



Australian Government

IP Australia

AUSTRALIAN OFFICIAL JOURNAL

OF

PATENTS

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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>
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 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>
C) Applications open to public inspection - Name Index		D) Applications entered National Phase - 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> 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>
E) Applications accepted - Name Index		F) Patents Certified – 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 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)², (51)³, (51)⁴ and (51)⁵.
- (3) INID code 74 provides for the name of the patent attorney, or firm of attorneys, prosecuting an application.

ABSTRACTS OF DECISIONS**DECISION OF A DELEGATE OF THE COMMISSIONER OF PATENTS**

Application	:	No. 777324 in the name of G.J CONSULTANTS PTY LTD
Title	:	Isoflavone Metabolites
Action	:	Request for an extension of time to serve evidence in reply by NOVOGEN RESEARCH PTY LTD and an objection thereto by G.J CONSULTANTS PTY LTD
Decision	:	Issued 24 December 2007

Abstract

On balance, the explanation justifies an extension of time.

Furthermore, on balance the interest of the parties supports granting the extension. While it cannot be said that there is a zero risk of prejudice to G.J Consultants Pty Ltd (GJC), there seems to be no specific disadvantage to them. The effect of not allowing the extension, thereby denying Novogen Research Pty Ltd (Novogen) the opportunity to put evidence before the Commissioner to decide who the correct owner of the patent is, would seem to outweigh any delay.

In addition, the public interest supports an extension of time. Extending the time to allow the filing of evidence that addresses the inconsistencies in evidence should lead to a more correct and just decision. In further support are Dr Heisey's repeated assertions (on behalf of Novogen) during the hearing that he fully expected the evidence in reply to be completed within the extension requested, and that Novogen appears to have taken into account the effects of the December holiday period when requesting the present extension.

Taking all relevant considerations into account, I allow the requested extension of time to file evidence in reply until 31 December 2007.

I award costs against GJC.

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

623012 (14)	623911 (14)	623912 (14)
624327 (14)	625308 (14)	625504 (14)
625640 (14)	626690 (14)	626768 (14)
628570 (14)	629126 (14)	629211 (14)
629345 (14)	630362 (14)	631870 (14)
634556 (14)	639574 (14)	640070 (14)
641103 (14)	644077 (14)	644164 (14)
646222 (14)	650755 (14)	652447 (14)
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711466 (14)	711518 (14)	711519 (14)
711528 (14)	712107 (14)	712395 (14)
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726103 (14)	726442 (14)	726697 (14)
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582965 (14)	583187 (14)	583241 (14)
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591983 (14)	593105 (14)	594156 (14)
594768 (14)	594773 (14)	594774 (14)
595316 (14)	595887 (14)	596180 (14)
596183 (14)	596184 (14)	596844 (14)
597368 (14)	599980 (14)	601185 (14)
601186 (14)	601847 (14)	604119 (14)
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610411 (14)	610498 (14)	611437 (14)
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617615 (14)	617810 (14)	618191 (14)
620515 (14)	620671 (14)	621753 (14)
622080 (14)	622328 (14)	622801 (14)

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

728529 (14)	729011 (14)	729138 (14)
729323 (14)	729443 (14)	729901 (14)
730131 (14)	730148 (14)	730543 (14)
730922 (14)	731344 (14)	731430 (14)
731629 (14)	731650 (14)	731748 (14)
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733784 (14)	733823 (14)	734631 (14)
735558 (14)	736104 (14)	737153 (14)
737343 (14)	737759 (14)	737856 (14)
737869 (14)	738414 (14)	739476 (14)
739655 (14)	739867 (14)	740660 (14)
740694 (14)	742864 (14)	743514 (14)
743923 (14)	744479 (14)	746013 (14)
746064 (14)	746230 (14)	746603 (14)
746675 (14)	746770 (14)	747267 (14)
747857 (14)	748141 (14)	748147 (14)
748753 (14)	749523 (14)	750068 (14)
750174 (14)	750635 (14)	751447 (14)
751555 (14)	751919 (14)	752017 (14)
752029 (14)	752259 (14)	752280 (14)
752361 (14)	752499 (14)	752573 (14)
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759175 (14)	759359 (14)	759453 (14)
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761223 (14)	761691 (14)	761823 (14)
761845 (14)	761931 (14)	762139 (14)
763261 (14)	763383 (14)	763694 (14)
763714 (14)	763781 (14)	763852 (14)
763867 (14)	763935 (14)	764197 (14)
764390 (14)	764449 (14)	764514 (14)
764923 (14)	765383 (14)	765515 (14)
765752 (14)	766140 (14)	766325 (14)
767749 (14)	768307 (14)	768703 (14)
768763 (14)	768893 (14)	769162 (14)
769238 (14)	769690 (14)	770128 (14)
770241 (14)	770419 (14)	770438 (14)
771818 (14)	772326 (14)	772511 (14)
772648 (14)	773831 (14)	774416 (14)
774531 (14)	774623 (14)	774842 (14)
775613 (14)	776328 (14)	776371 (14)
776676 (14)	777075 (14)	777474 (14)
777676 (14)	777760 (14)	777789 (14)
780361 (14)	780731 (14)	781119 (14)
781313 (14)	781423 (14)	781714 (14)
782341 (14)	783017 (14)	783133 (14)
783262 (14)	783398 (14)	783483 (14)
783652 (14)	783875 (14)	784289 (14)
784430 (14)	784704 (14)	784793 (14)
784907 (14)		

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

2002

40593 (4C)	40594 (4C)	40648 (4C)
40672 (4C)	42356 (4C)	42393 (4C)
42407 (4C)	42413 (4C)	42435 (4C)
44379 (4C)		

Assignments before Grant, Section 113

748945 Curtin University of Technology The application has been assigned to **Billiton Aluminium Australia Pty Ltd**

Amendments, Section 104

Applications for Amendment

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

775771 Methods for assaying antibody and device for assaying antibody **Otsuka Pharmaceutical Co., Ltd.** The nature of the proposed amendment is as shown in the statement(s) filed 14 Sep 2006. . Address for service in Australia - Griffith Hack GPO Box 1285K MELBOURNE VIC 3001

Opposition Proceedings

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

Opposition Withdrawn

785305 **IGT** (Stargames Corporation Pty Limited)

Opposition under Section 104(4) - Withdrawn

653506 **Bayer CropScience GmbH** (Conquest Agrochemicals Pty Ltd)

Letters Patent Sealed

Standard Patents

716581 769707 785480

Assignments Registered

606367 R.P. Scherer Corporation The patent has been assigned to **R.P. Scherer Technologies, Inc.**

609323 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

654644 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

656477 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

667245 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

668837 The Goodyear Tire & Rubber Company The patent has

Assignments Registered - cont'd

been assigned to **Veyance Technologies, Inc.**

683822 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

684423 Richard Chao The patent has been assigned to **Contour Optik Inc.**

697089 Lurgi Lentjes Bischoff GmbH The patent has been assigned to **Lentjes GmbH**

697224 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

700419 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

701376 Lurgi Lentjes Bischoff GmbH The patent has been assigned to **Lentjes GmbH**

712351 Actipac Biosystems GmbH The patent has been assigned to **Alrise Biosystems GmbH**

713786 Ruralco Holdings Limited The patent has been assigned to **Barmac Industries Pty Ltd**

715373 The Goodyear Tire and Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

716216 The Goodyear Tire and Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

717942 Edmeston AB The patent has been assigned to **AB K A Ekstrom & Son**

718421 R.P. Scherer Corporation The patent has been assigned to **R.P. Scherer Technologies, Inc.**

720977 Edmeston AB The patent has been assigned to **AB K A Ekstrom & Son**

721730 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

725584 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

732254 Universiteit Maastricht The patent has been assigned to **MUBio Products BV**

740015 FRONIUS Schweissmaschinen Produktion GmbH & Co. KG The patent has been assigned to **FRONIUS INTERNATIONAL GmbH**

743838 FRONIUS Schweissmaschinen Produktion GmbH & Co. KG The patent has been assigned to **FRONIUS INTERNATIONAL GmbH**

749115 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

755431 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

758826 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

Assignments Registered - cont'd

759242 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

762550 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**

768769 Ecotrans Pty. Limited The patent has been assigned to **Advanced Vehicle Technologies Pty Limited**

778257 BASF Aktiengesellschaft The patent has been assigned to **BASF Agro B.V., Arnhem (NL), Wadenswil-Branch**

781911 Pari GmbH Spezialisten Fur Effektive Inhalation The patent has been assigned to **PARI Pharma GmbH**

782805 Aberdeen University; Statens Veterinaere Serumlaboratorium The patent has been assigned to **Aberdeen University; Dianova Danmarks Tekniske Universitet**

785156 The Goodyear Tire & Rubber Company The patent has been assigned to **Veyance Technologies, Inc.**