

Australian Government

IP Australia

AUSTRALIAN OFFICIAL JOURNAL

OF

PATENTS

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General Information

EDITORIAL ENQUIRIES

All enquiries about official notices and general information in the Journal should be directed to IP Australia, (ABN No 38 113 072 755),

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Customer Service Network

Telephone 1300 651 010, Fax: 02 6283 7999

E-mail: assist@ipaustralia.gov.au

Customers can contact the Customer Service Network by telephone or by e-mail. Telephones are staffed between 9am and 5pm each working day.

Customers should contact the Customer Service Network for information about:

- All Patent Matters including PCT and Innovation Patents.
- All Trade Mark Matters.
- All Design Matters.

Professional Standards Board for Patent and Trade Mark Attorneys.

Ph: 02 6283 2345 Fax: 02 6283 1048

ORDERING PATENT DOCUMENTS

When ordering copies of Australian patent specifications, or abstracts and abridgments notified as open to public inspection on or after 26 October 1978, or as accepted on or after 16 November 1978, the documents should be referred to by application numbers only, preceded by letters AU-A or AU-B respectively.

REQUESTS FOR INFORMATION UNDER SECTION 194 (C)

A request for information under Section 194 (C) of the Patents Act 1990 should be made in the approved form and be accompanied by the prescribed fee. The request should be as detailed as possible.

INFORMATION FROM REGISTERS

All requests for information from Register of Patents, Trade Marks or Designs, should be made in writing and accompanied by the prescribed fee. The Registers are located in Canberra and may be examined free of charge.

COUNTRY CODES

For a listing of country codes used by IP Australia please refer to the Official Journals dated 7 November 1996.

ABBREVIATIONS IN JOURNAL

Standard abbreviations are used in the name of companies and firms. Enquiries concerning the precise name should be directed to the Customer Service Network.

FREEDOM OF INFORMATION ACT

What does it do?

- Gives you right to obtain information held by Commonwealth Ministers, Departments and most statutory bodies (these bodies are called agencies under the Act).
- Requires Commonwealth Government agencies to make available to members of the public:
 - Information about agencies, their functions and operations.
 - Information about rules and practices which are used in making decisions which affect you.
- Gives you a legal right to:
 - See non exempt documents held by agencies, and
 - appeal against a decision not to grant access to a document.

What documents can you see?

- The Act gives you a right to see documents lodged on or after 1 December 1977, or earlier if you need them to understand another document you have already.
- Documents include files, reports, computer printouts, maps, plans, photographs, tape recordings, films or videotapes.
- Documents which are available for purchase under the Patents Act 1990, the Trade Marks Act 1995 or Designs Act 2003 are not available under the Freedom of Information Act (Section 12 refers).

How do you apply?

Requests for access to documents must

- Be in writing
- Provide sufficient information so as to enable identification of the documents requested
- Specify an address in Australia where notices can be sent and
- Be accompanied by the application fee (currently \$30.00) or specify an IP Australia account to which the charges will be posted.

Requests for documents should be addressed to IP Australia, PO Box 200 Woden, ACT 2606, or Faxed to 02 6283 7999

DECISIONS OF THE COMMISSIONER OF PATENTS AND REGISTRAR OF TRADE MARKS AND DESIGNS

All decisions of the Commissioner and Registrars are available free of charge from AUSTLII's website www.austlii.edu.au

Copies of all written Patent and Design decisions are available (except if they would not be available under the provisions of the Freedom of Information legislation, e.g. if they would effectively disclose matter from documents that are not open to public inspection) on request for a cost of \$AU 25. They are also available for inspection in indexed volume series, dating from 1 January 1987, in the Office library, Canberra.

Copies of Trade Mark decisions may be accessed via IP Australia's website www.ipaustralia.gov.au

- Copies of the taped record of Patent and Design hearings are available (with the same exception as above) on request.
- When a written decision is issued the fact of the decision plus a brief head note will be published in the Official Notices section of the next available Patents, Trade Marks or Designs Journal.

HEARINGS BEFORE THE COMMISSIONER OF PATENTS

Hearings before the Commissioner of Patents will usually be conducted at the Patent Office in Canberra and interstate hearing sessions are not provided. However, the Commissioner will conduct hearings outside of Canberra at a convenient time to all parties provided that the parties bear the travel costs of the hearing officer.

The various options for hearings are set out in the document "Options for Hearings" available on IP Australia's website at: www.ipaustralia.gov.au/pdfs/patents/optionsforhearings.PDF

HEARINGS BEFORE THE REGISTRARS OF TRADE MARKS AND **DESIGNS**

Hearings before the Registrars of Trade Marks and Designs will be set down in Melbourne, Sydney, Adelaide, Perth and Brisbane during the periods indicated below.

Designs and Trade Marks Hearings Sessions 2006

Melbourne	13 – 17 February 5 – 9 June 11 – 15 September
Sydney	13 – 17 March

17 - 21 July 16 - 20 October

Adelaide 14 – 15 August

Perth 17 – 18 August

Brisbane 24 – 25 August

Persons who desire matters to be set down for hearing in Melbourne, Sydney, Adelaide, Perth or Brisbane must give at least one month's notice of their intention to be heard. If such notice is not given, it may be that there would be insufficient time to allow for the execution of official procedures associated with the listing of hearings, and as a result, the matter involved might not be listed.

Subject to the convenience of this Office, hearings will be set down in Canberra at any time suitable to the parties.

LIST OF STATE OFFICES

IP Australia State Offices are located in the Australian Capitals at the addresses given below. Requests for information may be obtained by calling at, phoning or writing to these offices or IP Australia, Canberra.

Australian Capital Territory

Ground Floor Discovery House PHILLIP ACT 2606 (PO Box 200, WODEN ACT 2606)

Ph: 1300 651 010 Fax: (02) 6283 7999

New South Wales

Level 1 45 Clarence Street SYDNEY NSW 2000 Ph: 1300 651 010 Fax: (02) 9249 5807

Victoria

Level 6 **OCBC** House 565 Bourke Street MELBOURNE VIC 3000 Ph: 1300 651 010 Fax (03) 9612 9807

Western Australia

2 nd Floor East Point Plaza 233 Adelaide Terrace PERTH WA 6000 Ph: 1300 651 010 Fax: (08) 9220 8907

Queensland

Level 1 **Grant Thornton House** 102 Adelaide Street BRISBANE QLD 4000 Ph: 1300 651 010 Fax: (07) 3007 1107

South Australia

Level 10 Origin Energy House 1 King William Street ADELAIDE SA 5000 Ph: 1300 651 010 Fax: (08) 8239 4507

Tasmania

4th Floor AMP Building 27 Elizabeth Street **HOBART TAS 7000** Ph: 1300 651 010

Fax: (03) 6235 6307

GUIDE TO THE USE OF THIS JOURNAL

The Australian Official Journal of Patents (AOJP) reports on all the major events and actions which take place during the life cycle of an Australian patent and provides certain details of these actions as they relate to the patent or patent application involved. This guide sets out to teach the reader how to use the journal to access this information.

While there are many possible actions in the life of a patent, the majority of actions reported relate to the following events, which are the main stages in the progression of a patent application to a sealed patent:

(i) FILING -

This is the act of making an application. When the application is first filed certain details are published.

(ii) OPEN-TO-PUBLIC-INSPECTION (OPI) -

Approximately 18 months after first filing of an Australian or a corresponding foreign application, certain application documents, including the complete specification, become available to the public (Open-to-Public-Inspection or "OPI"). Relevant application details are published. In addition, an Abstracts Supplement to the AOJP contains abstracts of the inventive content of the OPI applications.

(iii) ACCEPTANCE -

This is the Commissioner's acceptance of a patent application. Once the Commissioner has accepted a patent application, certain details of the application are published in the AOJP. In addition, an Abridgments Supplement contains an abridgment (usually the broadest accepted claim and relevant drawing where appropriate) for each accepted application. Notice of opposition may be filed within three months of advertisement of acceptance.

(iv) OPPOSITION -

If an opposition action is commenced against the grant of the patent, the six-figure acceptance number and the name of the opponent are published.

(v) SEALING -

Most accepted applications are not opposed. These proceed to sealing and become granted patents. Of the few that are opposed (less than 1%) most of these, after resolution of the opposition, proceed to sealing and become granted patents. Sealed patents are simply listed in order of their six-figure acceptance number.

In addition to the actions related to these stages, other actions reported include: assignments, lapsing or withdrawal of applications and ceasing or expiry of patents, voluntary amendments, extensions of time for certain actions and registration of licences.

How To Identify Information Using "INID" Numbers

Patents are published in many different languages. As a result, finding the information that you want (eg the filing date) on a patent document or in a journal can be quite difficult. There is an international system operating, however, which codifies this information in an unambiguous way, by assigning a specific number to each piece of information about the history of a patent. These numbers are called the international agreed Numbers for the identification of Data or INID numbers.

These numbers appear on all published patents and abstracts and are used throughout this journal to identify particular items of information. For example, the data on which a document is filed has the INID number (22), while the name of the applicant has the INID number (71). These numbers are always expressed in parentheses and always immediately precede the information to which they relate. For example:

(22) 12.10.91

means that the filing date of the document which contains this reference is 12 October 1991. Learning the INID numbers for the information you want will help you find it quickly and easily.

A complete list of the INID numbers and the items to which they relate is provided at the end of this Guide.

How Australia Patent Documents are Numbered

Patent applications in Australia are assigned numbers at various stages in their processing. Each Australian application which proceeds to acceptance will have at least two (and sometimes more) different numbers during its life. When searching for information and ordering documents it is vital that you understand the numbering systems.

1. **Provisional Applications** are given a number with two characters and four numbers e.g. PM1234

A provisional application number is identified by the INID number (21).

2. **Complete Applications** are given a five-figure application number followed by the last two digits of the year of filing e.g. 12345/93

There are prefixes applied to this number which indicate whether the application has been accepted:

A document corresponding to an unaccepted application has the prefix, AU-A; e.g. AU-A-12345/93.

A document corresponding to an accepted application carries the prefix AU-B; e.g. AU-B-12345/93.

Users need to be aware that an accepted document may differ from the corresponding unaccepted document. This is because **amendment** may occur between first publication (OPI) and second publication (acceptance).

A five-figure application number is identified by the INID numbers (11) or (21).

3. When a patent application is **accepted** it is given a six-figure document number in addition to the five-figure application number e.g. 123456

This is the number you must use to keep track of the application in the AOJP from now on. It is identified by the INID number (10).

NOTE: When ordering any patent document from us, whether accepted or not, please quote the five-figure application number preceded by the appropriate prefix.

Arrangement of Information in the Journal

For each of the categories

- (i) Provisional Applications Filed,
- (ii) Complete Applications Filed
- (iii) Applications Open to Public Inspection, and
- (iv) Applications Accepted

The Journal lists the information published in that category in an alphabetical **Name Index** list based on the name of the applicant. These indices are useful if you wish to find information about applications made by a particular applicant.

In addition to the Name Index there is provided, for each of these categories, a **Numerical Index**. This index lists the applications either in order of their five-figure Application Numbers, in the case of complete applications filed and applications OPI, or in order of their six-figure Document Number in the case of accepted applications. It provides, for each number, the name of the applicant. These indices are useful if you wish to track the progress of a particular patent application.

There are also IPC indices provided for applications which are OPI and for applications which have been accepted. IPC stands for International Patent Classification. Each IPC "mark" is an alpha-numerical representation of a particular area of technology. These indices are in order of IPC mark, and within each mark provide either the five-figure application numbers of the applications which are now OPI or the six-figure numbers of the cases now accepted. These indices are useful if you wish to check on patent activity in a particular technology.

Using the Indices

1. To Find Patent Information If You Know the Name of the Applicant.

Use the Name Indices. They will give you the following information identified by their INID number:

ITEM	<u>INID</u> No.	<u>ITEM</u>	<u>INID</u> No.
A) Provisional applications filed – Name Index The name of the applicant The Provisional application number The date of filing The title of the invention	(71) (21) (22) (54)	B) Complete applications filed – Name Index The name of the applicant The number assigned to the application The date of filing Title of the invention Number of priority document(s) if any Date(s) of filing of priority documents Country in which priority document filed PCT application number	(71) (21) (22) (54) (31) (32) (33) (86)
<u>ITEM</u>	INID No.	<u>ITEM</u>	<u>INID</u> No.
C) Applications open to public inspection – Name Index		D) Applications accepted – Name Index	
The <u>name</u> of the applicant The <u>number</u> of the document The <u>number</u> assigned to the application The <u>date</u> of filing The <u>title</u> The classification marks	(71) (11) (21) (22) (54) (51)	The <u>name</u> of the applicant The <u>number</u> of the document The <u>number</u> of the accepted document The <u>number</u> assigned to the application The <u>date</u> of filing The title	(71) (11) (10) (21) (22) (54)

Priority document <u>number(s)</u>	(31)	The <u>classification</u> <u>marks</u>	(51)
Date of filing of priority document(s)	(32)	PCT publication <u>number</u>	(87)
Country in which priority document filed	(33)	Priority document <u>number(s)</u>	(31)
Publication date of unexamined document	(43)	<u>Date</u> of filing of priority document(s)	(32)
Inventors <u>names</u> if known	(72)	Country in which priority document filed	(33)
Patent Attorneys	(74)	Publication date of unexamined document	(43)
Related by addition	(61)	Publication date of examined document	(44)
Related by division	(62)	Publication <u>date</u> of granted document	(45)
		Inventors <u>names</u> if known	(72)
		Patent Attorneys	(74)
		Related by addition	(61)
		Related by division	(62)

You will notice at each stage of following an application through that all applications are in alphabetical order of Applicant, not inventor.

2. To Find Information About a Patent Application If You Know Its Number.

Use the appropriate numerical index. This will give you the name of the applicant from the number. You will then need to use the appropriate Name Index as above to find out other information about the Patent Application you are interested in.

The following Numerical Indices are available:

- A) Provisional Applications filed.
- B) Complete Applications filed.
- C) Applications **Open to Public Inspection**.
- D) Applications **Accepted** (note that this uses six-figure document numbers rather than five-figure application numbers).

3. To Find Information About Patent Documents in the Area of Technology in which You are Interested if You Know the International Patent Classification Mark for that Area.

All patent applications are classified according to their subject matter using the International Patent Classification (IPC). Although the system is very detailed and covers all technologies, knowledge of the IPC marks of the technologies you are interested in will allow you to find patent documents in these technologies quite easily. To identify the IPC marks of technologies you are interested in, you can inspect relevant documentation in any of IP Australia's state offices.

The indices to use are

- A) Applications **OPI** IPC Index
- B) Applications Accepted IPC Index.

These indices give you the numbers of the applications which are either OPI or Accepted and are listed in order of their IPC marks.

Once you have the numbers of the documents that interest you, consult the relevant Number Index (see 2. above) to find the applicant's name, and then the Name Index (see 1. above) to find out the details of that application.

INID NUMBERS in use on Australian Patent Documents

INID is an acronym for 'Internationally agreed Numbers for the Identification of Data '.

(10) Document Identification

- (11) Number of the document
- (12) Plain language designation of the kind of document.
- (19) WIPO country code, or other identification, of the country publishing the document.

(20) Document filing data

- (21) The number(s) assigned to the application(s)
- (22) Date(s) of filing application(s)
- (23) Other date(s) of filing, including exhibition filing date of filing complete specification following provisional specification.
- (24) Date from which industrial property rights may have effect.

(30) Priority date

- (31) Number(s) assigned to priority application(s)
- (32) Date(s) of filing priority application(s)
- (33) Country (countries) in which the priority application(s) was (were) filed.

(40) Date(s) of making available to the public

- (43) Date of publication by printing or similar process of an unexamined document, on which no grant has taken place on or before the said date.
- (44) Date of publication by printing or similar process of an examined document, on which no grant has taken place on or before the said date.
- (45) Date of publication by printing or similar process of a document, on which grant has taken place on or before the said date.

(50) Technical Information

- (51) International Patent Classification.
- (52) Domestic or national classification.
- (54) Title of invention.
- (56) List of prior art documents, if separate from descriptive text.
- (57) Abstract or claim.

(60) Reference(s) to other legally related domestic document(s)

- (60) Related by cognate(s).
- (61) Related by addition(s)
- (62) Related by division(s).

(70) Identification of parties concerned with document

- (70) Name(s) of nominated person
- (71) Name(s) of applicant(s).
- (72) Name(s) of inventor(s) if known to be such.
- (74) Name(s) of attorney(s) or agent(s).
- (75) Name(s) of inventor(s) who is (are) also applicant(s)

(80) Identification of data related to International Conventions other than the Paris Convention

- (86) PCT Application Number.
- (87) PCT Publication Number.

NOTE:

(1) Australian patent documents published on or after 26 October 1978 should be referred to by the application number preceded by the AU-A or AU-B.

AU-A = Pre-examination AU-B = Post-examination

- (2) The classification used is the International Patent Classification and is identified by the INID code (51). Further editions of the classification are identified as $(51)^2$, $(51)^3$, $(51)^4$ and $(51)^5$.
- (3) INID code 74 provides for the name of patent attorney, or firm of attorneys, prosecuting an application.
- (4) No provision is made for addresses for service. Addresses for service of applicants not represented by an independent attorney or firm are viewable at www.ipaustralia.gov.au and on sale at the IP Australia State Offices.

OFFICIAL NOTICES

Patent Cooperation Treaty (PCT) Rule Changes Effective – 1 April 2006, and 1 April 2007

The PCT Assembly Meeting of September/October 2005 agreed to some amendments to the PCT Rules. Some of these rule changes come into effect on 1 April 2006. The more significant rule changes come into effect on 1 April 2007. The purpose of this notice is to provide an overview of the amendments, and their practical effect for practitioners dealing with IP Australia as an Authority under the PCT.

Note: This notice is intended to provide an overview of the new rules, and therefore focuses on the main issues. Where it is necessary to make use of the new mechanisms – especially with respect to Missing pages, and Restoration of Priority – practitioners should ensure they are familiar with all relevant provisions to ensure the mechanism is available in their particular circumstances. The text of the rule changes as submitted to the PCT Assembly are currently available at: www.wipo.int/meetings/en/doc_details.jsp?doc_id=48427

Rule changes with effect from 1 April 2006

Arabic as a language of Publication

Under Rule 12 of the PCT, an International Application can be filed in any language accepted by the Receiving Office. (IP Australia accepts a filing in *any* language – although it requires a translation into English for the purpose of Search and Examination [rules 12.3 and 55.2].) Rule 48.3 specifies the languages of publication. Where an application is not filed in a language of publication, the applicant must provide a translation into a language of publication within 14 months of the priority date.

Rule 48.3 has been amended to include Arabic as a language of publication. The languages of publication will now be Arabic, Chinese, English, French, German, Japanese, Russian and Spanish.

Amendment to PCT Minimum Documentation Requirements

Rule 34 sets out the 'Minimum Documentation' requirements for consideration during an International Search. It has been amended to include patent documents of the Republic of Korea.

International Publication, and PCT Gazette, in electronic form

There are a number of technical amendments to the PCT rules to properly accommodate the move to electronic publication of pamphlets, and the PCT Gazette.

Rule changes with effect from 1 April 2007

Missing Elements and Parts of the International Application

The PCT Rules have been amended to better deal with the situation where a PCT application is filed with a part or element missing. The principle changes are embodied in revised Rule 20, which sets out the basis for determining the International Filing Date.

The most notable aspect of this amendment is the ability to rectify the omission of a part or element without loss of the filing date, if the missing part or element was completely contained in the priority document. In order to invoke this mechanism:

• The PCT Request Form must include a statement of incorporation by reference of the priority document [see Rule 4.18]. (The statement can be added to the Request after the filing date – but ONLY if the statement was otherwise contained in or submitted with the international application when it was filed.) A standard statement (the form of wording having been agreed to by the member states) will be included on the PCT Request forms produced by WIPO (including PCT-Safe). Practitioners should not use an alternative form of wording unless they fully understand the implications in each of the possible designated states.

- For the incorporation by reference to be effective, it must be confirmed within 2 months of filing [see rules 20.6 and 20.7]. That is, it is important to identify the existence of a missing part or element fairly soon after filing. Where an entire element is missing, applicants can expect to receive a notification from the Receiving Office to this effect. However applicants should have no expectation that the Receiving Office will notice, or check for, the existence of a missing part.
- A copy of the priority document must be filed with the notice of confirmation if the applicant has not met rules 17.1(a), (b), or (b-bis) in relation to the priority document [Rule 20.6]. **In practical effect**, the need to file the priority document at the time of confirmation can only arise for applications filed with the Australian Receiving Office if the priority document is **not** an Australian application.
- When confirming the incorporation by reference, it will be necessary to identify the missing part or element in the priority document that is being incorporated [Rule 20.6].
- To maintain the filing date, the missing part or element must be incorporated without any change. If the Receiving Office finds that the missing part or element was *not* completely contained in the priority document, the missing part or element will still be included. However the international filing date will be corrected to be the date of filing the missing part [Rule 20.5(c), 20.6(c)].
- If the filing date is lost as a result of the incorporation of the missing part, the applicant can request the missing part be disregarded and the original filing date restored. This must be done within one month of being notified of a change in the filing date as a result of the incorporation of the missing part [Rule 20.5(e)].
- Where the applicant makes use of the incorporation by reference mechanism:
 - o this fact will be identified on the Pamphlet [Rule 48.2(v)];
 - o a Designated Office may require a translation of the priority document [Rule 51bis.1(e)(ii)] together with an indication of where the missing part or element was contained; and
 - o a Designated Office may treat the application as if the filing date had been lost as a result of the incorporation of the missing part or elements. This can only occur if the Designated Office considers the relevant rules under the PCT have not been complied with, and has given the applicant an opportunity to make observations. Where this situation arises, the applicant has an opportunity to request the missing part or element be disregarded such that the filing date is not lost [Rule 82ter.1].
 - o (**Note:** At this time, the manner in which these issues will be dealt with in the Australian legislation has not been decided.)

Reservations

The Rules provide for two reservations for this new mechanism:

- Firstly, a Receiving Office can make a reservation if the national law of that country is incompatible with certain specific rules [Rule 20.8(a)]. Consequently, the ability to deal with missing parts or elements may not be available before all Receiving Offices.
- Secondly, and more importantly, a Designated Office can make a reservation if the national law of that country is incompatible with certain specific rules [Rule 20.8(b)]. That is, while the Receiving Office may incorporate a missing part or element without loss of the filing date, a Designated Office that has made a reservation will allocate a later filing date. However, in such circumstances Rule 82ter will continue to apply so that the filing date can be restored by removing the missing part or element before that office.

It is anticipated that Australia will not be making any reservations under these provisions. However practitioners faced with having to rely on the missing parts provisions should note which countries have a current reservation against the mechanism.

Drafting of Provisional specifications

The missing parts mechanism comes into effect for PCT applications filed from 1 April 2007. Having regard to the possibility of restoration of priority, **practitioners should consider including at least one claim in any provisional applications filed after 1 February 2006**. This will ensure that the filing date of a PCT application claiming priority from that provisional application can maintain its filing date, in the event that the claims are accidentally omitted from the PCT application at filing.

Australian Practice for national filings

These changes to the PCT are an implementation of Article 5(6) and (7) of the Patent Law Treaty. Practitioners are reminded that the Australian legislation was amended in 2001 to implement this mechanism for national filings – see regulation 3.5A.

Restoration of the Right of Priority

The PCT Rules have been amended to provide for the restoration of the right of priority where an international application is filed up to two months after the end of the normal 12-month priority period. Formally this is not an extension of the priority period – but it has the same practical effect.

The restoration mechanism is largely dealt within new Rule 26bis.3, and operates as follows:

- Restoration is available in respect of priority applications filed between 12 and 14 months before the International Filing Date [Rule 26bis.3(a)].
- The request for restoration must be filed no later than 14 months from the filing date of the priority application [Rule 26bis.3(e)].
- The request should be accompanied by a declaration or other evidence in support of the requested restoration [Rule 26bis.3(b)(iii)], and the Receiving Office may require the declaration be filed with it 'within a time limit which shall be reasonable in the circumstances'. At this time it may be assumed that IP Australia will require such a declaration, and expect that typically it is filed at the same time as (or a small number of days after) the filing of the request for restoration.
- An extension can be granted on the basis that the Receiving Office is satisfied that the failure to file the international application within the priority period:
 - o occurred in spite of due care required by the circumstances having been taken; or
 - o was unintentional.
- Subject to reservations being made, each Receiving Office shall apply at least one of these criteria, and may apply both. It is presently envisaged that IP Australia will apply both criteria.
- A Receiving Office may charge a fee for processing requests for restoration of priority [Rule 26bis.3(d)]. It may be anticipated that IP Australia will charge a fee.
- The request must state the reasons for failure to file the international application within the priority period, and preferably be accompanied by a declaration [Rule 26bis.3(b)]. Practitioners should assume that the requirements of this declaration are the same as for declarations required to support an extension of time under s.223 of the *Patents Act 1990*.
- A request cannot be refused without giving the applicant an opportunity to make observations on the intended refusal.
- Where an extension is granted, that fact, and the criteria applied, will be published on the pamphlet [Rule 48.2(a)(xi) and (b)(vi) and (vii)].

An important issue is that of the criterion that is used in justification of the restoration. If the restoration occurs under the 'in spite of due care' criterion, that restoration must be recognised by all designated offices (subject to reservations having been made). Restorations based on the 'unintentional' criterion will only be recognised by those countries that apply 'unintentional' in their national law. Accordingly an extension granted on the basis of 'in spite of due care' is far preferable in terms of coverage than one based on 'unintentional'.

The Rules have put in place a regime that provides maximum certainty. However there is a need for checks and balances at the Designated Office stage. Accordingly, if a restoration is granted:

• the extension is not effective in a Designated State where the Designated Office or a court finds that the requirements to justify the restoration were not complied with [Rule 49ter.1(c)]. This particularly relates to the existence of the relevant criterion; but

• a Designated Office shall not review a decision of the Receiving Office unless it reasonably doubts (in particular) the relevant requirements were met [Rule 49ter.1(d)].

The fact that a Receiving Office refuses a request for restoration does not prevent the applicant applying for restoration under its national law, with Rule 49*ter*.2 setting out the requirements of national law that must be available (subject to any reservations made).

In making use of the restoration of priority mechanism, practitioners will need to be particularly mindful of:

- which criterion should the request be made in respect of, having regard to the reasons that are available to justify the restoration, and which countries accept the 'unintentional' criterion; and
- which countries have filed reservations, and in respect of which component of the mechanism. It is anticipated that many countries will file reservations with respect to certain parts of this mechanism.

Practitioners should note that the criterion of 'unintentional' can be equated to the s.223(2)(a) condition of 'error or omission'. The requirement of 'in spite of due care' is of narrower ambit. It would include the *force majeur* situations that arise under the s.223(2)(b) condition of 'circumstances beyond control...' It would also cover a range of s.223(2)(a) errors or omissions. But it would not cover situations where the applicant or their agent had not exercised due care to endeavour ensuring the application was filed within the priority period. For example, a failure to maintain a diary system would probably be taken as an absence of due care.

Rectification of Obvious Mistakes

Rule 91 has been substantially revised to remove some of the apparent anomalies in the provision. The most notable change is that the requirement that both the mistake and its rectification must be obvious will be assessed by 'the competent authority' rather than 'anyone'. In making this determination, the rule provides that:

- for a mistake in the description, claims or drawings: the Authority can only take into account the contents of the description, claims and drawings. Recourse to other documents (such as the priority document, or covering letters) is not allowed; and
- **for mistakes in the Request**: the Authority can only take into account the contents of the international application itself, together with any other document submitted with the request or any priority document.

Particular rectifications that cannot be made under the new provisions are:

- Inserting a missing page or element of the application [Rule 91.1(g)];
- rectification of the Abstract [Rule 91.1(g)(ii)];
- Article 19 amendments can only be rectified by a competent IPEA; and
- Rule 91.1(g)(iv) excludes a rectification of a priority claim if the rectification would cause a change in the priority date.

Cont'd

The new rule allows a Designated Office to disregard a rectification if it would not have authorised the rectification if it had been a competent Authority. Consequently if an applicant is successful before an Authority in obtaining a 'rectification' of something that is not an 'obvious mistake', there is no obligation for Designated Offices to accept that rectification.

In practical effect, practitioners can assume that the revised rule makes little change to the type of rectifications that can be made.

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Official Notice

Patents: Amendment of the Manual of Practice and Procedure

In October 2005 amendments were made to the Manual of Practice and Procedure, Volume 2 - National.

The principal change relates to:

• Updating the Quality Policy of the Patents & Designs Business Unit (0.1).

Other changes relate to minor clarifications, elaborations, updates and corrections of typographical errors, etc.

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Proceedings under the Patents Act 1990

Applications Lapsed, Refused Or Withdrawn Patents Ceased or Expired

Reference to the application numbers must include the year of the application of the patent, which is shown preceding the numbers.

The codes next to each number have the following meanings:

Code	Meaning
1	Application Lapsed Section 142(2)(a) \S 47(C)\
2	Application Lapsed Section 142(2)(b)
3	Application Lapsed Section 142(2)(c) \S 52B(3)\
4	Application Lapsed Section 142(2)(d) \S 47D(1)\
5	Application Lapsed Section 142(2)(e) \S 53\
6	Application Lapsed Section 142(2)(f)/Reg 8.3(3)
7	Application Lapsed Reg. 3.2(5)(a) \R 7B(3)\
8	Application Lapsed Reg. 3.4(6)
9	Application Lapsed Section 142(3)
10	Application Lapsed Section 142(4)(b)
11	Application Lapsed Section 148(1)(c)
12	Application Withdrawn Section 141(1)/Reg 8.3(2) \S 37\
13	Application Withdrawn Section 141(2)/Reg 8.3(2)
14	Patent Ceased Section 143(a), or Expired
15	Patent Ceased Section 143(b)
16	Application refused
17	Application Lapsed Regulation 22.2
Α	Applications on which examination has not been requested or directed
В	Applications on which a direction to request examination has been given
С	Applications on which examination has been requested or on which an examination report has been issued
D	Applications which have been accepted or advertised accepted, (including applications which have also been advertised 'Not Sealed')
N	Applications Not Open to Public Inspection
778505 (4	AD) 779181 (4D) 779701 (4D)

778505 (4D)	779181 (4D)	779701 (4D)
25181 (4C)	34201 (4C)	34539 (4C)
35580 (4C)	35668 (4C)	37745 (4C)
39752 (4C)	40317 (4C)	40359 (4C)
40378 (4C)	40501 (4C)	40525 (4C)
40585 (4C)	41820 (4C)	48820 (5C)
68944 (5C)	72511 (5C)	
2002		
42365 (5C)	50631 (5C)	

Extensions of Time, Section 223

Applications Received

Notice of opposition under Section 223(6) to the undermentioned application(s) for an extension of time may be lodged at the Patent Office within the prescribed time.

2000

77932 Masa-Therm S.A. and Rylewski, E. An application to extend the time from 22 May 2005 to 22 Dec 2005 in which to obtain acceptance has been lodged. . Address for service in Australia - Barker Blenkinship & Associates PO Box 34 CHATSWOOD NSW 2067

Extensions of Time, Section 223 -cont'd

781223 **Agensys, Inc.** An application to extend the time from 1 Feb 2004 to 1 Oct 2005 in which to provide search results under S45(3) has been filed . Address for service in Australia - F.B. Rice & Co. 139 Rathdowne Street CARLTON VIC 3053

Applications Allowed - Section 223(2)

1999

33580 **Xentex Technologies, Inc.** The time in which to pay a continuation fee has been extended to 18 Dec 2004. Address for service in Australia - SPRUSON & FERGUSON GPO Box 3898 SYDNEY NSW 2001

728042 HBS Herf R & D Pty Ltd. and PD Technology Management Pty Ltd. The time in which to pay a renewal fee has been extended to 24 Mar 2005 . Address for service in Australia - Shelston IP Level 21 60 Margaret Street SYDNEY NSW 2000

755968 Oakville Trading Hong Kong Ltd. The time in which to pay a renewal fee has been extended to 29 Aug 2005. Address for service in Australia - F B Rice & Co Level 23 44 Market Street SYDNEY NSW 2000

774416 **Arsenich, S.I.** The time in which to pay a renewal fee has been extended to 24 Jul 2005 . Address for service in Australia - Griffith Hack GPO Box 1285K MELBOURNE VIC 3001

778853 **FzioMed, Inc.** The time in which to provide search results under S45(3) has been extended to 1 Jun 2005 . Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

780895 **Pechiney Emballage Flexible Europe** The time in which to provide search results under S45(3) has been extended to 1 Aug 2005 . Address for service in Australia - PHILLIPS ORMONDE & FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

Amendments, Section 104

Applications for Amendment

A person interested in opposing the allowance of the amendment may, at any time within three months from the date of this journal, give notice at the Patent Office using the approved form accompanied by the prescribed fee.

697696 Stable solid formulation of enalapril salt and process for preparation thereof **Sherman, B.C.** The nature of the proposed amendment is as shown in the statement(s) filed 27 Jun 2005 and 25 Jul 2005. Address for service in Australia - Freehills Patent & Trade Mark Attorneys Level 43 101 Collins Street MELBOURNE VIC 3000

738775 A method for the production of sterile skimmed milk **Tetra Laval Holdings & Finance S.A.** The nature of the proposed amendment is as shown in the statement(s) filed 29 Aug 2005. Address for service in Australia - WATERMARK PATENT & TRADEMARK ATTORNEYS Locked Bag 5 HAWTHORN VIC 3122

743305 Evolution of whole cells and organisms by recursive

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Applications for Amendment -cont'd

sequence recombination **Maxygen**, **Inc.** The nature of the proposed amendment is as shown in the statement(s) filed 29 Jul 2005. Address for service in Australia - SPRUSON & FERGUSON GPO Box 3898 SYDNEY NSW 2001

782489 Methods and compositions for mitigating pain using nitrate esters **Queen's University at Kingston** The nature of the proposed amendment is as shown in the statement(s) filed 5 Sep 2005. Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

Amendments Made

749088 AXONYX and National Institute of Health The nature of the amendment is as was notified in the Official Journal dated 9 Sep 2004

749088 AXONYX and National Institute of Health The nature of the amendment is as was notified in the Official Journal dated 3 Feb 2005

Amendments Made -cont'd

752343 **Pfizer Products Inc.** The nature of the amendment is as was notified in the Official Journal dated 28 Apr 2005

757337 **Nektar Therapeutics** The nature of the amendment is as was notified in the Official Journal dated 16 Jun 2005

699469 Mitsubishi Fuso Truck and Bus Corp. and Mitsubishi Automotive Engineering Co., Ltd. The nature of the amendment is: Add the omitted co-patentee: Mitsubishi Automotive Engineering Co., Ltd.

782201 **Suntory Ltd. and Nippon Paper Industries Co., Ltd.** The nature of the amendment is: Amend invention title to read: Gene coding for protein involved in cytokinin signal transduction

2000

40317 East Carolina University The nature of the amendment is as shown in the statement(s) filed 19 Dec 2001 and 7 Feb 2002.

Applications Accepted Name Index

. The Nominated Person(s) (INID 70) are listed only if they differ from the Applicant(s) (INID 71). Otherwise only the Applicant(s) are listed.

- (71) Aderans Co., Ltd.
- (11) AU-B-66570/00 (10) 783482
- **(21)** 66570/00 **(22)** 17.10.00
- (54) WEARER'S OWN HAIR UTILIZING TYPE WIG AND METHOD FOR MANUFACTURING THE SAME
- (51)7 A41G 005/00
 - (31) 2000-117867 (32) 19.04.00 (33) JP 2000-23209- 31.07.00 JP
- (43) 25.10.01
- **(44)** 03.11.05
- (72) Yaguchi, T.; Isobedate, Y.; Sugai, K.; Imai, S.; Yamakawa, R.; Kojima, S.
- (74) F.B. Rice & Co.
- (71) Akzo Nobel N.V.
- (11) AU-B-72453/00 (10) 783508
- **(21)** 72453/00 **(22)** 21.12.00
- (54) SALMONELLA VACCINE
- (51)⁷ A61K 039/112 A61P 001/12 (31) 99204564 (32) 28.12.99 (33) EP
- (43) 05.07.01
- (44) 03.11.05
- (72) Nuijten, P.J.M.; Witvliet, M.H.
- (74) SPRUSON & FERGUSON
- (71) Allani, F.
- (11) AU-B-31818/01 (10) 783481
- **(21)** 31818/01 **(22)** 29.12.00
- (54) METHOD AND DEVICE FOR ACCESSING INFORMATION SOURCES AND SERVICES ON THE WEB
- (51)⁷ G06F 017/30
- (87) WO01/50341
 - (31) 99/16704 (32) 30.12.99 (33) FR
- **(43)** 16.07.01

- (44) 03.11.05
- (72) Allani, F.
- (74) Shelston IP
- (71) Alstom Power Boiler GmbH
- (11) AU-B-47525/02 (10) **783492**
- **(21)** 47525/02 **(22)** 13.06.02
- (54) METHOD FOR BURNING A SOLID AND/OR PASTY FUEL AND POWDER-FIRED STEAM GENERATOR FOR PERFORMING THE METHOD
- (51)⁷ F23K 001/04 F26B 003/04
 - (31) 10128526 (32) 13.06.01 (33) DE
- (43) 19.12.02
- **(44)** 03.11.05
- (72) Kessel, W.; Weissinger, G.; Angleys, M.
- (74) WATERMARK PATENT & TRADEMARK ATTORNEYS
- (71) Alstom Power Energy Recovery GmbH
- (11) AU-B-32991/02 (10) 783495
- **(21)** 32991/02 **(22)** 08.04.02
- (54) STEAM GENERATOR
- (51)⁷ F22D 007/12 F22B 001/18 F22D 007/00 (31) 10117989 (32) 10.04.01 (33) DE
- **(43)** 16.10.03
- **(44)** 03.11.05
- (72) Jekerle, J.
- (74) WATERMARK PATENT & TRADEMARK ATTORNEYS
- (71) AntiCancer, Inc.
- (11) AU-B-24069/00 (10) 783517
- **(21)** 24069/00 **(22)** 07.01.00
- (54) METASTASIS MODELS USING GREEN FLUORESCENT PROTEIN (GFP) AS A MARKER
- (51)⁷ A61K 049/00
- (87) WO00/40274
 - (31) 09/226856 (32) 07.01.99 (33) US

- (43) 24.07.00
- (44) 03.11.05
- (72) Tan, Y.; Chishima, T.
- (74) F.B. Rice & Co.
- (71) AstraZeneca AB
- (11) AU-B-36299/01 (10) **783496**
- **(21)** 36299/01 **(22)** 23.02.01
- (54) NOVEL COMPOUNDS
- (51)⁷ C07D 207/04 A61K 031/40 A61P 011/00 A61P 019/00 A61P 031/00 A61P 037/00 C07D 211/06 C07D 295/08 A61K 031/435
- (87) WO01/62728
 - **(31)** 0000620 **(32)** 25.02.00 0002234 14.06.00
 - 0002234 14.06.00 SE 0003979 31.10.00 SE

(33) SE

- **(43)** 03.09.01
- **(44)** 03.11.05
- (72) Bodkin, M.; Eriksson, T.; Hansen, P.; Hemmerling, M.; Henriksson, K.; Klingstedt, T.; Pettersson, L.
- (74) Freehills Patent & Trade Mark Attorneys
- (71) AstraZeneca AB
- (11) AU-B-25660/01 (10) 783499
- **(21)** 25660/01 **(22)** 19.12.00
- (54) METHOD AND COMPOSITION FOR THE TREATMENT OF PAIN
- (51)⁷ A61K 031/5025
- **(87)** WO01/47523
 - (31) 60/171906 (32) 23.12.99 (33) US 60/236835 29.09.00 US
- **(43)** 09.07.01
- **(44)** 03.11.05
- (72) Alford, V.; Bare, T.M.; Brown, D.G.; Mclaren, F.M.; Murphy, M.; Urbanek, R.A.; Xiao, W.
- (74) Freehills Patent & Trade Mark Attorneys
- (71) AstraZeneca AB
- (11) AU-B-14264/01 (10) 783507

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Applications Accepted - Name Index cont'd

- (21) 14264/01 (22) 01.11.00
- (54) POSITIVE MODULATORS OF NICOTINIC RECEPTOR AGONISTS
- (51)⁷ C07D 209/08 A61P 025/00 C07D 209/18 A61K 031/404
- WO01/32619
 - (31) 9903997 (32) 03.11.99 (33) SE
- (43) 14.05.01
- (44) 03.11.05
- (72)Gurley, D.; Lanthorn, T.; Macor, J.; Rosamond, J.
- Freehills Patent & Trade Mark Attorneys
- (71) Aware, Inc.
- (11) AU-B-32943/01 (10) 783527
- **(22)** 25.01.01 (21) 32943/01
- (54) SYSTEM AND METHOD FOR THE APPLICATION OF AN LMS METHOD TO UPDATING AN ECHO CANCELLER IN AN ADSL MODEM
- (51)7 H04B 003/23
- (87) WO01/56184
 - (31) 60/177944 (32) 25.01.00 (33) US
- (43) 07.08.01
- (44) 03.11.05
- (72) Tkachov, I.; Sandberg, S.D.
- (74) PIZZEYS
- (71) Boart Longyear International Holdings Inc
- AU-B-32976/02 (10) 783514 (11)(Modified Examination)
- 32976/02 (22) 08.04.02
- **UP-HOLE OVERSHOT AND SAFETY** (54)**DRILLING APPARATUS**
- (51)7 E21B 031/18 E21B 012/00
- (32) 27.04.01 (33) US
- (31) 09/845060
- (43) 31.10.02 (44) 03.11.05
- (72) Attwater, M.O.
- (74) Madderns
- (71) Boart Longyear International Holdings Inc
- (11) AU-B-15500/02 (10) 783523
- **(21)** 15500/02 (22) 08.02.02
- (54) UP-HOLE PUMP-IN CORE BARREL **APPARATUS**
- (51)7 E21B 025/02
 - (31) 09/779258 (32) 08.02.01 (33) US
- (43) 15.08.02
- (44) 03.11.05
- (72) Marshall, J.C.
- (74) Madderns
- (71) Canon Kabushiki Kaisha
- AU-B-44446/02 (10) 783510 (11)
- **(22)** 29.05.02 44446/02
- SOLAR-BATTERY ARRAY, AND (54)PHOTOVOLTAIC POWER GENERATION SYSTEM
- (51)7 H01L 031/042 H01L 031/05 H02H 001/06 (31) 2001-164355 (32) 31.05.01 (33) JP
- (43) 05.12.02
- (44) 03.11.05
- (72) Tsuzuki, H.; Takabayashi, A.
- (74) SPRUSON & FERGUSON
- (71) Caprion Pharmaceuticals, Inc.
- (11) AU-B-56375/00 (10) 783484
- (22) 23.06.00 (21) 56375/00
- PRION PROTEIN PEPTIDES AND USES (54)THEREOF
- (51)7 A61K 039/00 A61K 038/00 A61K 038/06 A61K 039/40 C07K 016/00 C12N 005/06

- G01N 033/53 A61K 039/395
- (87) WO00/78344
 - (31) 60/140634 (32) 23.06.99 (33) US
- (43) 09.01.01
- (44) 03.11.05
- Cashman, N.R.; Paramithiotis, E.; Slon-Usakiewicz, J.; Haghighat, A.; Pinard, M.: Lawton, T.
- (74) Griffith Hack
- (71) Castellon, M.D.
- (11) AU-B-37083/02 (10) 783511
- (21) 37083/02 (22) 01.05.02
- (54) DOOR MODULE FOR VEHICLES
- (51)7 B60J 005/00 (31) 0101257
- B60J 010/08
- (32) 17.05.01 (33) ES
- (43) 21.11.02
- (44) 03.11.05
- (72) Castellon, M.D.
- (74) Callinan Lawrie
- (71) Centor Products Pty Ltd
- (11) AU-B-37081/02 (10) 783535
- **(21)** 37081/02 (22) 01.05.02
- (54) A LOCKABLE CARRIER HINGE ASSEMBLY
- (51)7 E05D 015/26 E06B 003/48
 - (31) PR4807 (32) 04.05.01 (33) AU
- (43) 07.11.02
- (44) 03.11.05
- (72) Spork, N.F.; Pacholke, G.D.
- (74) Cullen & Co
- (71) Centre Hospitalier Regional Universitaire (CHRU)
- (11) AU-B-21771/01 (10) 783486
- (22) 23.11.00 **(21)** 21771/01
- (54) SYNTHETIC OLIGOMANNOSIDES. PREPARATION AND USES THEREOF
- (51)7 C07H 003/06 C07K 016/18
- (87) WO01/38338
 - (31) 99 14747 (32) 23.11.99 (33) FR
- (43) 04.06.01
- (44) 03.11.05
- (72) Esnault, J.; Sinay, P.; Chevalier, R.; Colombel, J.; Mallet, J.; Sendid, B.; Jouault, T.; Poulain, D.; Trinel, P.
- (74) Griffith Hack
- (71) Cheil Jedang Corp.
- (11) AU-B-23139/02 (10) 783498
- **(21)** 23139/02
- (22) 15.11.01 MICROORGANISMS PRODUCING L-GLUTAMINE AND PROCESSES FOR PRODUCING L-GLUTAMINE USING THE
- SAME (51)7 C12N 001/20
- (87) WO02/40643
 - (31) 2000-68284 (32) 17.11.00 (33) KR 2000-68285 17.11.00
- (43) 27.05.02
- (44) 03.11.05
- (72)Park, S.; Suh, S.; Lee, K.; Lee, D.; Kim, C.; Jeong, S.
- (74) WRAY & ASSOCIATES
- (71) Chi. C.
- (11) AU-B-44410/02 (10) 783483
- **(21)** 44410/02 (22) 28.05.02
- METHOD FOR MAKING A FOOTWARE HAVING A MIDSOLE SURROUNDED BY A COVER SHEET
- (51)7 A43B 013/42
- (43) 04.12.03

- (44) 03.11.05
- (72) Chi, C.
- (74) Griffith Hack
- (71) Colgate-Palmolive Co.
- (11) AU-B-77213/00 (10) 783518
- **(22)** 27.09.00 **(21)** 77213/00
- (54) MULTILAYERED LIQUID COMPOSITION
- (51)⁷ C11D 017/00 C11D 003/02 C11D 003/37 (87) WO01/23514
 - (31) 09/407393 (32) 28.09.99 (33) US
- (43)30.04.01
- (44) 03.11.05
- Fuller, R.L.; Sachdev, A.; Balot, P. (72)
- (74) F.B. Rice & Co.
- (71) Danisco A/S
- 18770/01
- (54) METHOD FOR PURIFYING PROTEINS
- WO01/38544
- (31) 9927801 (32) 24.11.99 (33) GB
- 04.06.01
- Johansen, C.L.; Kjaerulff, S.; Madrid, S.M.;
- WRAY & ASSOCIATES (74)
- (71) Deere & Co.
- (21) 59904/01 (22) 16.08.01
- UNLOADER TUBE PIVOT RING
- (43)
- (44) 03.11.05
- Davies Collison Cave (74)
- (11) AU-B-37983/01 (10) 783506
- COMPONENT FOR A PROSTHETIC JOINT HAVING A DIAMOND LOAD BEARING AND ARTICULATION SURFACE
- (87) WO01/54613

VVO01/3 4 013		
(31) 09/494241	(32) 30.01.00	(33) US
09/494278	30.01.00	US
09/494283	30.01.00	US
09/494285	30.01.00	US

- (43) 07.08.01
- (44) 03.11.05
- (72) Mccarthy, D.P.
- E.D.I.G. CONSTRUCTION MANAGEMENT LTD. see YEDA RESEARCH AND DEVELOPMENT **COMPANY LIMITED**
- (11) AU-B-72553/00
- (71) Emhart Glass S A
- (11) AU-B-27713/02 (10) 783532
- (54) CONTROL FOR AN I.S. MACHINE
- (31) 09/829704 (32) 10.04.01 (33) US
- 17.10.02

- (11) AU-B-18770/01 (10) 783526
- **(22)** 24.11.00 (21)
- (51)⁷ C12N 015/53 (87)
- (43)
- (44) 03.11.05
- Pedersen, H.; Poulsen, C.H.; Zargahi, M.R.
- (11) AU-B-59904/01 (10) 783491
- **MECHANISM**
- (51)7 A01D 041/127

(32) 12.09.00 (33) US

- (31) 660171
- 14.03.02
- (72) Signer, T.N.; Depoorter, M.C.; Gerber, E.M.
- (71) Diamicron, Inc.
- **(21)** 37983/01 (22) 29.01.01
- (51)7 A61F 002/32

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Applications Accepted - Name Index cont'd

- (44) 03.11.05
- (72) Simon, J.S.
- (74) Griffith Hack
- (71) Ethicon Endo-Surgery (Europe) GmbH
- (11) AU-B-89644/01 (10) 783533
- **(21)** 89644/01 **(22)** 11.07.01
- SYSTEM FOR VARICOSE VEIN (54)TREATMENT
- (51)7 A61B 018/04
- (87) WO02/17805
 - (31) 10042493 (32) 30.08.00 (33) DE
- (43)13.03.02
- (44) 03.11.05
- (72) Longo, A.; Neurohr, M.
- (74) Freehills Patent & Trade Mark Attorneys
- (71) F.X.K. Patents Ltd.
- (11) AU-B-40646/02 (10) 783530
- (21) 40646/02 (22) 14.05.02
- (54) A PRESSURE REGULATOR
- (51)7 A62B 009/02 B63C 011/22 (31) 0112958 (32) 29.05.01 (33) GB
- 05.12.02 (43)
- (44) 03.11.05
- (72) Kay, F.X.
- (74) Shelston IP
- (71) Ferag AG
- (11) AU-B-35600/02 (10) 783529
- **(21)** 35600/02 (22) 22.04.02
- (54) DEVICE FOR GATHERING FLAT ARTICLES INTO STACKS AND FOR FURTHER PROCESSING THE STACKS
- (51)7 B65H 031/06 B65H 031/28 (31) 764/01 (32) 26.04.01 (33) CH
- (43)31.10.02
- (44) 03.11.05
- (72) Honegger, W.
- (74) Griffith Hack
- (71) Fujiwara, M.
- (11) AU-B-35568/02 (10) 783490
- (21) 35568/02 (22) 19.04.02 (54) SCRAPING DEVICE FOR SLUDGE OR THE LIKE
- B01D 021/18
 - (31) 2001/161423 (32) 21.04.01 (33) JP 2002/33204 06.01.02
- (43) 24.10.02
- (44) 03.11.05
- (72) Fujiwara, M.
- (74) Griffith Hack
- (71) GC Corp.
- (11) AU-B-27462/02 (10) 783500 (Modified Examination)
- 27462/02 (22) 19.03.02
- PRE-TREATMENT KIT FOR SALIVA AND PRE-TREATMENT METHOD FOR SALIVA USING THE SAME
- G01N 033/569 (51)⁷ G01N 033/84 (31) 2001-92769 (32) 28.03.01 (33) JP
 - 2001-18662-20.06.01 6
- (43) 03.10.02
- (44) 03.11.05
- (72) Okada, J.; Kobayashi, Y.
- PHILLIPS ORMONDE & FITZPATRICK
- (71) GC Corp.
- (11) AU-B-34385/02 (10) 783501

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- (21) 34385/02 (22) 17.04.02
- (54) EXAMINATION METHOD OF BUFFER CAPACITY OF SALIVA AND EXAMINATION INSTRUMENT OF BUFFER CAPACITY OF
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- (43) 31.10.02
- (44) 03.11.05
- (72) Takagi, K.; Okada, J.; Watanabe, Y.
- (74) PHILLIPS ORMONDE & FITZPATRICK
- (71) Glaxo Group Ltd.
- (11) AU-B-14024/01 (10) 783519
- **(21)** 14024/01 (22) 15.11.00
- (54) METHOD FOR THE PRODUCTION OF **PARTICLES**
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- (72) Nicola, M.
- (74) Fisher Adams Kelly
- (71) Hayco Manufacturing Ltd
- (11) AU-B-48838/02 (10) 783489
- (21) 48838/02 (22) 19.06.02
- (54) INSERT FOR FACILITATING MULTI-COMPONENT MOULDING AND METHOD OF MOULDING
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- (43)09.01.03
- (44) 03.11.05
- (72) Spooner, G.C.
- (74) Freehills Patent & Trade Mark Attorneys
- (71) IGT
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- **(21)** 29240/02 (22) 28.03.02
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- (72) Wells, W.; Kaminkow, J.
- (74) Griffith Hack

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- **(21)** 17631/01 (22) 09.11.00
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- (51)7 C12N 009/00
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- (74) PIZZEYS

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- (11) AU-B-70349/00
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- (54) FACTOR VII OR VIIA-LIKE MOLECULES
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- **(31)** 200000218 (32) 11.02.00 (33) DK 200001558 18.10.00 DK
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- (74) SPRUSON & FERGUSON
- (71) Merck Patent GmbH
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- (21) 23594/01 **(22)** 27.11.00
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- (71) Methylgene, Inc.
- AU-B-18768/01 (10) 783504 (11)(22) 22.11.00 18768/01
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- 03.11.05 Delorme, D.; Ruel, R.; Lavoie, R.; Thibault, (72)C.; Abou-Khalil, E.
- Blake Dawson Waldron (74)
- (71) Modempak Ltd.
- (11) AU-B-27692/02 (10) 783528 (Modified Examination)
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- (31) 510975
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- Oklahoma Medical Research Foundation
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- (71) Pai. C.
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- (72) Pai, C.
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- (71) Pharmacia & Upjohn Co.

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- (51)⁷ A61K 031/565 A61K 009/00 A61K 031/57
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- (43) 25.06.01
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- (72) Moseley, W.M.; Foster, T.P.; Singh, S.K.
- PHILLIPS ORMONDE & FITZPATRICK
- (71) Pharmos Corp.
- (11) AU-B-67789/01 (10) 783522
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- (43) 02.01.02
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- (72) Garzon, A.; Fink, G.
- (74) Griffith Hack
- (71) Rath. Dr. M.
- (11) AU-B-13691/01 (10) 783520
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- (51)7 A61K 031/375 A61P 009/00 A61P 035/00
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- (43) 18.07.02
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- (74) Davies Collison Cave
- (71) Regents of the University of California, The
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- (74) Shelston IP
- (71) Rightway Industry Co. Ltd
- (11) AU-B-71454/00 (10) 783476
- (21) 71454/00 (22) 06.11.00
- (54) HYDRAULIC FORMING MACHINE FOR METAL TUBES
- (51)⁷ B21D 041/00 B21D 007/04
- (43) 09.05.02
- (44) 03.11.05
- (72) Chou, H.
- (74) Freehills Patent & Trade Mark Attorneys
- (71) Roadships Logistics Ltd.
- (11) AU-B-93431/01 (10) 783478
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- (72) Harker, S.C.
- (74) Cullen & Co
- (71) Rohm and Haas Co.
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- (43) 02 05 02
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- (72) Gebhard, M.S.; Koziski, K.A.
- (74) Davies Collison Cave

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- (11) AU-B-72553/00
- (71) Samsung Gwangju Electronics Co., Ltd.
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- (54) FLUID COMPRESSING APPARATUS
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- (71) Sulzer Hexis AG
- (11) AU-B-65624/01 (10) 783494
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- (54) METHOD FOR OPERATING A FUEL CELL **BATTERY**

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- (72) Keller, M.; Ruegge, A.
- WATERMARK PATENT & TRADEMARK ATTORNEYS
- (71) Temasek Life Sciences Laboratory
- (11) AU-B-41625/00 (10) 783537
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- (51)⁷ C12N 015/00
- (87) WO01/53452
- (43)31.07.01
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- (72)Xie, D.; Hong, Y.
- Griffith Hack (74)
- (71) Temco Japan Co., Ltd.
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- (22) 17.08.01 (21) METHOD AND DEVICE FOR (54)
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- (43) 04 03 02 (44) 03 11 05
- Takeda, T. (72)
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- (43) 06.06.01
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- (72) Craik, D.J.; Anderson, M.A.; Jennings, C.V.
- (74) Davies Collison Cave
- (71) UOP LLC
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- **(21)** 53941/01 (22) 20.06.01
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- (51)7 C10G 065/12
- (43) 02.01.03
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- (72) Kalnes, T.N.
- (74) WATERMARK PATENT & TRADEMARK **ATTORNEYS**
- (71) Vanderbilt University
- (11) AU-B-19331/01 (10) 783479
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- (51)⁷ A61K 031/00 A61K 038/00
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- (31) 09/450071 (32) 29.11.99 (33) US
- (43) 04.06.01

- (44) 03.11.05
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- (51)⁷ G05B 019/418 B63B 059/00 G05B 019/402 (32) 23.11.99 (33) US **(31)** 447973
- (43) 24.05.01
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- (72) Morton, J.S.
- (74) Davies Collison Cave
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- (74) SPRUSON & FERGUSON
- (71) Weinstein, A.I.
- (10) 783534 (11) AU-B-53663/00
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- (44) 03.11.05
- (72) Weinstein, A.I.
- (74) Griffith Hack
- (71) Women's And Children's Hospital; Luminis Ptv Ltd.
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- (51)⁷ C12N 001/21 A61K 035/74 A61K 031/702 A61K 031/7028
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- (43)17.04.01
- (44) 03.11.05
- (72) Paton A · Morona R · Paton J
- (74) A.P.T. Patent and Trade Mark Attorneys
- (71) YEDA RESEARCH AND DEVELOPMENT COMPANY LIMITED; E.D.I.G. CONSTRUCTION MANAGEMENT LTD.; ROTEM INDUSTRIES LTD.
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- (72) Karni, J.; Doron, P.; Danino, M.
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783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/-	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/-	783487 783507 C07D 211/- 783496 C07D 221/-	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511	783487 783507 C07D 211/- 783496 C07D 221/- 783503	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/-	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/-
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533 A61F 002/-	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516 A61P 031/-	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511	783487 783507 C07D 211/- 783496 C07D 221/- 783503 C07D 233/-	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/- 783518	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/- 783495
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533 A61F 002/- 783506	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511 B60P 001/- 783478	783487 783507 C07D 211/- 783496 C07D 221/- 783503 C07D 233/- 783522	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/- 783518 C12N 001/-	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/- 783495 F22D 007/-
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533 A61F 002/- 783506 A61K 009/-	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516 A61P 031/- 783496	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511 B60P 001/- 783478 B60P 003/-	783487 783507 C07D 211/- 783496 C07D 221/- 783503 C07D 233/- 783522 C07D 285/-	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/- 783518 C12N 001/- 783498 783526	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/- 783495 F22D 007/- 783495
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533 A61F 002/- 783506 A61K 009/- 783538	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516 A61P 031/- 783496 783502 A61P 035/- 783502	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511 B60P 001/- 783478 B60P 003/- 783478	783487 783507 C07D 211/- 783496 C07D 221/- 783503 C07D 233/- 783522 C07D 285/- 783504	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/- 783518 C12N 001/- 783498 783526 783536	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/- 783495 F22D 007/- 783495 F23K 001/-
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533 A61F 002/- 783506 A61K 009/- 783538 A61K 031/-	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516 A61P 031/- 783496 783502 A61P 035/- 783502 783502 783520	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511 B60P 001/- 783478 B60P 003/- 783478 B62D 053/-	783487 783507 C07D 211/- 783496 C07D 221/- 783503 C07D 233/- 783522 C07D 285/- 783504 C07D 295/-	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/- 783518 C12N 001/- 783498 783526 783536 C12N 005/-	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/- 783495 F22D 007/- 783495 F23K 001/- 783492
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533 A61F 002/- 783506 A61K 009/- 783538 A61K 031/- 783479 783496	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516 A61P 031/- 783496 783502 A61P 035/- 783502 A61P 037/-	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511 B60P 001/- 783478 B60P 003/- 783478 B62D 053/- 783478	783487 783507 C07D 211/- 783496 C07D 221/- 783503 C07D 233/- 783522 C07D 285/- 783504 C07D 295/- 783496	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/- 783518 C12N 001/- 783498 783526 783536 C12N 005/- 783484	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/- 783495 F22D 007/- 783495 F23K 001/- 783492 F24J 002/-
783528 A47G 019/- 783524 A47J 031/- 783524 A61B 018/- 783533 A61F 002/- 783506 A61K 009/- 783538 A61K 031/- 783479	783520 A61P 011/- 783496 A61P 019/- 783496 A61P 025/- 783507 783516 A61P 031/- 783496 783502 A61P 035/- 783502 783502 783520	783489 B29C 065/- 783489 B60J 005/- 783511 B60J 010/- 783511 B60P 001/- 783478 B60P 003/- 783478 B62D 053/-	783487 783507 C07D 211/- 783496 C07D 221/- 783503 C07D 233/- 783522 C07D 285/- 783504 C07D 295/- 783496 C07D 311/-	C09D 133/- 783513 C10G 065/- 783493 C11D 003/- 783518 C11D 017/- 783518 C12N 001/- 783498 783526 783536 C12N 005/-	E21B 031/- 783514 F04B 039/- 783477 F04B 053/- 783477 F22B 001/- 783495 F22D 007/- 783495 F23K 001/- 783492

Applications Accepted - IPC Index cont'd

F26B 003/-	G01N 033/-	G06F 017/-	H01L 031/-	H02H 001/-	H04B 003/-
783492	783484 783500	783481	783510	783510	783527
G01N 021/-	783501 783502	G07F 017/-	H01M 008/-	H02J 007/-	H04R 001/-
783501	G05B 019/-	783509	783494	783494	783531
	783497				

		Letters	Patent S	ealed			
Opposit	ion Proceedings						
(The name in the parentheses is that of the opponent) Opposition Lodged		Standard Patents					
		764078	781759	781980	782005	782009	782020
		782031	782039	782043	782062	782065	782068
		782077	782094	782101	782102	782103	782104
782113	Stargames Corporation Pty Ltd and Crown Limited (Vision Gaming Pty Ltd)	782105	782106	782107	782108	782109	782110
		782111	782114	782115	782116	782118	782119
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738707 Powe	Powell, S.W. (Waterpower System Pty Ltd)	782140	782141	782142	782143	782144	782145
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781174	GS Technology Pty Ltd (Brisbane City Council)	782153	782154	782155	782156	782157	782159
781173 GS	GS Technology Pty Ltd (Brisbane City Council)	782160	782161	782162	782163	782164	782165
		782166	782167	782168	782169	782170	782171
780782	G S Technology Pty Ltd (Brisbane City Council)	782172	782173	782174	782175	782176	782177
		782178	782181	782182	782183	782185	782186
740561	SmithKline Beecham plc (Apotex Inc)	782187	782188	782189	782190	782191	782192
		782193	782194	782195	782196	782197	782198

782199

Opposition under Section 104(4) - Withdrawn

Opposition under Section 104(4) - Lodged

740561	SmithKline Beecha	am plc (A	potex Inc)
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Application Withdrawn

761556

709548	Sangstat Medical Corporation and University of North Carolina at Chapel Hill (Hexal Australia Pty Ltd)
764599	Sangstat Medical Corporation and University of North Carolina at Chapel Hill, The (Hexal Australia Pty Ltd)

Formstar Print Technologies Pty. Ltd. (Datacreation Pty Ltd t/a Online Print Solutions Pty Ltd)

Assignments Registered

782200

730978 H.T. Idee B.V. The patent has been assigned to Compagno B.V.

766705 Schering Aktiengesellschaft The patent has been assigned to **Acusphere**, **Inc.**

Corrigenda

In Vol 19, No 1, Page(s) 10 under the heading **Applications Accepted-Name Index** In the name of Imperial College Innovations Ltd. and Health Protection Agency, The, Serial No. 779086, INID (71), amend the applicants' name to read Imperial College Innovations Ltd. and Health Protection Agency

3 November 2005

AUSTRALIAN OFFICIAL JOURNAL OF PATENTS

Specifications Republished

The following specifications contained errors when advertised OPI or Accepted. They have been reissued on the AU-A or AU-B CD-ROM of this Journal date.

779086 Imperial College Innovations Ltd. and Health Protection Agency

783317 Honda Giken Kogyo Kabushiki Kaisha

783385 Medical Research Council