



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),
PO Box 200 Woden ACT 2606

Or

Telephone 1300 651 010
(International Callers +61 2 6283 2999)
Fax 02 6283 7999
E-mail assist@ipaustalia.gov.au

CONTACT INFORMATION

Customer Service Network
Telephone 1300 651 010 , Fax: 02 6283 7999
E-mail: assist@ipaustalia.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

2nd 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 Australian 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 symbol is an alpha-numerical representation of a particular area of technology. These indices are in order of IPC symbol, and within each symbol 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:

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

Priority document <u>number(s)</u>	(31)	International patent <u>classification symbols</u>	(51)
<u>Date</u> of filing of priority document(s)	(32)	PCT publication <u>number</u>	(87)
<u>Country</u> in which priority document filed	(33)	Priority document <u>number(s)</u>	(31)
Publication <u>date</u> of unexamined document	(43)	<u>Date</u> of filing of priority document(s)	(32)
Inventors <u>names</u> if known	(72)	<u>Country</u> in which priority document filed	(33)
<u>Patent Attorneys</u>	(74)	Publication <u>date</u> of unexamined document	(43)
Related by addition	(61)	Publication <u>date</u> of examined document	(44)
Related by division	(62)	Publication <u>date</u> of granted document	(45)
		Inventors <u>names</u> if known	(72)
		<u>Patent Attorneys</u>	(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 Technical Subject that You are Interested in if You Know the International Patent Classification Symbol for that Technical Subject.

All patent applications are classified according to their technical subject matter using the International Patent Classification (IPC). Although the system is very detailed and covers all technologies, knowledge of the IPC symbols of the technical subject that you are interested in will allow you to find patent documents in those technologies quite easily. To identify the IPC symbols for the technical subject that you are interested in, please consult the official IPC web page at <http://www.wipo.int/classifications/ipc/ipc8>. This web page has extra aids to locate the classification symbols such as a catchword index, definitions and illustrations. The IPC symbols may appear in publications in boldface (for "invention information") or regular typeface (for "additional information"). The italic typeface indicates that IP Australia classifies into the advanced level of IPC. The version indicator after each IPC symbol, e.g. (2006.01), indicates the year and the month that the symbol first appeared in IPC.

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 symbols.

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 **N**umbers for the **I**dentification of **D**ata '.

(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 Notice

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

As advised in an Official Notice published in the *AOJP* on 3 November 2005, the 34th Session of the PCT Union Assembly adopted amendments to the PCT Rules on 5 October 2005. Some of these rule changes come into effect on 1 April 2006. The *Patents Regulations 1991* have now been amended to update the text in schedule 2A of the Regulations to include the rule changes that 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 adopted by the PCT Assembly are set out in document PCT/A/34/6 available at: www.wipo.int/meetings/en/doc_details.jsp?doc_id=54120. Proposals to further amend the Rules due to enter into force on 1 April 2007 (in the nature of clarifications and consequential amendments) will be considered by the 8th Session of the Working Group on Reform of the PCT on May 8 to 12, 2006 – see PCT/R/WG/8/2 at www.wipo.int/meetings/en/doc_details.jsp?doc_id=57192.

Rule changes with effect from 1 April 2006

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. As of the first international publication after 1 April 2006, international publication of international applications and any republications of previously published international applications will take place wholly in electronic form. Further information is available in the *PCT Newsletter March 2006 (No. 02/2006)*, available from www.wipo.int/pct/en/newslett/.

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.

Exceptions to the all-inclusive designation system

This amendment concerns a drafting correction to the text of Rule 4.9(b) in order to avoid an unintended effect.

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:
 - this fact will be identified on the Pamphlet [Rule 48.2(v)];
 - a Designated Office may require a translation of the priority document [Rule 51*bis*.1(e)(ii)] together with an indication of where the missing part or element was contained; and

- 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 82*ter*.1].
- (**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 82*ter* 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 26*bis*.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 26*bis*.3(a)].
- The request for restoration must be filed no later than 14 months from the filing date of the priority application [Rule 26*bis*.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:
 - occurred in spite of due care required by the circumstances having been taken; **or**
 - 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 49ter.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 majeure* 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.*

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.

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.

Queries: **For operational matters:**
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E-mail: assist@ipaustralia.gov.au
Web: www.ipaustralia.gov.au

ABSTRACTS OF DECISIONS

DECISION OF A DELEGATE OF THE COMMISSIONER OF PATENTS

Application	:	No. 757669 in the name of Ajax Cooke Pty Ltd
Title	:	Threaded Fastening System
Action	:	Opposition under S59 of the <i>Patents Act 1990</i> by Loi & Tran Pty Limited
Decision	:	Issued 17 March 2006 .

Abstract

The application related to a threaded screw fastener for attaching profiled sheeting panels to support. The opponent alleged that a particular phrase “linear circular incision” appearing in claim 1 was unclear. When properly construed in the context of the specification and claims, the phrase was found to be clear.

The claims were also found to be novel over an alleged anticipation because the latter did not disclose a characterising feature of the invention. The citation was considered to be a “mere paper anticipation” and does not provide “clear and unmistakable directions” provide a screw fastener with the functionality to make a “linear circular incision through the panel”. The citation was not directed to the same problem and it would not lead a non inventive skilled worker to modify the features of the citation for the particular application. Consequently, the ground that the claims lacked an inventive step was not made out.

Consequently, the opposition was dismissed with costs going against the opponent.

Proceedings under the Patents Act 1990

Change of Name(s) of Applicant(s), Section 104

2001

31638 Bayer CropScience N.V. The name of the applicant(s) has been changed to **Bayer BioScience N.V.**

77381 Ube Industries, Ltd. The name of the applicant(s) has been changed to **Ube Industries, Ltd.; Osaka Gas Co., Ltd**

Extensions of Time, Section 223

Applications Allowed - Section 223(2)

626617 **John Guest Engineering Ltd.** The time in which to pay a renewal fee has been extended to 30 Nov 2005 . Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

636740 **Halo, Inc.** The time in which to pay a renewal fee has been extended to 23 Jun 2005 . Address for service in Australia - Mills Oakley Patent Attorneys PO Box 453 Collins Street West VIC 8007

668677 **University of Florida** The time in which to pay a renewal fee has been extended to 4 Nov 2005 . Address for service in Australia - Griffith Hack GPO Box 1285K MELBOURNE VIC 3001

672755 **Ghahary, A.** The time in which to pay a renewal fee has been extended to 22 Sep 2005 . Address for service in Australia - Davies Collison Cave GPO Box 3876 SYDNEY NSW 2001

700261 **Corex Plastics (Australia) Pty Ltd** The time in which to pay a renewal fee has been extended to 3 Jan 2006 . Address for service in Australia - PHILLIPS ORMONDE & FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

707667 **eNexus Corp.** The time in which to pay a renewal fee has been extended to 3 Nov 2005 . Address for service in Australia - Davies Collison Cave GPO Box 3876 SYDNEY NSW 2001

730616 **Beaton, R.J.** The time in which to pay a renewal fee has been extended to 21 Nov 2005 . Address for service in Australia - Ross James Beaton 22 Lakeview Drive Ocean Grove VIC 3226

730656 **General Hospital Corp., The** The time in which to pay a

Extensions of Time, Section 223 -cont'd

renewal fee has been extended to 17 May 2005 . Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

759083 **STECO Logistic GmbH** The time in which to pay a renewal fee has been extended to 5 Oct 2005 . Address for service in Australia - F B Rice & Co Level 23 44 Market Street SYDNEY NSW 2000

Amendments, Section 104

Amendments Made

743305 **Maxygen, Inc.** The nature of the amendment is as was notified in the Official Journal dated 3 Nov 2005

749214 **Euro-Celtique S.A.** The nature of the amendment is as was notified in the Official Journal dated 6 Oct 2005

760546 **Regents of the University of California, The** The nature of the amendment is as was notified in the Official Journal dated 13 Oct 2005

764211 **Protein Design Labs, Inc.** The nature of the amendment is as was notified in the Official Journal dated 29 Sep 2005

777847 **QinetiQ Ltd.** The nature of the amendment is as was notified in the Official Journal dated 29 Sep 2005

780575 **Regents of The University of California, The** The nature of the amendment is as was notified in the Official Journal dated 13 Oct 2005

781382 **Scripps Research Institute, The** The nature of the amendment is as was notified in the Official Journal dated 29 Sep 2005

781958 **Targeted Genetics Corp.** The nature of the amendment is as was notified in the Official Journal dated 27 Oct 2005

783059 **University College Cardiff Consultants Ltd.** The nature of the amendment is as was notified in the Official Journal dated 6 Oct 2005

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.

<p>(71) American Bioscience, Inc. (11) AU-B-50359/00 (10) 784416 (21) 50359/00 (22) 19.05.00 (54) PROTEIN STABILIZED PHARMACOLOGICALLY ACTIVE AGENTS, METHODS FOR THE PREPARATION THEREOF AND METHODS FOR THE USE</p>	<p>THEREOF (51) Int. Cl. A61K 47/42 (2006.01) A61K 9/10 (2006.01) (87) WO00/71079 (31) 09/316642 (32) 21.05.99 (33) US (43) 12.12.00 (44) 30.03.06</p>	<p>(72) Desai, N.P.; Tao, C.; Yang, A.; Louie, L.; Yao, Z.; Soon-Shiong, P.; Magdassi, S. (74) SPRUSON & FERGUSON</p> <hr/> <p>(71) Asahi Kogaku Kogyo Kabushiki Kaisha (11) AU-B-95159/01 (10) 784421 (21) 95159/01 (22) 29.11.01 (54) CARRIER HAVING IMMOBILIZED</p>
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Applications Accepted - Name Index cont'd

ANTIGENS OR ANTIBODIES AND METHOD OF MANUFACTURING THEREOF
 (51) Int. Cl.
C07K 17/00 (2006.01)
C07K 17/14 (2006.01)
 (31) 2000-362762 (32) 29.11.00 (33) JP
 (43) 06.06.02
 (44) 30.03.06
 (72) Yamamoto, A.; Sugo, K.
 (74) SPRUSON & FERGUSON

(71) Baker Hughes Inc.
 (11) AU-B-97368/01 (10) 784431
 (21) 97368/01 (22) 20.12.01
 (54) EXPANDABLE PACKER ISOLATION SYSTEM
 (51) Int. Cl.
E21B 33/127 (2006.01)
 (31) 60/257224 (32) 21.12.00 (33) US
 (43) 27.06.02
 (44) 30.03.06
 (72) Coronado, M.P.; Wood, E.T.; Voll, B.A.; Khodaverdian, M.F.; Vincent, R.; Ho, V.N.
 (74) Freehills Patent & Trade Mark Attorneys

(71) Best Bars Ltd.
 (11) AU-B-44432/02 (10) 784430
 (Modified Examination)
 (21) 44432/02 (22) 21.05.02
 (54) IMPROVEMENTS IN OR RELATING TO DETACHABLE COUPLINGS
 (51) Int. Cl.
B60D 1/52 (2006.01)
B60D 1/00 (2006.01)
B60D 1/06 (2006.01)
B60D 1/32 (2006.01)
 (31) 511946 (32) 24.05.01 (33) NZ
 (43) 28.11.02
 (44) 30.03.06
 (72) Parker, M.J.

(71) Boehringer Ingelheim Pharmaceuticals, Inc.
 (11) AU-B-36499/01 (10) 784433
 (21) 36499/01 (22) 22.01.01
 (54) METHOD FOR COATING PHARMACEUTICAL DOSAGE FORMS
 (51) Int. Cl.
A61K 9/20 (2006.01)
 WO01/54670
 (31) 09/494099 (32) 28.01.00 (33) US
 (43) 07.08.01
 (44) 30.03.06
 (72) Cappola, M.L.
 (74) Davies Collison Cave

(71) Canon Kabushiki Kaisha
 (11) AU-B-78258/01 (10) 784409
 (21) 78258/01 (22) 05.10.01
 (54) METHOD OF MEASURING LIQUID COMPOSITION, LIQUID COMPOSITION, INK SET, METHOD FOR FORMING COLORED PORTION ON RECORDING MEDIUM, AND INK-JET RECORDING APPARATUS
 (51) Int. Cl.
G01N 25/00 (2006.01)
C09C 1/40 (2006.01)
C09C 3/04 (2006.01)
C09D 11/00 (2006.01)
 (31) 2000-307910 (32) 06.10.00 (33) JP
 (43) 11.04.02

(44) 30.03.06
 (72) Tomioka, H.; Kato, M.; Endo, M.
 (74) SPRUSON & FERGUSON

(71) Dow Chemical Co., The
 (11) AU-B-80221/00 (10) 784425
 (21) 80221/00 (22) 13.10.00
 (54) MODIFIED PLANT VIRUSES AND METHODS OF USE THEREOF
 (51) Int. Cl.
A61K 39/385 (2006.01)
 (87) WO01/26682
 (31) 9924351 (32) 14.10.99 (33) GB
 (43) 23.04.01
 (44) 30.03.06
 (72) Brennan, F.
 (74) Freehills Patent & Trade Mark Attorneys

(71) ECOLEATHER PTY LTD
 (11) AU-B-97040/01 (10) 784412
 (21) 97040/01 (22) 03.12.01
 (54) METHOD AND APPARATUS FOR MAKING ARTIFICIAL CAVIAR
 (51) Int. Cl.
A23P 1/02 (2006.01)
A23L 1/328 (2006.01)
 (31) PR0342 (32) 25.09.00 (33) AU
 (43) 28.03.02
 (44) 30.03.06
 (72) Kholin, B.
 (74) Griffith Hack

(71) Edwards Lifesciences Corp.
 (11) AU-B-15890/01 (10) 784413
 (21) 15890/01 (22) 07.11.00
 (54) VENOUS RETURN CANNULA WITH ENHANCED DRAINAGE
 (51) Int. Cl.
A61M 25/00 (2006.01)
 (87) WO01/34237
 (31) 09/438172 (32) 11.11.99 (33) US
 (43) 06.06.01
 (44) 30.03.06
 (72) Cosgrove, D.M.; Davis, S.H.
 (74) PETER MAXWELL & ASSOCIATES

(71) Giken Trastem Co., Ltd.
 (11) AU-B-54471/01 (10) 784406
 (21) 54471/01 (22) 19.07.01
 (54) OBJECT RECOGNITION METHOD
 (51) Int. Cl.
G06K 9/62 (2006.01)
G06K 9/46 (2006.01)
 (31) 2000-219581 (32) 19.07.00 (33) JP
 (43) 24.01.02
 (44) 30.03.06
 (72) Shibuya, S.
 (74) SPRUSON & FERGUSON

(71) Hamilton Pharmaceuticals, Inc.
 (11) AU-B-34145/01 (10) 784418
 (21) 34145/01 (22) 23.02.01
 (54) METHOD FOR TREATING NEURODEGENERATION
 (51) Int. Cl.
A61K 31/4015 (2006.01)
A61P 25/28 (2006.01)
 (87) WO01/62246
 (31) 09/511952 (32) 23.02.00 (33) US
 (43) 03.09.01
 (44) 30.03.06
 (72) Otomo, E.; Takasu, Y.
 (74) SPRUSON & FERGUSON

(71) Honda Giken Kogyo Kabushiki Kaisha
 (11) AU-B-10223/02 (10) 784429
 (21) 10223/02 (22) 17.01.02
 (54) MOVABLE BODY PROGRESS DIRECTION NAVIGATING APPARATUS
 (51) Int. Cl.
G05D 1/02 (2006.01)
G05D 3/12 (2006.01)
G05D 3/20 (2006.01)
 (31) 2001-029495 (32) 06.02.01 (33) JP
 (43) 08.08.02
 (44) 30.03.06
 (72) Katayama, M.; Morita, H.
 (74) SPRUSON & FERGUSON

(71) Hospal International Marketing Management
 (11) AU-B-13525/02 (10) 784408
 (21) 13525/02 (22) 23.01.02
 (54) PRESSURE MEASUREMENT DEVICE COMPRISING A MOTORIZED LOAD SENSOR AND A PROCESS FOR CONTROLLING THE DEVICE
 (51) Int. Cl.
A61B 5/02 (2006.01)
 (31) 0015972 (32) 08.12.00 (33) FR
 (43) 13.06.02
 (44) 30.03.06
 (72) Chevallet, J.; Court, T.
 (74) WRAY & ASSOCIATES

(71) Hu, T.
 (11) AU-B-10067/02 (10) 784432
 (21) 10067/02 (22) 07.01.02
 (54) CUTTING TOOL DEVICE FOR WOOD PLANING MACHINE
 (51) Int. Cl.
B27C 1/00 (2006.01)
B27C 1/14 (2006.01)
B27G 13/00 (2006.01)
 (43) 10.07.03
 (44) 30.03.06
 (72) Hu, T.
 (74) WATERMARK PATENT & TRADEMARK ATTORNEYS

(71) Intercell AG
 (11) AU-B-31665/01 (10) 784403
 (21) 31665/01 (22) 05.01.01
 (54) PHARMACEUTICAL COMPOSITION FOR IMMUNOMODULATION AND PREPARATION OF VACCINES COMPRISING AN ANTIGEN AND AN IMMUNOGENIC OLIGODEOXYNUCLEOTIDE AND A POLYCATIONIC POLYMER AS ADJUVANTS
 (51) Int. Cl.
A61K 39/39 (2006.01)
A61K 39/02 (2006.01)
A61K 39/12 (2006.01)
A61P 35/00 (2006.01)
A61P 37/00 (2006.01)
C07K 14/34 (2006.01)
A61K 31/722 (2006.01)
A61K 39/002 (2006.01)
C07K 14/155 (2006.01)
A61K 31/7125 (2006.01)
 (87) WO01/54720
 (31) 129/2000 (32) 28.01.00 (33) AT
 (43) 07.08.01
 (44) 30.03.06

Applications Accepted - Name Index cont'd

(72) Lingnau, K.; Mattner, F.; Schmidt, W.;
Birnstiel, M.; Buschle, M.
(74) WRAY & ASSOCIATES

(71) IPWireless, Inc.
(11) AU-B-75711/01 (10) 784411
(21) 75711/01 (22) 27.07.01
(54) USE OF RADIUS IN UMTS TO PERFORM
HLR FUNCTION AND FOR ROAMING
(51) Int. Cl.
H04Q 7/00 (2006.01)
(87) WO02/11467
(31) 09/626700 (32) 27.07.00 (33) US
(43) 13.02.02
(44) 30.03.06
(72) Jones, W.J.; Bowring, M.; Williams, A.G.
(74) Shelston IP

(71) Island Block and Paving Pty Ltd
(11) AU-B-57818/01 (10) 784415
(21) 57818/01 (22) 06.08.01
(54) RETAINING WALL BLOCK
(51) Int. Cl.
E02D 17/20 (2006.01)
E02B 3/06 (2006.01)
(31) PQ9239 (32) 07.08.00 (33) AU
(43) 14.02.02
(44) 30.03.06
(72) Fawdry, W.J.
(74) PHILLIPS ORMONDE & FITZPATRICK

(71) JCR Pharmaceuticals Co., Ltd.
(11) AU-B-15589/02 (10) 784414
(21) 15589/02 (22) 13.02.02
(54) ANTI-HIV AGENTS
(51) Int. Cl.
A61K 38/49 (2006.01)
A61K 38/16 (2006.01)
A61P 31/18 (2006.01)
A61K 39/395 (2006.01)
(31) 2001-042655 (32) 20.02.01 (33) JP
2001-184284 19.06.01 JP
(43) 22.08.02
(44) 30.03.06
(72) Wada, M.; Wada, N.
(74) Cullen & Co

(71) Karsten Manufacturing Corp.
(11) AU-B-97087/01 (10) 784417
(21) 97087/01 (22) 06.12.01
(54) GOLF PUTTER HEAD AND METHOD OF
MAKING SAME
(51) Int. Cl.
A63B 53/04 (2006.01)
(31) 09/738669 (32) 15.12.00 (33) US
(43) 20.06.02
(44) 30.03.06
(72) Solheim, J.K.
(74) Davies Collison Cave

(71) Kraft Foods Holdings, Inc.
(11) AU-B-79380/01 (10) 784402
(21) 79380/01 (22) 12.10.01
(54) PROCESS FOR MAKING CASEINLESS
CREAM CHEESE-LIKE PRODUCTS
(51) Int. Cl.
A23C 20/02 (2006.01)
A23C 19/093 (2006.01)
(31) 09/696053 (32) 25.10.00 (33) US
(43) 02.05.02
(44) 30.03.06

(72) Han, X.; Gregg, J.A.; Lindstrom, T.R.; Loh,
J.P.
(74) Griffith Hack

(71) Might, R.J.
(11) AU-B-85521/01 (10) 784428
(21) 85521/01 (22) 30.10.01
(54) METHOD AND APPARATUS FOR
GATHERING AND EVALUATING
INFORMATION
(51) Int. Cl.
G06Q 50/00 (2006.01)
(31) 09/699425 (32) 31.10.00 (33) US
(43) 02.05.02
(44) 30.03.06
(72) Might, R.J.
(74) WATERMARK PATENT & TRADEMARK
ATTORNEYS

Osaka Gas Co., Ltd see Ube Industries, Ltd
(11) AU-B-77381/01

(71) Palomar Medical Technologies, Inc.; The
General Hospital Corp.
(11) AU-B-34570/01 (10) 784423
(21) 34570/01 (22) 25.01.01
(54) METHOD AND APPARATUS FOR MEDICAL
TREATMENT UTILIZING LONG DURATION
ELECTROMAGNETIC RADIATION
(51) Int. Cl.
A61B 18/20 (2006.01)
(87) WO01/54606
(31) 60/177943 (32) 25.01.00 (33) US
60/235814 27.09.00 US
(43) 07.08.01
(44) 30.03.06
(72) Altshuler, G.B.; Anderson, R.R.; Battle, E.;
Smotrich, M.; Zenzie, H.H.; Manstein, D.;
Smirnov, M.Z.
(74) Davies Collison Cave

(71) Pioneer Corp.
(11) AU-B-48935/02 (10) 784407
(21) 48935/02 (22) 25.06.02
(54) APPARATUS AND METHOD FOR
DISPLAYING ELECTRONIC PROGRAM
GUIDE
(51) Int. Cl.
H04N 5/445 (2006.01)
(31) 2001-197303 (32) 28.06.01 (33) JP
(43) 02.01.03
(44) 30.03.06
(72) Inoue, T.
(74) SPRUSON & FERGUSON

(71) Solahart Industries Pty Ltd
(11) AU-B-97477/01 (10) 784427
(21) 97477/01 (22) 27.12.01
(54) REFLECTOR FOR SOLAR COLLECTOR
TUBE ARRAY
(51) Int. Cl.
F24J 2/14 (2006.01)
(31) PR2381 (32) 03.01.01 (33) AU
(43) 04.07.02
(44) 30.03.06
(72) Mills, D.
(74) Griffith Hack

(71) Stevia ApS
(11) AU-B-30028/01 (10) 784422
(21) 30028/01 (22) 01.02.01
(54) A SUBSTANCE FOR THE USE IN A
DIETARY SUPPLEMENTATION OR FOR

THE PREPARATION OF A MEDICAMENT
FOR THE TREATMENT OF NON-INSULIN
DEPENDENT DIABETES MELLITUS,
HYPERTENSION AND/OR THE
METABOLIC SYNDROME
(51) Int. Cl.
C07C 13/64 (2006.01)
A61K 31/19 (2006.01)
A61P 3/10 (2006.01)
A61P 9/12 (2006.01)
C07C 13/68 (2006.01)
C07C 61/29 (2006.01)
C07C 61/35 (2006.01)
C07C 62/32 (2006.01)
A61K 31/015 (2006.01)
A61K 31/704 (2006.01)
C07H 15/256 (2006.01)
(87) WO01/56959
(31) 2000 00163 (32) 01.02.00 (33) DK
(43) 14.08.01
(44) 30.03.06
(72) Hermansen, K.; Gregersen, S.; Jeppesen,
P.B.
(74) Fisher Adams Kelly

(71) Tanox, Inc.
(11) AU-B-12403/01 (10) 784426
(21) 12403/01 (22) 27.10.00
(54) TISSUE FACTOR ANTAGONISTS AND
METHODS OF USE THEREOF
(51) Int. Cl.
A61K 31/00 (2006.01)
(87) WO01/30333
(31) 60/161855 (32) 27.10.99 (33) US
(43) 08.05.01
(44) 30.03.06
(72) Jiao, J.; Luepschen, L.K.; Nieves, E.L.;
Wong, H.C.; Taylor, D.P.
(74) PIZZEYS

(71) Texas Tech University
(11) AU-B-71190/00 (10) 784405
(21) 71190/00 (22) 07.09.00
(54) TRANSGENIC FIBER PRODUCING
PLANTS WITH INCREASED EXPRESSION
OF SUCROSE PHOSPHATE SYNTHASE
(51) Int. Cl.
A01H 5/00 (2006.01)
A01H 5/10 (2006.01)
(87) WO01/17333
(31) 09/394272 (32) 10.09.99 (33) US
(43) 10.04.01
(44) 30.03.06
(72) Haigler, C.H.; Holaday, A.S.
(74) PHILLIPS ORMONDE & FITZPATRICK

The General Hospital Corp. see Palomar
Medical Technologies, Inc.
(11) AU-B-34570/01

(71) Turbocare, Inc.
(11) AU-B-51425/01 (10) 784434
(21) 51425/01 (22) 05.04.01
(54) IMPROVED BRUSH-SEAL DESIGNS FOR
TURBINES AND SIMILAR ROTARY
APPARATUS
(51) Int. Cl.
F16J 15/32 (2006.01)
(87) WO01/76348
(31) 09/543951 (32) 06.04.00 (33) US
(43) 23.10.01
(44) 30.03.06

Applications Accepted - Name Index cont'd

(72) Dalton, W.S.; Sulda, E.; Dalton, P.S.; Catlow, W.G.
 (74) SPRUSON & FERGUSON

(71) Ube Industries, Ltd; Osaka Gas Co., Ltd
 (11) AU-B-77381/01 (10) 784419
 (21) 77381/01 (22) 03.10.01
 (54) JOINT TO BE ADHERED TO NYLON RESIN MOLDINGS
 (51) Int. Cl.
 B29C 65/48 (2006.01)
 (31) 2000-306463 (32) 05.10.00 (33) JP
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 (44) 30.03.06
 (72) Isobe, N.; Fujimura, H.; Matsuda, S.; Higuchi, Y.
 (74) SPRUSON & FERGUSON

(71) United States Filter Corp.
 (11) AU-B-57549/01 (10) 784410
 (21) 57549/01 (22) 07.05.01
 (54) LOW CAPACITY CHLORINE GAS FEED SYSTEM
 (51) Int. Cl.
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 (87) WO01/86194
 (31) 09/569157 (32) 11.05.00 (33) US
 (43) 20.11.01
 (44) 30.03.06
 (72) Haruch, D.; Cabrera, M.D.; Van Grouw, A.; Stockinger, G.
 (74) SPRUSON & FERGUSON

(71) University of Iowa Research Foundation
 (11) AU-B-80032/00 (10) 784420
 (21) 80032/00 (22) 06.10.00
 (54) ADENO-ASSOCIATED VIRUSES AND USES THEREOF
 (51) Int. Cl.
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 A61K 48/00 (2006.01)
 C12N 5/10 (2006.01)
 C12N 7/01 (2006.01)
 (87) WO01/25465
 (31) 60/158209 (32) 07.10.99 (33) US
 (43) 10.05.01
 (44) 30.03.06
 (72) Engelhardt, J.F.; Dongsheng, D.; Yan, Z.
 (74) PHILLIPS ORMONDE & FITZPATRICK

(71) University of Pittsburgh
 (11) AU-B-15703/01 (10) 784404
 (21) 15703/01 (22) 16.10.00
 (54) NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES ENCODING THEM, AND THEIR USE
 (51) Int. Cl.
 C12N 15/12 (2006.01)
 C07K 14/47 (2006.01)
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 (87) WO01/29218
 (31) 09/418839 (32) 15.10.99 (33) US
 (43) 30.04.01

(44) 30.03.06
 (72) Getzenberg, R.H.
 (74) Griffith Hack

(71) University of Utah Research Foundation
 (11) AU-B-12300/01 (10) 784424
 (21) 12300/01 (22) 26.10.00
 (54) FLUORESCENT COBALAMINS AND USES THEREOF
 (51) Int. Cl.
 C07H 23/00 (2006.01)
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 (87) WO01/30967
 (31) 60/161368 (32) 26.10.99 (33) US
 (43) 08.05.01
 (44) 30.03.06
 (72) Grissom, C.B.; West, F.G.; McGreevy, J.; Bentz, J.S.
 (74) Shelston IP

(71) Wyers, P.W.
 (11) AU-B-68628/01 (10) 784435
 (21) 68628/01 (22) 21.06.01
 (54) INSECT COLLECTION DEVICE
 (51) Int. Cl.
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 (87) WO01/97609
 (31) 60/213008 (32) 21.06.00 (33) US
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 (44) 30.03.06
 (72) Wyers, P.W.
 (74) PATENT ATTORNEY SERVICES

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784402	Kraft Foods Holdings, Inc.	784420	University of Iowa Research Foundation
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Assignments Registered

Opposition Proceedings

(The name in the parentheses is that of the opponent)

Opposition Withdrawn

770253 **Naiad Inflatables New Zealand Limited** (Arib Pty Ltd)

Application Withdrawn

743305 **Maxygen, Inc.** (Diversa Corporation)

Letters Patent Sealed

Standard Patents

757636	783152	783672	783685	783690	783698
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596996 **Avecia Inc.** The patent has been assigned to **DSM IP Assets B.V.**

597928 **Avecia Limited** The patent has been assigned to **DSM IP Assets B.V.**

630769 **Donald George Harding** The patent has been assigned to **Alltech Refrigeration Services (Australia) Pty Ltd**

673180 **Douglas George Gwilliam; David George Norman** The patent has been assigned to **Procut Diamond Tools Limited**

688133 **Derek Linaker** The patent has been assigned to **UPOWER International Holdings Limited**

691193 **Avecia BV; Avecia Limited** The patent has been assigned to **DSM IP Assets B.V.**

701611 **Avecia Limited** The patent has been assigned to **DSM IP Assets B.V.**

726011 **Donald George Harding** The patent has been assigned to **Alltech Refrigeration Services (Australia) Pty Ltd**

730892 **Avecia B.V.; Avecia Limited** The patent has been assigned to **DSM IP Assets B.V.**

738332 **Avecia B.V.** The patent has been assigned to **DSM IP Assets B.V.**

743887 **Scott Nicholson** The patent has been assigned to **Chamberlain Australia Pty Ltd**

Assignments Registered - cont'd

752335 Robert Dennis George Burnell; Athol Chambers The patent has been assigned to **Hothold Solutions Ltd**

759083 STEINER Technology GmbH The patent has been assigned to **STECO Logistic GmbH**

763838 AMX Corporation The patent has been assigned to **AMX LLC**

767740 AMX Corporation The patent has been assigned to **AMX LLC**

769723 AMX Corporation The patent has been assigned to **AMX LLC**

770034 AMX Corporation The patent has been assigned to **AMX LLC**

773995 AMX Corporation The patent has been assigned to **AMX LLC**

Alteration Of Name In Register

701401 LAICA S.R.L. The name of the patentee(s) has been changed to **Laica S.p.A.**

755968 Oakville Trading Hong Kong Limited The name of the patentee(s) has been changed to **Oakville Hong Kong Co., Limited**