



**Australian Government**

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**IP Australia**

**AUSTRALIAN OFFICIAL JOURNAL**

**OF**

**PATENTS**



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## General Information

For information on the following please see our website [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au) or contact our Customer Service Network on 1300651010

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INID (Internationally agreed Numbers for the Identification of Data)

## GUIDE TO THE USE OF THIS JOURNAL

The Australian Official Journal of Patents (AOJP) reports all 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.

### (iii) NATIONAL PHASE ENTRY (NPE) -

For an application filed under the PCT to have full effect, it must move from the international phase of processing into the National phase of processing, by complying with the requirements of s.89(3). For PCT applications that were filed after 1 January 2004 which have entered the National Phase certain details are published.

### (iv) 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. Notice of opposition may be filed within three months of advertisement of acceptance.

### (v) 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. If the opposition is to the Certification of an Innovation Patent, the patent number and the name of the opponent are published.

### (vi) 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 application number.

### (vii) CERTIFICATION-

This is the Commissioner's Certification after passing examination of a previously granted unexamined Innovation Patent.

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 countries and 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 **I**nternationally **a**greed **N**umbers for the **I**dentification of **D**ata 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 date on which a document is filed has the INID number (22), while the name of the applicant has the INID number of (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 a number at the filing stage in their processing. Each Australian application will retain the same number throughout its life, though different numbers may be associated to the application. The number will incorporate the year of lodgment then a unique number within the appropriate range.

There will be number ranges for types of patents:

100,000 – 199,999	Innovation
200,000 – 799,999	Standard
800,000 – 899,999	Petty
900,000 – 999,999	Provisional

When searching for information and ordering documents it is vital that you understand the numbering systems.

1. **Provisional Applications** are given a ten-figure number

e.g. 2002901123

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

2. **Complete and Innovation Applications** are also given a ten-figure application number

e.g. 2002200345 Standard  
2002100123 Innovation

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; eg AU-A-2002200234.  
A document corresponding to an accepted application carries the prefix AU-B; eg AU-B-2002200234.

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 ten-figure application number is identified by the INID number (21).

**NOTE:** When ordering any patent document from us, whether accepted or not, please quote the ten-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
- (iv) Applications Entered National Phase
- (v) Applications Accepted, and
- (vi) Innovation Patent Certified.

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, for applications which have entered national phase 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 application 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</u> <u>No.</u>	<u>ITEM</u>	<u>INID</u> <u>No.</u>
<b>A) Provisional applications filed - Name Index</b>		<b>B) Complete applications filed - Name Index</b>	
The <u>name</u> of the applicant	(71)	The <u>name</u> of the applicant	(71)
The Provisional application <u>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> of which priority documents filed	(33)
		PCT application <u>number</u>	(86)
<u>ITEM</u>	<u>INID</u> <u>No.</u>	<u>ITEM</u>	<u>INID</u> <u>No.</u>
<b>C) Applications open to public inspection - Name Index</b>		<b>D) Applications entered National Phase - Name Index</b>	
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> assigned to the application	(21)

The <u>date</u> of filing	(22)	The <u>date</u> of filing	(22)
The <u>title</u>	(54)	The <u>title</u>	(54)
The <u>classification marks</u>	(51)	The <u>classification marks</u>	(51)
Priority document <u>number(s)</u>	(31)	PCT publication <u>number</u>	(87)
<u>Date</u> of filing of priority document(s)	(32)	Priority document <u>number</u>	(31)
<u>Country</u> in which priority document filed	(33)	<u>Date</u> of filing of priority document(s)	(32)
Publication <u>date</u> of unexamined document	(43)	<u>Country</u> in which priority document filed	(33)
Inventors <u>names</u> if known	(72)	Publication <u>date</u> of unexamined document	(43)
<u>Patent Attorneys</u>	(74)	Inventors <u>names</u> if known	(72)
Related by addition	(61)	<u>Patent Attorneys</u>	(74)
Related by division	(62)		

<u>ITEM</u>	<u>INID</u> <u>No.</u>	<u>ITEM</u>	<u>INID</u> <u>No.</u>
<b>E) Applications accepted - Name Index</b>		<b>F) Patents Certified – Name Index</b>	
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 accepted document	(10)
The <u>number</u> of the accepted document	(10)	The <u>number</u> assigned to the application	(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>	(54)
The <u>title</u>	(54)	The <u>classification marks</u>	(51)
The <u>classification marks</u>	(51)	Priority document <u>number</u>	(31)
PCT publication <u>number</u>	(87)	<u>Date</u> of filing of priority document(s)	(32)
Priority document <u>number</u>	(31)	<u>Country</u> in which priority document filed	(33)
<u>Date</u> of filing of priority document(s)	(32)	Publication <u>date</u> of granted patent	(45)
<u>Country</u> in which priority document filed	(33)	Inventors <u>names</u>	(72)
Publication <u>date</u> of unexamined document	(43)	<u>Patent Attorneys</u>	(74)
Publication <u>date</u> of examined document	(44)	Related by division	(62)
Publication <u>date</u> of granted patent	(45)		
Inventors <u>names</u>	(72)		
<u>Patent Attorneys</u>	(74)		
Related by addition	(61)		
Related by division	(62)		

You will notice at each stage of following 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) **Innovation** Applications filed.
- D) Applications **Open to Public Inspection**.
- E) Applications **Entered National Phase**
- F) Applications **Accepted**.
- G) Innovation Patent **Certified**

## 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
- C) Applications **Entered National Phase** – IPC Index

These indices give you the numbers of the applications which are either OPI, Entered National Phase 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 **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) Number(s) assigned to the application(s).
- (22) Date(s) of filing application(s)
- (23) Other date(s) of filing, including exhibition filing date and date of filing complete specification following provisional specification.
- (24) Date from which industrial property rights may have effect.

### (30) Priority data

- (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 or certification 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 the document

- (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 prefix 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)<sup>2</sup>, (51)<sup>3</sup>, (51)<sup>4</sup> and (51)<sup>5</sup>.
- (3) INID code 74 provides for the name of the patent attorney, or firm of attorneys, prosecuting an application.

Official Notice

**Victorian State Office  
Relocation Notice**

We are pleased to announce that the Victorian State Office of IP Australia will be moving to new premises effective from Monday, May 7, 2007.

The new office is located between Elizabeth and Swanston Streets in the heart of Melbourne's central business district.

The new address will be:

Level 1, 257 Collins Street  
Melbourne Vic 3000  
(Access is via lifts at the rear of the building)

IP Australia will join a range of agencies at the "Innovation @ 257 Resource Centre" involved in helping innovators and entrepreneurs alike to assess the feasibility of their business ideas.

All phone, facsimile and e-mail address numbers remain unchanged:

**Contact:** IP Australia  
**Phone:** 1300 651 010  
**Fax:** +61 2 6283 7999  
**E-mail:** [assist@ipaaustralia.gov.au](mailto:assist@ipaaustralia.gov.au)  
**Web:** [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)

### Official Notice

## Patent Cooperation Treaty (PCT) Rule Changes Effective – 1 April 2007

Amendments to the Regulations under the Patent Cooperation Treaty (PCT) ('the PCT Rules') are due to come into force on 1 April 2007. The more significant amendments address the situation where a PCT application is filed with missing elements or parts; restoration of priority where an international application is filed up to two months after the end of the 12 month priority period; rectification of obvious mistakes; addition of Korean patent documents to the minimum documentation to be searched; and a change regarding the size of text in the international application.

The *Patents Regulations 1991* have now been amended to give effect to the amendments under Australian law and to update the text in schedule 2A of the Regulations. These amendments are set out in Schedule 4 to the *Intellectual Property Legislation Amendment Regulations 2007 (No. 1)*.

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. Practitioners should also note the revised PCT Rules are subject to reservations by particular member states and hence, while Australia has not made any reservations under the new provisions, the benefit of the changes may not be available in all other jurisdictions. In some cases a large number of reservations are in place. A list of PCT reservations is provided at [http://www.wipo.int/pct/en/texts/reservations/res\\_incomp.pdf](http://www.wipo.int/pct/en/texts/reservations/res_incomp.pdf).**

The amendments were adopted at the 34<sup>th</sup> and 35<sup>th</sup> Sessions of the PCT Union Assembly. The text of the rule changes are set out in PCT Notification Nos. 177 and 180, available at: [http://www.wipo.int/edocs/notdocs/en/pct/treaty\\_pct\\_177.html](http://www.wipo.int/edocs/notdocs/en/pct/treaty_pct_177.html) and [http://www.wipo.int/edocs/notdocs/en/pct/treaty\\_pct\\_180.html](http://www.wipo.int/edocs/notdocs/en/pct/treaty_pct_180.html) respectively.

## 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. This is subject to any reservations made by designated offices. 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 is 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].
- New subregulation 8.3(5) has been inserted to provide an amended definition of the international filing date to take account of circumstances where the Commissioner treats another date as the international filing date under Rule 82*ter*.

### Drafting of Provisional specifications

Having regard to the possibility of restoration of priority, **practitioners should consider including at least one claim in any provisional applications**. 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 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)].
- 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. **IP Australia will apply both criteria.**
- A Receiving Office may charge a fee for processing requests for restoration of priority [Rule 26bis.3(d)].
- The request must state the reasons for failure to file the international application within the priority period, and should be accompanied by a declaration [Rule 26bis.3(b)] setting out the facts that support the reasons given. 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 fee of \$200 is payable to IP Australia as the Receiving Office for consideration of the request (new fee item 308).
- If IP Australia intends to refuse a request for restoration of priority, the applicant will be provided a notice of intended refusal according to form PCT/RO/158 and given at least one opportunity to make observations and, where applicable, to submit further declaratory evidence supporting the request for restoration. The period provided for observations or submission of further evidence will be at least one month.
- 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)].
- Subregulation 3.12(2) has been amended to provide for the restoration of the right of priority provided that the restored right of priority has not been found to be ineffective under Rule 49ter.1.

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 seeks to provide a high degree of 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*.

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

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. Rule 91 has also been amended to clarify the date of effect of a rectification. In the case where the mistake is in a part of the international application as filed, the effective date is the international filing date. Otherwise, the effective date will be the date on which the document including the mistake was filed [Rule 91.1(f)].

Subregulations 8.3 (1BA), (1BB) and (1BC) have been substituted by new subregulation 8.3 (1BA). This provides for the date of effect of the rectification for applications proceeding in the national phase and makes it clear that a rectification may be disregarded by the Commissioner.

## 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. IP Australia generally searches well beyond the minimum documentation and has already been searching documents from the Republic of Korea to the extent that English language abstracts are available. Therefore, there will be no significant change in practice as a result of implementing this amended rule.

## Change regarding the size of text in the international application

PCT Rule 11.9(d) has been amended with effect from 1 April 2007, so as to increase the minimum height of capital letters in the text matter of the international application from 0.21 cm to 0.28 cm. This new height is approximately equivalent to a Times New Roman 12 point font, and applies to any text matter of the international application except for the request, noting that the request as such is not published.

None of the other requirements under PCT Rule 11 will change on 1 April 2007. However, because of the difficulty that OCR scanners have in recognizing handwritten characters, PCT Rule 26.4 has been amended so as to no longer permit corrections to the international application by hand. Therefore, in the case of a correction of any element of the international application other than the request, the applicant will be required, as from 1 April 2007, to submit a replacement sheet embodying the correction together with an accompanying letter drawing attention to the differences between the replaced sheet and the replacement sheet.

**Queries:**           **For operational matters:**

Cecelia Woodford  
PCT Unit Manager  
+61 2 6283 2225

**For legal matters**

Phil Spann  
Deputy Commissioner  
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+61 2 6283 2348

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**Phone:** 1300 651 010  
**Fax:** +61 2 6283 7999  
**E-mail:** [assist@ipaaustralia.gov.au](mailto:assist@ipaaustralia.gov.au)  
**Web:** [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)

Official Notice

## Declaration of the days when the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office and their sub-offices are taken not to be open for business

On 27 March 2007, the new close-down provisions in the designs, Olympic insignia protection, patents, plant breeder's rights and trade marks legislation commenced. These provisions govern the effect of the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office ('the Canberra offices') or any of their sub-offices in the State capitals ('State offices') not being open for business.

For more information on the effect of the new close-down provisions, please see the Official Notices of 23 March 2007 titled "*Intellectual Property Legislation Amendment Regulations 2007 (No. 1)* and *the new close-down provisions in the trade marks legislation*" available on IP Australia's website through the page [www.ipaustralia.gov.au/resources/officialnotices.shtml](http://www.ipaustralia.gov.au/resources/officialnotices.shtml).

The Director General of IP Australia has declared under the new provisions the days when the Canberra offices and the State offices will not be open for business for the rest of this year. A copy of the declaration is attached. It covers the period from 27 March 2007 to 1 January 2008—from the date of commencement of the new provisions to the last day of IP Australia's 2007 Christmas to New Year close-down.

Later this year—when all of the State public holidays for the 2008 Calendar year have been proclaimed—the Director General will declare the days in 2008 when the Canberra offices and the State offices will not be open for business.

The Canberra offices and the State offices will not be open for business on the following days in the period 27 March 2007 to 1 January 2008.

All the Canberra offices and the State offices:

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008

Friday 6 April 2007

Good Friday

Monday 9 April 2007

Easter Monday

Wednesday 25 April 2007

Anzac Day

Tuesday 25 December 2007 to Tuesday 1 January 2008  
down.

Christmas to New Year close-

The following are the additional days when the Canberra offices and particular States offices will not be open for business:

### The Canberra offices

Monday 11 June 2007

Queen's Birthday holiday

Monday 1 October 2007

Labour Day

### The New South Wales office

Monday 11 June 2007

Queen's Birthday holiday

Friday 7 September 2007

APEC Summit holiday

Monday 1 October 2007

Labour Day

### The Queensland office

Monday 7 May 2007

Labour Day

Monday 11 June 2007

Queen's Birthday holiday



Wednesday 15 August 2007

**The South Australian office**

Monday 11 June 2007

Monday 1 October 2007

**The Tasmanian office**

Monday 11 June 2007

Thursday 25 October 2007

**The Victorian office**

Monday 11 June 2007

Tuesday 6 November 2007

**The Western Australian office**

Monday 4 June 2007

Monday 1 October

Royal Queensland Show Day

Queen's Birthday holiday

Labour Day

Queen's Birthday holiday

Royal Hobart Show Day

Queen's Birthday holiday

Melbourne Cup Day

Foundation Day

Queen's Birthday holiday

**Contact:** IP Australia  
**Phone:** 1300 651 010  
**Fax:** +61 2 6283 7999  
**E-mail:** [assist@ipaustralia.gov.au](mailto:assist@ipaustralia.gov.au)  
**Web:** [www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)

## **Director General of IP Australia**

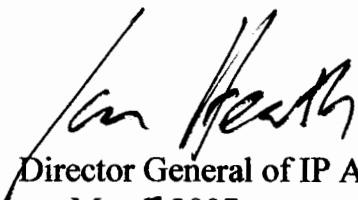
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### **Declaration of the days when the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office and their sub-offices are taken not to be open for business**

With effect from 27 March 2007, section 136A of the *Designs Act 2003*, section 14A of the *Olympic Insignia Protection Act 1987*, section 222A of the *Patents Act 1990*, section 76A of the *Plant Breeder's Rights Act 1994* and section 223A of the *Trade Marks Act 1995* provide for the effect of Designs Office, the Patent Office, the PBR Office and the Trade Marks Office ('the Offices') or any of their sub-offices not being open for business.

The Director General of IP Australia ('Director General') is the person prescribed under paragraph 2(b) of each of those sections. This means that the Director General can declare in writing a day or days on which the Offices or any of their sub-offices is taken not to be open for business for the purposes of those sections. Paragraph (4) (a) of each of those sections provides that such a declaration may be made before, on or after the day on which the Offices or any of their sub-offices is to be taken not to be open for business.

I, Ian Crawford Heath, as the person currently employed as the Director General of IP Australia, declare the days in the period 27 March 2007 to 1 January 2008 when the Offices and their sub-offices are taken not to be open for business for the purpose of the sections mentioned above, as specified in the attached Schedule, Parts 1 to 7.

  
Director General of IP Australia  
March 2007  
2 April

**Declaration of the days in the period 27 March 2007 to 1 January 2008 when the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office and their sub-offices are taken not to be open for business**

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**AUTHORITY**

Director General of IP Australia

**REFERENCES**

Section 136A of the *Designs Act 2003*,  
Section 14A of the *Olympic Insignia Protection Act 1987*,  
Section 222A of the *Patents Act 1990*,  
Section 76A of the *Plant Breeder's Rights Act 1994* and  
Section 223A of the *Trade Marks Act 1995*

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**Part 1 Days when the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office—all located in the Australian Capital Territory—are taken not to be open for business**

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008;

Friday, 6 April 2007—Good Friday;

Monday, 9 April 2007—Easter Monday;

Wednesday, 25 April 2007—Anzac Day;

Monday, 11 June 2007—Queen's Birthday holiday;

Monday, 1 October 2007—Labour Day; and

Tuesday, 25 December 2007 to Tuesday, 1 January 2008—2007 Christmas to New Year close-down.

**Part 2 Days when the New South Wales sub-office of the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office are taken not to be open for business**

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008;

Friday, 6 April 2007—Good Friday;

Monday, 9 April 2007—Easter Monday;

Wednesday, 25 April 2007—Anzac Day;

Monday, 11 June 2007—Queen's Birthday holiday;

Friday, 7 September 2007—APEC Summit holiday;

Monday, 1 October 2007—Labour Day; and

Tuesday, 25 December 2007 to Tuesday, 1 January 2008—2007 Christmas to New Year close-down.

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Issued /03/2007

*CMK 2/4/07*

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**Part 3 Days when the Queensland sub-office of the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office are taken not to be open for business:**

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008;  
Friday, 6 April 2007—Good Friday;  
Monday, 9 April 2007—Easter Monday;  
Wednesday, 25 April 2007—Anzac Day;  
Monday, 7 May 2007—Labour Day;  
Monday, 11 June 2007—Queen's Birthday holiday;  
Wednesday 15 August—Royal Queensland Show Day; and  
Tuesday, 25 December 2007 to Tuesday, 1 January 2008—2007 Christmas to New Year close-down.

**Part 4 Days when the South Australian sub-office of the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office are taken not to be open for business:**

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008;  
Friday, 6 April 2007—Good Friday;  
Monday, 9 April 2007—Easter Monday;  
Wednesday, 25 April 2007—Anzac Day;  
Monday, 11 June 2007—Queen's Birthday holiday;  
Monday, 1 October 2007—Labour Day; and  
Tuesday, 25 December 2007 to Tuesday, 1 January 2008—2007 Christmas to New Year close-down.

**Part 5 Days when the Tasmanian sub-office of the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office are taken not to be open for business**

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008;  
Friday, 6 April 2007—Good Friday;  
Monday, 9 April 2007—Easter Monday;  
Wednesday, 25 April 2007—Anzac Day;  
Monday, 11 June 2007—Queen's Birthday holiday;  
Thursday, 25 October 2007—Royal Hobart Show Day; and  
Tuesday, 25 December 2007 to Tuesday, 1 January 2008—2007 Christmas to New Year close-down.

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**Part 6 Days when the Victorian sub-office of the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office are taken not to be open for business**

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008;

Friday, 6 April 2007—Good Friday;

Monday, 9 April 2007—Easter Monday;

Wednesday, 25 April 2007—Anzac Day;

Monday, 11 June 2007—Queen's Birthday holiday;

Tuesday 6 November—Melbourne Cup Day; and

Tuesday, 25 December 2007 to Tuesday, 1 January 2008—2007 Christmas to New Year close-down.

**Part 7 Days when the Western Australian sub-office of the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office are taken not to be open for business**

All Saturdays and Sundays in the period 27 March 2007 to 1 January 2008;

Friday, 6 April 2007—Good Friday;

Monday, 9 April 2007—Easter Monday;

Wednesday, 25 April 2007—Anzac Day;

Monday, 4 June 2007—Foundation Day;

Monday, 1 October 2007—Queen's Birthday holiday; and

Tuesday, 25 December 2007 to Tuesday, 1 January 2008—2007 Christmas to New Year close-down.

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Issued /03/2007

*WJ*  
24/07

Proceedings under the Patents Act 1990

Appls Lapsed:W/drawn, Pat. Ceased:Exp/d cont'd

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
A	Applications on which examination has not been requested or directed
B	Applications on which a direction to request examination has been given
C	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

565417 (14 )	565610 (14 )	571787 (14 )	671859 (14 )	672224 (14 )	672474 (14 )
574579 (14 )	581334 (14 )	584227 (14 )	673286 (14 )	673310 (14 )	674417 (14 )
585042 (14 )	585044 (14 )	586268 (14 )	675274 (14 )	675859 (14 )	676841 (14 )
587484 (14 )	590106 (14 )	590308 (14 )	680171 (14 )	680528 (14 )	681302 (14 )
590597 (14 )	590598 (14 )	593929 (14 )	681303 (14 )	681901 (14 )	682644 (14 )
594361 (14 )	595524 (14 )	595632 (14 )	684220 (14 )	685665 (14 )	686429 (14 )
596995 (14 )	597279 (14 )	597894 (14 )	686680 (14 )	687216 (14 )	691516 (14 )
598197 (14 )	600500 (14 )	600672 (14 )	691828 (14 )	692296 (14 )	692461 (14 )
601690 (14 )	602156 (14 )	602600 (14 )	693459 (14 )	696390 (14 )	698022 (14 )
604144 (14 )	608170 (14 )	611467 (14 )	698140 (14 )	698639 (14 )	705817 (14 )
616036 (14 )	619576 (14 )	619877 (14 )	706770 (14 )	710796 (14 )	713791 (14 )
623424 (14 )	623601 (14 )	627146 (14 )	715929 (14 )	716838 (14 )	718462 (14 )
628269 (14 )	629966 (14 )	630885 (14 )	719552 (14 )	719965 (14 )	721096 (14 )
632288 (14 )	634482 (14 )	634490 (14 )	721310 (14 )	723378 (14 )	723793 (14 )
635856 (14 )	637061 (14 )	637517 (14 )	726939 (14 )	727547 (14 )	727808 (14 )
637985 (14 )	638595 (14 )	639125 (14 )	731592 (14 )	732966 (14 )	732999 (14 )
640948 (14 )	642895 (14 )	645334 (14 )	735269 (14 )	736353 (14 )	736976 (14 )
645717 (14 )	650432 (14 )	655047 (14 )	740002 (14 )	740099 (14 )	740124 (14 )
655114 (14 )	655485 (14 )	657230 (14 )	740370 (14 )	740517 (14 )	741480 (14 )
657776 (14 )	657790 (14 )	662025 (14 )	741870 (14 )	745227 (14 )	745430 (14 )
663686 (14 )	664194 (14 )	664565 (14 )	746053 (14 )	746479 (14 )	746767 (14 )
665913 (14 )	666027 (14 )	666958 (14 )	749084 (14 )	749322 (14 )	749853 (14 )
667227 (14 )	670754 (14 )	671805 (14 )	750223 (14 )	750854 (14 )	753376 (14 )
			753635 (14 )	753722 (14 )	753835 (14 )
			754331 (14 )	755261 (14 )	756414 (14 )
			757079 (14 )	757152 (14 )	757256 (14 )
			757313 (14 )	758429 (14 )	758869 (14 )
			759425 (14 )	759667 (14 )	760642 (14 )
			760817 (14 )	764433 (14 )	764478 (14 )
			764557 (14 )	764822 (14 )	765115 (14 )
			766716 (14 )	767816 (14 )	767914 (14 )
			768151 (14 )	768914 (14 )	770207 (14 )
			770948 (14 )	772010 (14 )	773713 (14 )
			774743 (14 )	774795 (14 )	774885 (14 )
			774936 (14 )	775146 (14 )	775555 (14 )
			777434 (14 )	777999 (14 )	778314 (14 )
			778705 (14 )	778963 (14 )	779321 (14 )
			779360 (14 )	781654 (14 )	781675 (14 )
			782516 (14 )	784337 (14 )	784415 (14 )
			78925 ( 5C )		
			<b>2001</b>		
			51895 ( 5C )	57723 ( 4C )	57748 ( 4C )
			57791 ( 4C )	57808 ( 4C )	57844 ( 4C )
			57933 ( 4C )	57982 ( 4C )	57985 ( 4C )
			57992 ( 4C )	58003 ( 4C )	61882 ( 4C )
			61883 ( 4C )	63551 ( 4C )	83158 ( 4C )
			84734 ( 4C )	89775 ( 4C )	
			<b>2002</b>		
			10045 ( 5C )	15571 ( 5C )	31439 ( 5C )
			37024 ( 5C )	42386 ( 5C )	44399 ( 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.

**1993**

39582 **Brain, A.I.J.** An application to extend the time from 22 Mar 1998 to 22 Mar 2007 in which to request examination has been lodged . Address for service in Australia - Shelston IP Level 21 60 Margaret Street SYDNEY NSW 2000

**1996**

71390 **Brain, A.I.J.** An application to extend the time from 3 Oct 2001 to 3 Mar 2007 in which to request examination has been lodged . Address for service in Australia - Shelston IP Level 21 60 Margaret Street SYDNEY NSW 2000

71391 **Brain, A.I.J.** An application to extend the time from 3 Oct 2001 to 3 Mar 2007 in which to request examination has been lodged . Address for service in Australia - Shelston IP Level 21 60 Margaret Street SYDNEY NSW 2000

**1999**

53789 **Brain, A.I.J.** An application to extend the time from 11 Aug 2004 to 11 Mar 2007 in which to request examination has been lodged . Address for service in Australia - Shelston IP Level 21 60 Margaret Street SYDNEY NSW 2000

61133 **Brain, A.I.J.** An application to extend the time from 6 Oct 2004 to 6 Mar 2007 in which to request examination has been lodged . Address for service in Australia - Shelston IP Level 21 60 Margaret Street SYDNEY NSW 2000

635955 **Oy Airtunnel Ltd.** An application to extend the time from 17 Aug 2006 to 17 Mar 2007 in which to pay a renewal fee has been lodged . Address for service in Australia - PHILLIPS ORMONDE & FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

708143 **Van Dyk, B.** An application to extend the time from 23 Sep 2006 to 23 Apr 2007 in which to pay a renewal fee has been lodged . Address for service in Australia - Mallesons Stephen Jaques Level 50 Bourke Place 600 Bourke Street MELBOURNE VIC 3000

736312 **Organogenesis Inc.** An application to extend the time from 8 May 2006 to 8 Dec 2006 in which to pay a renewal fee has been lodged . Address for service in Australia - PETER MAXWELL & ASSOCIATES PO Box R1466 Royal Exchange SYDNEY NSW 1225

763458 **Immundiagnostik Aktiengesellschaft and Biomedica GmbH** An application to extend the time from 25 Jun 2005 to 25 Feb 2007 in which to pay a renewal fee has been lodged . Address for service in Australia - Madderns 1st Floor Wolf Blass House 64 Hindmarsh Square ADELAIDE SA 5000

774997 **Organogenesis, Inc.** An application to extend the time from 8 May 2006 to 8 Dec 2006 in which to pay a renewal fee has been lodged . Address for service in Australia - PETER MAXWELL & ASSOCIATES PO Box R1466 Royal Exchange SYDNEY NSW 1225

775408 **Esplin, T.T. and Esplin, P.A.** An application to extend the time from 19 Aug 2005 to 19 Mar 2007 in which to pay a renewal fee has been lodged . Address for service in Australia - Trevor Thomas Esplin 33 The Ridge Narara NSW 2250

**Applications Allowed - Section 223(2)**

697227 **Rockefeller University** The time in which to pay a renewal fee has been extended to 6 Dec 2006 . Address for service in Australia - Allens Arthur Robinson Patent & Trade Marks Attorneys GPO Box 1776Q MELBOURNE VIC 3001

**Section 223(1) Allowances**

**2001**

97419 **Goh, K.** The time in which to gain acceptance has been extended to 2 May 2007 .

**Amendments, Section 104**

**Amendments Made**

621447 **High-Tech Auto Tools Pty Ltd.** The nature of the amendment is as was notified in the Official Journal dated 22 Feb 1996

671668 **Chiron/Technolas GmbH Ophthalmologische Systeme** The nature of the amendment is as was notified in the Official Journal dated 17 Sep 1998

684195 **Aristocrat Technologies Australia Pty Ltd.** The nature of the amendment is as was notified in the Official Journal dated 14 Sep 2006

719622 **Amsted Industries Inc.** The nature of the amendment is as was notified in the Official Journal dated 26 Apr 2001

724061 **Alza Corp.** The nature of the amendment is as was notified in the Official Journal dated 23 Nov 2006

724214 **Amgen Inc.** The nature of the amendment is as was notified in the Official Journal dated 6 Jun 2002

725774 **Canon Kabushiki Kaisha** The nature of the amendment is as was notified in the Official Journal dated 16 Nov 2000

729395 **Krajcir, D.A.** The nature of the amendment is as was notified in the Official Journal dated 26 Apr 2001

731120 **Avaya Technology Corp.** The nature of the amendment is as was notified in the Official Journal dated 10 Jan 2002

733451 **Muramatsu, T.** The nature of the amendment is as was notified in the Official Journal dated 1 Dec 2005

735257 **Sepracor Inc.** The nature of the amendment is as was notified in the Official Journal dated 2 Jan 2003

737322 **Cytoclonal Pharmaceuticals, Inc.** The nature of the amendment is as was notified in the Official Journal dated 25 Jul 2002

738724 **Kohls, L. and Clare, B.** The nature of the amendment is as was notified in the Official Journal dated 21 Sep 2006

739870 **P.L. Porter Co.** The nature of the amendment is as was notified in the Official Journal dated 15 Nov 2001

749343 **Avecia Ltd.** The nature of the amendment is as was notified in the Official Journal dated 27 Jun 2002

756569 **Rubicor Medical, Inc.** The nature of the amendment is as was notified in the Official Journal dated 21 Apr 2005

Amendments Made -cont'd

757713 **Dyson Technology Ltd.** The nature of the amendment is as was notified in the Official Journal dated 13 Mar 2003

771166 **Pharmacia & Upjohn S.p.A.** The nature of the amendment is as was notified in the Official Journal dated 3 Feb 2005

774331 **Ciba Specialty Chemicals Water Treatments Ltd.** The nature of the amendment is as was notified in the Official Journal dated 23 Nov 2006

783557 **Unison Products, Inc.** The nature of the amendment is as was notified in the Official Journal dated 9 Nov 2006

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.

**Brown, A. see Lyon, K.**

(11) AU-B-44373/02

(71) Fukuyama Gomu Kogyo Kabushiki Gaisha

(11) AU-B-50661/02 (10) 785399

(21) 50661/02 (22) 26.06.02

(54) CUSHION TIRE

(51) Int. Cl.

**B60C 7/00** (2006.01)

**B60C 7/10** (2006.01)

(43) 08.01.04

(44) 19.04.07

(72) Katoh, Y.; Aoyagi, T.; Kawashima, K.; Ikesugi, F.; Fujita, N.; Ozaki, H.; Oda, S.

(74) WRAY & ASSOCIATES

(71) Inventio AG

(11) AU-B-24630/02 (10) 785398

(21) 24630/02 (22) 13.03.02

(54) METHOD OF COMMUNICATING INFORMATION FOR ELEVATOR USERS

(51) Int. Cl.

**G06F 17/30** (2006.01)

**B66B 3/00** (2006.01)

**G08B 25/04** (2006.01)

(31) 01810256 (32) 14.03.01 (33) EP

(43) 19.09.02

(44) 19.04.07

(72) Friedli, P.; Svensson-Hilford, L.; Schuster, K.

(74) WATERMARK PATENT & TRADEMARK ATTORNEYS

(71) Korea Telecom

(11) AU-B-52735/01 (10) 785401

(21) 52735/01 (22) 18.04.01

(54) METHOD AND SYSTEM FOR RETRIEVING INFORMATION BASED ON MEANINGFUL CORE WORD

(51) Int. Cl.

**G06F 17/30** (2006.01)

(87) WO01/80077

(31) 0020398 (32) 18.04.00 (33) KR

(43) 30.10.01

(44) 19.04.07

(72) Jung, I.

(74) Cullen & Co

(71) Lyon, K.; Brown, A.

(11) AU-B-44373/02 (10) 785403

(21) 44373/02 (22) 23.05.02

(54) CHAIR

(51) Int. Cl.

**A47C 5/10** (2006.01)

**A47B 3/14** (2006.01)

**A47B 85/00** (2006.01)

**A47C 4/00** (2006.01)

**A47C 4/28** (2006.01)

**A47C 13/00** (2006.01)

(31) PR5587 (32) 08.06.01 (33) AU

(43) 12.12.02

(44) 19.04.07

(72) Lyon, K.; Brown, A.

(74) MORCOM PERNAT

(71) Maple Chase Co.

(11) AU-B-21291/02 (10) 785405

(21) 21291/02 (22) 07.03.02

(54) HAZARD ALARM, SYSTEM, AND COMMUNICATION THEREFOR

(51) Int. Cl.

**G08B 25/04** (2006.01)

(31) 09/835685 (32) 16.04.01 (33) US

(43) 17.10.02

(44) 19.04.07

(72) Schmurr, R.M.

(74) PIZZEYS

(71) Mayer, Y.

(11) AU-B-67790/01 (10) 785397

(21) 67790/01 (22) 24.06.01

(54) SYSTEM AND METHOD FOR SEARCHING, FINDING AND CONTACTING DATES ON THE INTERNET IN INSTANT MESSAGING NETWORKS

(51) Int. Cl.

**G06F 17/30** (2006.01)

(87) WO01/98856

(31) 136945 (32) 22.06.00 (33) IL  
60214003 26.06.00 US

(43) 02.01.02

(44) 19.04.07

(72) Mayer, Y.

**Message Pharmaceuticals, Inc. see Nucleonics, Inc.**

(11) AU-B-14735/02

(71) Nucleonics, Inc.; Message Pharmaceuticals, Inc.

(11) AU-B-14735/02 (10) 785395

(21) 14735/02 (22) 31.01.02

(54) USE OF POST-TRANSCRIPTIONAL GENE SILENCING FOR IDENTIFYING NUCLEIC ACID SEQUENCES THAT MODULATE THE FUNCTION OF A CELL

(51) Int. Cl.

**C12Q 1/68** (2006.01)

**C12N 15/10** (2006.01)

(31) 60265805 (32) 31.01.01 (33) US  
60339260 26.10.01 US

(43) 01.08.02

(44) 19.04.07

(72) Giordano, T.; Satishchandran, C.; Pachuk, C.J.

(74) Griffith Hack

(71) Orica Australia Pty Ltd

(11) AU-B-48846/02 (10) 785396

(21) 48846/02 (22) 19.06.02

(54) VESICULATED POLYESTER GRANULES

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(72) Ritchie, P.J.A.; Serelis, A.K.

(74) Davies Collison Cave

(71) Pan, J.

(11) AU-B-48805/02 (10) 785400

(21) 48805/02 (22) 17.06.02

(54) A WAVE-TRAPPING BARRIER

(51) Int. Cl.

**E04B 1/84** (2006.01)

**E01F 8/00** (2006.01)

(31) PR5744 (32) 15.06.01 (33) AU

(43) 19.12.02

(44) 19.04.07

(72) Pan, J.

(74) WRAY & ASSOCIATES



Applications Accepted - Name Index cont'd

<p>(71) Portola Packaging, Inc.                  (11) AU-B-91356/01 (10) 785404                  (21) 91356/01 (22) 15.11.01                  (54) TAMPER EVIDENCING CLOSURE                  (51) Int. Cl.                  B65D 41/34 (2006.01)                  B65D 50/00 (2006.01)                  B65D 55/02 (2006.01)                  (31) 09/900505 (32) 05.07.01 (33) US                  09/955844 18.09.01 US                  (43) 23.01.03                  (44) 19.04.07                  (72) Ma, X.                  (74) Davies Collison Cave</p>	<p>(72) Ichimura, I.; Osato, K.; Nakano, J.; Masuhara, S.                  (74) Griffith Hack</p> <hr/> <p>(71) Tyco Electronics Corp.                  (11) AU-B-11765/02 (10) 785406                  (21) 11765/02 (22) 16.10.01                  (54) TOUCHSCREEN HAVING MULTIPLE PARALLEL CONNECTIONS TO EACH ELECTRODE IN A SERIES RESISTOR CHAIN ON THE PERIPHERY OF THE TOUCH AREA                  (51) Int. Cl.                  G06F 3/033 (2006.01)                  G06F 3/041 (2006.01)                  G06F 3/045 (2006.01)                  (87) WO02/37408                  (31) 09/705383 (32) 03.11.00 (33) US                  (43) 15.05.02                  (44) 19.04.07                  (72) Aroyan, J.L.                  (74) Griffith Hack</p> <hr/> <p>(71) Yarra Ridge Pty Ltd                  (11) AU-B-51891/01 (10) 785407                  (21) 51891/01 (22) 13.06.01                  (54) IMPROVEMENTS IN LOCKS                  (51) Int. Cl.                  E05B 65/08 (2006.01)</p>	<p>E05B 63/14 (2006.01)                  (31) PQ8120 (32) 13.06.00 (33) AU                  PQ8160 15.06.00 AU                  PQ8167 15.06.00 AU                  PQ8563 05.07.00 AU                  PQ8981 26.07.00 AU                  PQ9512 21.08.00 AU                  PR1436 13.11.00 AU                  PR1706 27.11.00 AU                  PR1891 06.12.00 AU                  PR2870 06.02.01 AU                  PR2991 08.02.01 AU                  PR3187 16.02.01 AU                  PR5028 16.05.01 AU                  (43) 20.12.01                  (44) 19.04.07                  (72) Watts, J.R.; Bright, D.G.</p>
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Numerical Index

785395 Nucleonics, Inc. Message Pharmaceuticals, Inc.	785402 Sony Corp.
785396 Orica Australia Pty Ltd	785403 Lyon, K. Brown, A.
785397 Mayer, Y.	785404 Portola Packaging, Inc.
785398 Inventio AG	785405 Maple Chase Co.
785399 Fukuyama Gomu Kogyo Kabushiki Gaisha	785406 Tyco Electronics Corp.
785400 Pan, J.	785407 Yarra Ridge Pty Ltd
785401 Korea Telecom	

IPC Index

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785403	785404	785395	785407		

**Opposition Proceedings**

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

**Opposition Lodged**

785277 **Aristocrat Technologies Australia Pty Ltd (IGT)**

**Opposition Dismissed - Proceeding to Sealing**

753468 **Statens Serum Institut (Octapharma AG)**

**Letters Patent Sealed**

**Standard Patents**

679428	744283	785242	785261	785262	785263
785264	785265	785266	785267	785268	785269
785271	785272	785273	785274	785275	785276
785278	785279				

**Offer To Surrender Letters Patent**

It is hereby notified that **Cephalon, Inc., 145 Brandywine Parkway, West Chester, PA 19380, United States Of America**, the Patentee of Letters Patent 696516 dated 24 December 1998 for an invention titled 'IGF-I purification process' offers to surrender the said Letters Patent Any person desiring to be heard before the said offer of surrender is accepted must lodge a request to be heard within one month from the date of this journal

**Assignments Registered**

596758 **Kawasaki Jukogyo Kabushiki Kaisha** The patent has been assigned to **JP Steel Plantech Co.**

619001 **ASI Design Build Construct Pty Limited** The patent has been assigned to **Trishul Australia Pty Ltd**

623974 **Wavin Ireland Limited; Bord Na Mona** The patent has been assigned to **Bord Na Mona**

636689 **ASI Design Build Construct Pty Limited** The patent has been assigned to **Trishul Australia Pty Ltd**

641892 **Hayes Axle, Inc.** The patent has been assigned to **AL-KO Kober Corporation**

645844 **Kawasaki Jukogyo Kabushiki Kaisha** The patent has been assigned to **JP Steel Plantech Co.**

662167 **3M Company** The patent has been assigned to **3M Innovative Properties Company**

665405 **ASI Design Build Construct Pty Limited** The patent has been assigned to **Trishul Australia Pty Ltd**

673784 **Kobe Steel Ltd; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd; Nissho Iwai Corporation** The patent has been assigned to **Kobe Steel Ltd; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd**

676175 **Hot Water Innovations Investments Limited** The patent has been assigned to **Hot Water Innovations Limited**

**Assignments Registered - cont'd**

677498 **3M Company** The patent has been assigned to **3M Innovative Properties Company**

681674 **Inamed Development Company** The patent has been assigned to **Allergan, Inc**

681983 **Kobe Steel Ltd; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd; Nissho Iwai Corporation** The patent has been assigned to **Kobe Steel Ltd; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd**

685361 **Kobe Steel Ltd; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd; Nissho Iwai Corporation** The patent has been assigned to **Kobe Steel Ltd; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd**

687729 **Unistrut International Corp.** The patent has been assigned to **Unistrut International Corporation**

688014 **Collagen Corporation** The patent has been assigned to **Allergan, Inc.**

690029 **Kobe Steel Ltd; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd; Nissho Iwai Corporation** The patent has been assigned to **Kobe Steel Ltd; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd**

693398 **Kobe Steel Ltd; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company, Ltd.; Nissho Iwai Corporation** The patent has been assigned to **Kobe Steel Ltd; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company, Ltd.**

696287 **Kobe Steel Ltd; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd; Nissho Iwai Corporation** The patent has been assigned to **Kobe Steel Ltd; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd; Cosmo Oil Company Ltd**

701911 **A+ Science Invest AB** The patent has been assigned to **PHARMAPNEA AB**

717911 **Sprint Metal Societe de Production Internationale de Trefiles; Imply S.A.; Ugine Savoie** The patent has been assigned to **UGITECH**

718661 **Biora AB** The patent has been assigned to **CALABAR AB**

720389 **Kobe Steel Ltd.; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd; Nissho Iwai Corporation** The patent has been assigned to **Kobe Steel Ltd.; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd**

721582 **Tiltform Pty Ltd** The patent has been assigned to **SRB Construction Technologies Pty Ltd**

725229 **3M Company** The patent has been assigned to **3M Innovative Properties Company**

727888 **Helix Medical, Inc.** The patent has been assigned to **Helix Medical, LLC**

727926 **Paul Blanche; Stephen Crompton** The patent has been assigned to **Copa Limited**

**Assignments Registered - cont'd**

728181 Paul Blanche; Stephen John Crompton The patent has been assigned to **Copa Limited**

730547 S.F.M. Engineering Pty Ltd The patent has been assigned to **Lombardi Nominees Pty Ltd**

734110 Kobe Steel Ltd.; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd; Nissho Iwai Corporation The patent has been assigned to **Kobe Steel Ltd.; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd**

734559 Ugine Savoie; Sprint Metal Societe de Production Internationale de Trefiles The patent has been assigned to **UGITECH**

742450 Kobe Steel Ltd.; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd; Nissho Iwai Corporation The patent has been assigned to **Kobe Steel Ltd.; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd**

746500 Kobe Steel Ltd; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd; Nissho Iwai Corporation The patent has been assigned to **Kobe Steel Ltd; Sojitz Corporation; Mitsubishi Chemical Corporation; Idemitsu Kosan Co. Ltd.; Cosmo Oil Company Ltd**

754816 Inktomi Corporation The patent has been assigned to **Yahoo! Inc.**

766866 SOFCO The patent has been assigned to **SOFCO-EFS Holdings LLC**

770140 Nurture, Inc. The patent has been assigned to **GTC Oats, Inc.**

771614 CDS Pty Ltd The patent has been assigned to **Copa Limited**

773306 Siemens Aktiengesellschaft The patent has been assigned to **Dematic Corp.**

773963 Stephen Peter Burgess The patent has been assigned to **Rainbeater Pty Limited**

774971 LightSpace Technologies AB The patent has been assigned to **LightSpace Technologies, Inc.**

779833 Fox Technologies Limited The patent has been assigned to **Aryan Investments Limited**

782156 Ansell Services Inc. The patent has been assigned to **Ansell Healthcare Products, LLC**

783761 Advanced Technologies Group Limited The patent has been assigned to **SkyCat Group Limited**

783990 Paul Robertson The patent has been assigned to **Passive**

**Assignments Registered - cont'd**

**Fire Systems (QLD) Pty Ltd**

784578 Sankt-Peterburgskaya Obschestvennaya Organizatsiya "Institut Biroregulyatsii I Gerontologii Szo Ramn" The patent has been assigned to **Geropharm, Ltd.**

784708 Curagen Corporation The patent has been assigned to **454 Life Sciences Corporation**

785134 Selwyn Reed The patent has been assigned to **Iplex Pipelines Australia Pty Limited**

**Licences Registered**

(The name in parentheses is that of the licensee)

673766 Yissum Research Development Co. of The Hebrew University of Jerusalem (Shire LLC)

729549 **AMR Technology, Inc.** (Aventis Pharmaceuticals, Inc.)

699799 **AMR Technology, Inc.** (Aventis Pharmaceuticals, Inc.)

670004 **AMR Technology, Inc.** (Aventis Pharmaceuticals, Inc.)

**Alteration Of Name In Register**

604839 Naue-Fasertechnik GMBH & Co. KG The name of the patentee(s) has been changed to **NAUE GmbH & Co KG**

619750 Dako A/S The name of the patentee(s) has been changed to **Dako Denmark A/S**

647775 Cadac Holdings Limited The name of the patentee(s) has been changed to **Wellington Drive Technologies Limited**

652124 Affibody Biotechnology AB The name of the patentee(s) has been changed to **Affibody AB**

656527 Precision Processes Textiles The name of the patentee(s) has been changed to **Coats Shelfco Precision Limited**

662167 Minnesota Mining and Manufacturing Company The name of the patentee(s) has been changed to **3M Company**

663072 Hoechst-Schering AgrEvo GmbH The name of the patentee(s) has been changed to **Bayer CropScience GmbH**

667051 Dako A/S The name of the patentee(s) has been changed to **Dako Denmark A/S**

676175 Hot Water Innovations Limited The name of the patentee(s) has been changed to **Hot Water Innovations Investments Limited**

677498 Minnesota Mining and Manufacturing Company The name of the patentee(s) has been changed to **3M Company**

687661 Nortel Networks Corporation The name of the patentee(s) has been changed to **Nortel Networks Limited**

690376 Hayes Plant Lease Limited The name of the patentee(s) has been changed to **Hayes International**

696186 Affibody Biotechnology AB The name of the patentee(s) has been changed to **Affibody AB**

**Alteration of Name in Register - cont'd**

713245 Andover Coated Products, Inc. The name of the patentee(s) has been changed to **Andover Healthcare, Inc.**

725229 Minnesota Mining and Manufacturing Company The name of the patentee(s) has been changed to **3M Company**

729310 McConway & Torley Corporation The name of the patentee(s) has been changed to **McConway & Torley, LLC**

737767 Ugine-Savoie Imphy The name of the patentee(s) has been changed to **UGITECH**

740917 GLO Software LLC The name of the patentee(s) has been changed to **Algorithmics Software LLC**

742411 Ugine-Savoie IMPHY ; Ugine S.A. The name of the patentee(s) has been changed to **UGITECH ; Ugine S.A.**

744853 Andover Coated Products, Inc. The name of the patentee(s) has been changed to **Andover Healthcare, Inc.**

761017 Tel.Net Media Pty. Ltd. The name of the patentee(s) has been changed to **Internet Sheriff Technology Limited**

761985 Affibody Biotechnology AB The name of the patentee(s) has been changed to **Affibody AB**

762426 Naue Fasertechnik GmbH & Co. Kg The name of the patentee(s) has been changed to **NAUE GmbH & Co KG**

765187 e-talk Corporation The name of the patentee(s) has been changed to **etalk Corporation**

773368 Affibody Biotechnology AB The name of the patentee(s) has been changed to **Affibody AB**

**Corrigenda**

In Vol 21, No 11, Page(s) 1179 under the heading **Applications Accepted - Name Index** in the name of Baker Hughes Incorporated, Serial No. 785381, INID (31) amend the priority number to read 09/598830

**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.

686135 **Tecrete Industries Pty Ltd**

764214 **Cytec Technology Corp.**

785381 **Baker Hughes Inc.**

**Notice of Intention to Amend Letters Patent pursuant to Order 58 Rule 10 (1) of the Federal Court Rules**

Australian Patent 727199 in the name of Ajinomoto Co., Ltd

**Notice of Intention to Amend Letters Patent pursuant to Order 58 Rule 10(1) of the Federal Court Rules.**

Australian Patent number 693797 in the name of Angiotech Pharmaceuticals, Inc. and The University of British Columbia

**Specifications Republished - cont'd**

**Notice of Intention to Amend Letters Patent pursuant to Order 58 Rule 10(1).**

Australian Patent number 728873 in the name of Angiotech Pharmaceuticals, Inc. and The University of British Columbia.

SECTION 105 PATENTS ACT 1990  
Advertisement pursuant to Order 58 Rule 10(1) of the Federal Court Rules

**IDENTITY OF PROCEEDINGS**

Court: Federal Court of Australia  
Victoria District Registry  
No. V174 of 2002

Parties:	Nutrasweet Australia Pty Ltd ACN 090 591 174 (Applicant)	Ajinomoto Co., Inc.  (Respondent)
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**PARTICULARS OF PROPOSED AMENDMENTS**

Ajinomoto Co., Inc. the registered proprietor of Australian Letters Patent No. 727199 (the patent) will seek an Order under Section 105(1) of the *Patents Act 1990* directing the amendment of the Patent by:

- (1) Page 1 line 6, delete the word 'sweetner' and replace it by the word 'sweetener'.
- (2) Page 16 line 2, delete the word 'expect' and replace it by the word 'except'.
- (3) Page 16 line 5, delete the word 'determing' and replace it by the word 'determining'.
- (4) Page 16 line 6, delete the word 'closet' and replace it by the word 'closest'.
- (5) Page 16 line 18, delete the word 'determing' and replace it by the word 'determining'.
- (6) Page 16 line 19, delete the word 'closet' and replace it by the phrase 'closest to'.
- (7) Page 17 line 1, delete the word 'going' and replace it by the word 'being'.
- (8) Page 17 line 8, delete 'DBM-APM' and replace it by 'DMB-APM'.
- (9) Page 17 line 13, delete the word 'puls' and replace it by the word 'plus'.
- (10) Page 18 line 13, delete the word 'catbonated' and replace it by the word 'carbonated'.
- (11) Page 22 line 23, delete the word 'corbonated' and replace it by the word 'carbonated'.
- (12) Page 23 line 1, delete the word 'strengthened' and replace it by the word 'strengthened'.
- (13) Page 23 line 13 (table), delete 'DMB-APM' and replace it by 'AceK'.

- (14) Deleting claims 1 to 7 of the patent;
- (15) Inserting claims 1 to 14 in the patent as set out in replacement pages 30 to 32 of which—
  - (i) claims 1, 3, 6, 9, 12, 13 and 14 comprise original claims 1 to 7 of the patent with amendments to those claims shown in track changes format; and
  - (ii) claims 2, 4, 5, 7, 8, 10 and 11 are new claims.
- (16) Inserting new pages 30 to 32 as replacement pages for original pages 30 to 32 as per the Third Statement of Proposed Amendments (attached).

**APPLICANT'S ADDRESS FOR SERVICE**

Griffith Hack  
Lawyers  
509 St Kilda Road  
Melbourne Vic 3004

Tel: (03) 9243 8300  
Fax: (03) 9243 8333/4  
Attention: Dr Geoffrey Levy

**OPPOSITION**

Any person or corporation intending to oppose the application not being a party to the proceedings must, not later than 28 days after the publication of this advertisement, give written notice of that intention to each of the Commissioner of Patents, Ajinomoto Co., Inc. at the above address for service and Nutrasweet Australia Pty Ltd, C/- Allens Arthur Robinson, Lawyers, Stock Exchange Centre, 530 Collins Street, Melbourne Vic 3000.

**SCHEDULE TO NOTICE DATED 22 MARCH 2007  
OF  
APPLICATION TO AMEND AUSTRALIAN LETTERS PATENT NO. 727199  
PURSUANT TO SECTION 105**

The claims defining the invention are as follows:

1. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
5 (DMB-APM) and Aspartame (APM) and/or Acesulfame K (AceK) in a ratio which gives sweetness quality thereto closer to that of sucrose than any one of N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K.  
10
2. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
(DMB-APM), Aspartame (APM) and Acesulfame K (AceK) in a  
ratio which gives sweetness quality thereto closer to that  
15 of sucrose than any one of N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K.
3. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
20 and Aspartame, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester is between 0.1% by weight and 35% by weight based on the total amount of the N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and the Aspartame.  
25
4. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
and Aspartame, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
30 is from 0.16% by weight to 33% by weight based on the total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and the Aspartame.
- 35 5. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Aspartame, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester



is between 0.3% by weight and 3% by weight based on the total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and the Aspartame.

- 5 6. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K, wherein the amount of the Acesulfame K is between 1.2% by weight and 85% by weight based on the total amount of the three sweeteners,  
10 the Acesulfame K contributes less than 50% of the total sweetness of the sweetener composition and each sweetener contributes at least 10% of the total sweetness of the sweetener composition.
- 15 7. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K, wherein the amount of the Acesulfame K is between 1.2% by weight and 75% by weight based on the total amount of the three sweeteners,  
20 the Acesulfame K contributes less than 50% of the total sweetness of the sweetener composition and each sweetener contributes at least 10% of the total sweetness of the sweetener composition.
- 25 8. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K, wherein the amount of the Acesulfame K is from 1.2% by weight to 69.5% by weight based on the total amount of the three sweeteners, the  
30 Acesulfame K contributes less than 50% of the total sweetness of the sweetener composition and each sweetener contributes at least 10% of the total sweetness of the sweetener composition.
- 35 9. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester

is between 3% by weight and 80% by weight based on the total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K.

5 10. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester is from 3.5% by weight to 78.2% by weight based on the  
10 total amount of the N N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K.

11. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
15 and Acesulfame K, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester is between 3.5% by weight and 60% by weight based on the total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K.

20

12. A beverage comprising the sweetener composition of any one of claims 1 to 11.

13. The beverage of claim 12, which is a carbonated  
25 beverage.

14. A sweetener composition according to any one of claims 1 to 11 or a beverage according to claim 12, substantially as described herein with reference to the examples.

30

Dated this 22nd day of March 2007

AJINOMOTO CO., INC.

By their Patent Attorneys

GRIFFITH HACK

35 Fellows Institute of Patent and  
Trade Mark Attorneys of Australia

The claims defining the invention are as follows:

1. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester (DMB-APM) and Aspartame (APM) and/or Acesulfame K (AceK) in a ratio which gives sweetness quality thereto closer to that of sucrose than any one of N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K.
2. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester (DMB-APM), Aspartame (APM) and Acesulfame K (AceK) in a ratio which gives sweetness quality thereto closer to that of sucrose than any one of N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K.
3. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Aspartame, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester is between 0.1% by weight and 35% by weight based on the total amount of the N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and the Aspartame.
4. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Aspartame, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester is from 0.16% by weight to 33% by weight based on the total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and the Aspartame.
5. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Aspartame, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester

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is between 0.3% by weight and 3% by weight based on the total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and the Aspartame.

5 6. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K, wherein the amount of the Acesulfame K is between 1.2% by weight and 85% by weight based on the total amount of the three sweeteners, the Acesulfame K contributes less than 50% of the total sweetness of the sweetener composition and each sweetener contributes at least 10% of the total sweetness of the sweetener composition.

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10 7. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K, wherein the amount of the Acesulfame K is between 1.2% by weight and 75% by weight based on the total amount of the three sweeteners, the Acesulfame K contributes less than 50% of the total sweetness of the sweetener composition and each sweetener contributes at least 10% of the total sweetness of the sweetener composition.

15 8. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester, Aspartame and Acesulfame K, wherein the amount of the Acesulfame K is from 1.2% by weight to 69.5% by weight based on the total amount of the three sweeteners, the Acesulfame K contributes less than 50% of the total sweetness of the sweetener composition and each sweetener contributes at least 10% of the total sweetness of the sweetener composition.

20 9. A sweetener composition comprising N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K, wherein the amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester

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is between 3% by weight and 80% by weight based on the total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K.

5 10. A sweetener composition comprising N-[N-(3,3-  
dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
and Acesulfame K, wherein the amount of the N-[N-(3,3-  
dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
10 is from 3.5% by weight to 78.2% by weight based on the  
total amount of the N N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -  
aspartyl]-L-phenylalanine 1-methyl ester and Acesulfame K.

15 11. A sweetener composition comprising N-[N-(3,3-  
dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
and Acesulfame K, wherein the amount of the N-[N-(3,3-  
dimethylbutyl)-L- $\alpha$ -aspartyl]-L-phenylalanine 1-methyl ester  
is between 3.5% by weight and 60% by weight based on the  
total amount of the N-[N-(3,3-dimethylbutyl)-L- $\alpha$ -aspartyl]-  
20 L-phenylalanine 1-methyl ester and Acesulfame K.

25 12. A beverage comprising the sweetener composition of any  
one of claims 1 to 11.

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25 13. The beverage of claim 12, which is a carbonated  
beverage.

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30 14. A sweetener composition according to any one of claims  
1 to 11 or a beverage according to claim 12, substantially  
as described herein with reference to the examples.

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claim 3

Dated this 22nd day of March 2007

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AJINOMOTO CO., INC.

Deleted: September 2000

By their Patent Attorneys  
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