							
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☒	Box No. VII	Certain defects in the international application																							
☒	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 01 January 2019 (01.01.2019) Authorized officer Agnès Wittmann-Regis e-mail: pct.team6@wipo.int
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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No. PCT/US2017/037712	International filing date (day/month/year) 15.06.2017	Priority date (day/month/year) 30.06.2016
International Patent Classification (IPC) or both national classification and IPC INV. B65D75/00 B65D75/56 B65D75/58		
Applicant DOW GLOBAL TECHNOLOGIES LLC		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

Name and mailing address of the ISA:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Date of completion of this opinion see form PCT/ISA/210	Authorized Officer Serbescu, Anca Telephone No. +49 89 2399-0	
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Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed.
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing:
 - a. ☐ forming part of the international application as filed:
 - ☐ in the form of an Annex C/ST.25 text file.
 - ☐ on paper or in the form of an image file.
 - b. ☐ furnished together with the international application under PCT Rule 13ter.1(a) for the purposes of international search only in the form of an Annex C/ST.25 text file.
 - c. ☐ furnished subsequent to the international filing date for the purposes of international search only:
 - ☐ in the form of an Annex C/ST.25 text file (Rule 13ter.1(a)).
 - ☐ on paper or in the form of an image file (Rule 13ter.1(b) and Administrative Instructions, Section 713).
4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that forming part of the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>1-10</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-10</u>
Industrial applicability (IA)	Yes: Claims	<u>1-10</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

1 **Re Item V**

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.1 Reference is made to the following documents:

- D1 US 2015/314928 A1 (WILKES KENNETH R [US] ET AL) 5 November 2015 (2015-11-05)
- D2 WO 2015/171171 A1 (DOW GLOBAL TECHNOLOGIES LLC [US]) 12 November 2015 (2015-11-12)
- D3 WO 2011/031343 A1 (SMART BOTTLE INC [US]; WILKES KENNETH R [US]; SCHULDT FREDERIC W [US];) 17 March 2011 (2011-03-17)

1.2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

1.3 D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses (see esp. page 2, paragraph 45; figures 1-8):

A flexible container (10) comprising:

A. a front panel (22), a rear panel (24), a first gusseted side panel (18), and a second gusseted side panel (20), the gusseted side panels adjoining the front panel and the rear panel along peripheral seals (41) to form a chamber;

B. each peripheral seal having

(i) a body seal inner edge (BSIE) with opposing ends,

(ii) a tapered seal inner edge (TSIE) (40a-40d) extending from each end of the body seal;

(iii) an inner arc (39a, 39c) where each tapered seal inner edge extends from a respective BSIE end; and

C. the container comprises at least one inner arc having a radius of curvature, R_c , from greater than 3.18 mm to 7.95 mm.

1.4 The subject-matter of claim 1 consists in the selection of a smaller range of values for the inner arc radius of curvature, from the range of 1.0 mm - 19.0 mm described in D1. Such a selection can only be regarded as inventive, if the selected range presents unexpected effects or properties in relation to the

rest of the range. However, no such effects or properties are indicated in the application. Hence, no inventive step is present in the subject-matter of claim 1.

- 1.5 Dependent claims 2-10 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step. The features of the dependent claims 2-10 are either known from prior art and/or are considered as being within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can be readily contemplated in advance, see e.g. D1.

2 Re Item VII

Certain defects in the international application

- 2.1 The independent claim is not in the two-part form in accordance with Rule 6.3(b) PCT.
- 2.2 The features of the claims 1-10 are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
- 2.3 The vibration test employed in claim 3 is not recognised in international practice, contrary to the requirements of Rule 10.1 PCT.
- 2.4 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in D1-D3 is not mentioned in the description, nor are these documents identified therein.

3 Re Item VIII

Certain observations on the international application

- 3.1 The application does not meet the requirements of Article 6 PCT, because claims 1, 2, 4-7 are not clear:
- The terms "body seal inner edge", "tapered seal inner edge", "inner arc", "top inner arc", "bottom inner arc", "bottom apex", "overseal in the apex" used in claims 1, 2, 4-7 are vague and unclear and leave the reader in doubt as to the meaning of the technical feature to which they refer, thereby rendering the definition of the subject-matter of said claims unclear, Article 6 PCT.
- 3.2 The description contains expressions like "in an embodiment" being used in relation to the features of claim 1.

- 3.3 The description introduces essential features (e.g. the "body seal inner edge", "tapered seal inner edge" see pages 18-19, paragraph 96) as part of an embodiment, while these features are claimed as essential to the definition of the invention.