



Australian Government

IP Australia

AUSTRALIAN OFFICIAL JOURNAL

OF

PATENTS

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General Information

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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. 782548 in the name of Solutions-IES, Inc
Title	:	Method for remediation of aquifers
Action	:	Opposition by William A. Newman to the grant of a patent
Decision	:	Issued 28 July 2008

Abstract

1. All claims found to be entitled to the earliest priority date. Although claim 28 does not contain some features of claim 1, these features are matters of routine that are always carried out.
2. All claims found to be novel and inventive. None of the documents that form part of the prior art base disclose the use of microemulsions. There is no evidence that it was a matter of routine to prepare a microemulsion with droplets of less than one micron.
3. Two minor section 40 deficiencies were identified in relation to the fair basis of claim 8 and the clarity of claim 28.
4. Costs awarded against the opponent.

Proceedings under the Patents Act 1990

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.

674997 **Bowater, B.T. and Owen, G.J.** An application to extend the time from 12 Aug 2007 to 12 Jul 2008 in which to pay a renewal fee has been lodged. Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

770241 **McCallum, W.G.** An application to extend the time from 18 May 2007 to 18 Jun 2008 in which to pay a renewal fee has been lodged. Address for service in Australia - Middletons GPO Box 4388 Melbourne VIC 3001

770881 **edocs, Inc.** An application to extend the time from 24 Jun 2007 to 24 Mar 2008 in which to pay a renewal fee has been lodged. Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

Applications Allowed - Section 223(2)

711280 **Domenikos, S. and Domenikos, G.C.** The time in which to pay a renewal fee has been extended to 14 Apr 2008. Address for service in Australia - Griffith Hack GPO Box 1285K MELBOURNE VIC 3001

763131 **ThoughtWeb Systems Pty Ltd.** The time in which to pay a renewal fee has been extended to 9 May 2008. Address for service in Australia - SPRUSON & FERGUSON GPO Box 3898 SYDNEY NSW 2001

780020 **Matilda Bay Brewing Co Ltd** The time in which to pay a renewal fee has been extended to 1 May 2008. Address for service in Australia - Griffith Hack GPO Box 1285K MELBOURNE VIC 3001

784213 **F F Seeley Nominees Pty Ltd** The time in which to pay a renewal fee has been extended to 10 May 2008. Address for service in Australia - FF Seelewy Nominees Pty Ltd PO Box 140 Melrose Park SA 5039

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.

684408 Concrete breaking apparatus **Roth, S.R.** The nature of the proposed amendment is as shown in the statement(s) filed 20 Jun 2008. Address for service in Australia - PHILLIPS ORMONDE & FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

Opposition Proceedings

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

Opposition Withdrawn

752636 **IGT** (Aristocrat Technologies Pty Ltd)

726277 **Cryovac, Inc.** (Pechiney Plastic Packaging, Inc.)

Opposition under Section 104(4) - Withdrawn

752636 **IGT** (Aristocrat Technologies Australia Pty Ltd)

Letters Patent Sealed

Standard Patents

784438

Assignments Registered

611450 Recticel The patent has been assigned to **RECTICEL Automobilsysteme GmbH**

628388 Britcair Limited The patent has been assigned to **E.R. Squibb & Sons, Inc.**

640639 Fuisz Pharmaceutical Ltd. The patent has been assigned to **Biovail Laboratories International SRL**

650282 Britcair Limited The patent has been assigned to **E.R. Squibb & Sons, Inc.**

652191 Gastro Services Pty Limited The patent has been assigned to **Centre for Digestive Diseases Pty Ltd**

663316 C.V. Laboratories Limited The patent has been assigned to **E.R. Squibb & Sons, Inc.**

670800 C.V. Laboratories Limited The patent has been assigned to **E.R. Squibb & Sons, Inc.**

675352 Rinker Australia Pty Limited The patent has been assigned to **Downer EDI Works Pty Ltd**

679883 Gastro Services Pty Limited The patent has been assigned to **Centre for Digestive Diseases Pty Ltd**

686996 Rhone-Poulenc Rorer S.A. The patent has been assigned to **Novozymes Biopharma UK Limited**

699660 Cell Genesys, Inc. The patent has been assigned to **GBP IP, LLC**

708012 FMC Technologies, Inc. The patent has been assigned to **John Bean Technologies Corporation**

709653 Leslie Mervyn Harrison The patent has been assigned to **Fluid Drive Technology Pty Ltd**

Assignments Registered - cont'd

715459 E.I. Du Pont De Nemours and Company; Commonwealth Scientific and Industrial Research Organisation The patent has been assigned to **Commonwealth Scientific and Industrial Research Organisation**

719690 Rodney Industries Pty Ltd The patent has been assigned to **Vinindex Pty Limited**

719898 Airnet Communications Corporation The patent has been assigned to **Treble Investments Limited Liability Company**

721208 Cell Genesys, Inc. The patent has been assigned to **GBP IP, LLC**

722176 Medical Research Council; Applied Research Systems ARS Holding N.V. The patent has been assigned to **Medical Research Council; Laboratoires Serono SA**

726540 Allen House Mirror & Glass Pty Limited The patent has been assigned to **SSG Winton Pty Limited**

728717 E.I. Du Pont De Nemours and Company; Commonwealth Scientific and Industrial Research Organisation The patent has been assigned to **Commonwealth Scientific and Industrial Research Organisation**

729613 HerHof-Umwelttechnik GmbH The patent has been assigned to **Herhof Verwaltungsgesellschaft mbH**

730136 Unisabi The patent has been assigned to **Mars, Incorporated**

732077 HerHof-Umwelttechnik GmbH The patent has been assigned to **Herhof Verwaltungsgesellschaft mbH**

735108 HerHof Umwelttechnik GmbH The patent has been assigned to **Herhof Verwaltungsgesellschaft mbH**

736120 Airnet Communications Corporation The patent has been assigned to **Treble Investments Limited Liability Company**

742403 Cell Genesys, Inc. The patent has been assigned to **GBP IP, LLC**

744366 Aventis (Ireland) Limited The patent has been assigned to **Aventis Pharmaceuticals Inc.**

745556 International Mineral Technology AG The patent has been assigned to **Holcim Technology Ltd.**

746495 E.I. Du Pont De Nemours and Company; Commonwealth Scientific & Industrial Research Organisation The patent has been assigned to **Commonwealth Scientific and Industrial Research Organisation**

752670 E.I. Du Pont De Nemours and Company; Commonwealth Scientific And Industrial Research Organization The patent has been assigned to **Commonwealth Scientific and Industrial Research Organisation**

757737 Geotechnical Reinforcement, Inc. The patent has been assigned to **Geopier Global Limited**

757858 Aventis Behring GmbH The patent has been assigned to **Novozymes Biopharma UK Limited**

758519 Masterfoods The patent has been assigned to **Mars, Incorporated**

Assignments Registered - cont'd

761027 Lexigen Pharmaceuticals Corp. The patent has been assigned to **Merck Patent GmbH**

762659 Aventis Behring GmbH The patent has been assigned to **Novozymes Biopharma UK Limited**

769996 Holcim Ltd The patent has been assigned to **Holcim Technology Ltd.**

771267 Fujitsu General Ltd. The patent has been assigned to **Canon Inc.**

771549 Holcim Ltd The patent has been assigned to **Holcim Technology Ltd.**

771895 Endo Surgical, Inc. The patent has been assigned to **Ethicon Endo-Surgery, Inc.**

772709 Cell Center Cologne GmbH The patent has been assigned to **Universitat zu Koln**

772799 Holcim Ltd The patent has been assigned to **Holcim Technology Ltd.**

773997 Holcim Ltd The patent has been assigned to **Holcim Technology Ltd.**

776941 Sika Schweiz AG The patent has been assigned to **Sika Technology AG**

776942 Sika Schweiz AG The patent has been assigned to **Sika Technology AG**

777109 Robert Baird Watson; Geoffrey Mathers The patent has been assigned to **Geoffrey Mathers**

778627 Holcim Ltd The patent has been assigned to **Holcim Technology Ltd.**

778658 Holcim Ltd The patent has been assigned to **Holcim Technology Ltd.**

779148 Lion Corporation; The Tokyo Electric Power Company, Inc. The patent has been assigned to **Lion Corporation**

780998 Masterfoods The patent has been assigned to **Mars, Incorporated**

781495 Fox Chase Cancer Center; Applied Research Systems ARS Holding N.V. The patent has been assigned to **Fox Chase Cancer Center; Laboratoires Serono SA**

781930 Holcim Ltd The patent has been assigned to **Holcim Technology Ltd.**

783765 Sika Schweiz AG The patent has been assigned to **Sika Technology AG**