



Australian Government

IP Australia

AUSTRALIAN OFFICIAL JOURNAL

OF

PATENTS

Contents

General Information & Notices

Assignments Registered	111
Extensions of Term of Standard Patents, Section 70	112
Extensions of Time, Section 223	111
Notice of Opposition under Section 223	111
Opposition Proceedings	111

General Information

For information on the following please see our website www.ipaustralia.gov.au or contact our Customer Service Network on 1300651010

Editorial enquiries

Contact information

Freedom of Information ACT

Professional Standards Board

Sales

Requests for Information under Section 194 (c)

Country Codes

Trade Mark and Designs Hearing Sessions

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>
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.

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.

675945 **Mancer, F.J. and Mancer, P.M.** An application to extend the time from 30 Jun 2007 to 30 Jun 2008 in which to pay a renewal fee has been lodged . Address for service in Australia - Christine Mancer, Bilda Concrete Voidforming Systems PO Box 199 Berowa Heights NSW 2062

Applications Allowed - Section 223(2)

627785 **University of Southern California** The time in which to pay a renewal fee has been extended to 5 May 2008 . Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

639540 **Rollin S.A.** The time in which to pay a renewal fee has been extended to 22 May 2008 . Address for service in Australia - PHILLIPS ORMONDE & FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

695329 **Present Co. Included Pty Ltd** The time in which to pay a renewal fee has been extended to 3 Mar 2008 . Address for service in Australia - Present Company Included P/L 797 Rathdowne Street Carlton North VIC 3054

701479 **S.A. Rollin** The time in which to pay a renewal fee has been extended to 30 May 2008 . Address for service in Australia - PHILLIPS ORMONDE & FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

718131 **Korea Electric Power Corp.; Korea Western Power Co. Ltd; Korea Southern Power Co. Ltd; Korea Midland Power Co. Ltd and Korea South-East Power Co. Ltd** The time in which to pay a renewal fee has been extended to 5 May 2008 . Address for service in Australia - Griffith Hack GPO Box 1285K MELBOURNE VIC 3001

723288 **Crockford, M.R.** The time in which to pay a renewal fee has been extended to 22 Jun 2008 . Address for service in Australia - Dr Kevin M Pullen PO Box 241 LANDSBOROUGH QLD 4550

743882 **Rollin S.A.** The time in which to pay a renewal fee has been extended to 6 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 Proceedings - cont'd

Notice of Opposition under Section 223

755035

A Notice of Oppositin to the Reqeust for an Extension of Time to pay Renewal Fees was filed on 25 August 2008 by David Gerard Clark

Assignments Registered

640927 Teruo Okano The patent has been assigned to **Nippon Kayaku Kabushiki Kaisha**

644799 Novartis AG The patent has been assigned to **FVG Limited Trading as Fish Vet Group**

656409 Fetovu Pty Ltd The patent has been assigned to **Rhino-Rack Australia Pty Ltd**

669162 Mobil Oil Corporation The patent has been assigned to **ConocoPhillips Company**

696637 Nederlandse Organisatie Voor Toegepast-Natuurwetenschappelijk Onderzoek TNO The patent has been assigned to **Delta-Crystallon B.V.**

701125 Sydney West Area Health Service The patent has been assigned to **CathRx Ltd**

711612 Sydney West Area Health Service The patent has been assigned to **CathRx Ltd**

716400 Cytotherapeutics, Inc.; Peter D. Spear The patent has been assigned to **Peter D. Spear; Neurotech USA, Inc.**

722368 Coloplast Medical Limited The patent has been assigned to **Coloplast A/S**

730789 Allelix Neuroscience, Inc. The patent has been assigned to **NPS PHARMACEUTICALS, INC.**

734710 Kirin Beer Kabushiki Kaisha; NPS Pharmaceuticals, Inc. The patent has been assigned to **NPS Pharmaceuticals, Inc.; Kirin Pharma Kabushiki Kaisha**

735905 Allelix Neuroscience, Inc. The patent has been assigned to **NPS PHARMACEUTICALS, INC.**

737095 Allelix Neuroscience, Inc. The patent has been assigned to **NPS PHARMACEUTICALS, INC.**

737841 Ciba Specialty Chemicals Holding Inc.; Ciba Spezialitatenchemie Pfersee GmbH The patent has been assigned to **Ciba Holding Inc.**

738920 Coloplast Medical Limited The patent has been assigned to **Coloplast A/S**

741129 Allelix Neuroscience, Inc. The patent has been assigned to **NPS PHARMACEUTICALS, INC.**

Assignments Registered - cont'd

745536 elbion AG The patent has been assigned to **Boehringer Ingelheim Vetmedica GmbH**

745916 Discotech Medical Technologies, Ltd. The patent has been assigned to **Medtronic Spine LLC**

760713 John W.L. Ogilvie The patent has been assigned to **Resource Consortium Limited**

762584 Samuel Edward Stratti The patent has been assigned to **Taiga Investments Pty Ltd**

771522 Fetovu Pty Ltd The patent has been assigned to **Rhino-Rack Australia Pty Ltd**

772813 Allelix Neuroscience, Inc. The patent has been assigned to **NPS PHARMACEUTICALS, INC.**

777416 Fetovu Pty Ltd The patent has been assigned to **Rhino-Rack Australia Pty Ltd**

779731 Miral Kim-E The patent has been assigned to **S.F. IP Properties 35 LLC**

780477 K.U. Leuven Research & Development; Instituto De Biotechnologia-Unam The patent has been assigned to **Vlaams Interuniversitair Instituut voor Biotechnologie v.z.w. (VIB)**

780922 NPS Allelix Corp. The patent has been assigned to **NPS PHARMACEUTICALS, INC.**

Extensions of Term of Standard Patents, Section 70

Application filed

The following application(s) for Extension of Term under Section 70 have been filed.

700611 **Merck & Co., Inc.**

EMEND IV fosaprepitant

780330 **Bayer Schering Pharma Aktiengesellschaft**

YAZ tablet blister pack

Application accepted

Notice of opposition under Section 75(1) to the undermentioned application(s) for an extension of term may be lodged at the Patent Office within the prescribed time.

763644 **Pfizer, Inc.**

CELSENTRI maraviroc

Address for Service: SPRUSON & FERGUSON GPO Box 3898 SYDNEY NSW 2001

Date extended term due to expire on 04/02/2023