



Australian Government

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 or contact our Customer Service Network on 1300651010

Editorial enquiries

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Professional Standards Board

Sales

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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 Numbers for the Identification of Data'.

(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.

723138 **Medicorp R&D Benelux S.A.** An application to extend the time from 16 Jan 2007 to 16 Jun 2008 in which to pay a renewal fee has been lodged. Address for service in Australia - PHILLIPS ORMONDE & FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

725177 **Crockford, M.** An application to extend the time from 22 Nov 2007 to 22 Sep 2008 in which to pay a renewal fee has been lodged. Address for service in Australia - Dr Kevin M Pullen PO Box 241 LANDSBOROUGH QLD 4550

762601 **Zoltans Pool Products Pty Ltd** An application to extend the time from 21 Dec 2007 to 21 Jul 2008 in which to pay a renewal fee has been lodged. Address for service in Australia - Actuate IP GPO Box 1838 Melbourne Vic 3001

775981 **Tseng, T.** An application to extend the time from 27 Aug 2007 to 27 Aug 2008 in which to pay a renewal fee has been lodged. Address for service in Australia - Don Hopkins & Associates C/- Spruson & Ferguson GPO Box 3898 SYDNEY NSW 2001

785456 **Malaysian Palm Oil Board** An application to extend the time from 18 Dec 2007 to 18 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

Applications Allowed - Section 223(2)

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

721678 **Byrne, C.R.** The time in which to pay a renewal fee has been extended to 29 Jul 2008. Address for service in Australia - A Tatlock & Associates PO Box 155 CARLTON SOUTH VIC 3053

770241 **McCallum, W.G.** The time in which to pay a renewal fee has been extended to 18 Jun 2008. Address for service in Australia - Middletons GPO Box 4388 Melbourne VIC 3001

770881 **edocs, Inc.** The time in which to pay a renewal fee has been extended to 24 Mar 2008. Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

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.

735355 Novel protein and process for producing the same **Daiichi Sankyo Co., Ltd.** The nature of the proposed amendment is as shown in the statement(s) filed 14 Jul 2008. Address for service in Australia - Wrays Ground Floor 56 Ord Street West Perth WA 6005

778583 Supplemented and unsupplemented tissue sealants, methods of their production and use **American National Red Cross, The; Loyola University of Chicago and United States of America, as represented by the Secretary of the Army, The** The nature of the proposed amendment is as shown in the statement(s) filed 25 Jun 2008. Address for service in Australia - Davies Collison Cave Level 15 1 Nicholson Street MELBOURNE VIC 3000

Offer To Surrender Letters Patent

It is hereby notified that **CV Therapeutics, Inc., 3172 Porter Drive, Palo Alto, CA 94304, United States Of America, and Syntex (USA), LLC, 3401 Hillview Avenue, Palo Alto, CA 94304, United States Of America,** the Patentee of Letters Patent 744071 dated 30 May 2002 for an invention titled 'Sustained release ranolazine formulations' 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

It is hereby notified that **CV Therapeutics, Inc., 3172 Porter Drive, Palo Alto, CA 94304, United States Of America,** the Patentee of Letters Patent 760435 dated 28 August 2003 for an invention titled 'Sustained release ranolazine formulations' 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

633698 Abgenix, Inc. The patent has been assigned to **Amgen Fremont Inc.**

663734 Candle Corporation of America The patent has been assigned to **The Sterno Group LLC**

674684 Candle Corporation of America The patent has been assigned to **The Sterno Group LLC**

686002 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

686401 Chan Shin The patent has been assigned to **KOWINTEC Ltd. Inc.**

687449 Merrell Pharmaceuticals Inc.; Scois Nova Inc. The patent has been assigned to **Aventis Inc.**

701010 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

Assignments Registered - cont'd

701200 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

708690 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

716530 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

716611 Pharma Natura (Proprietary) Limited The patent has been assigned to **H.L. Hall & Sons Limited**

732968 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

738827 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

742007 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

743809 CamelBak Products, Inc. The patent has been assigned to **CamelBak Products, LLC**

747061 Duphar International Research B.V.; Universiteit Van Groningen The patent has been assigned to **Universiteit Van Groningen; Solvay Biologicals B.V.**

748598 Qiqihar Railway Rolling Stock (Group) Co., Ltd. The patent has been assigned to **Qiqihar Railway Rolling Stock Co., Ltd.**

751365 Saab Training Systems AB The patent has been assigned to **Saab AB**

751976 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

753549 Ivor Barrie Langford The patent has been assigned to **Easy Do Products Limited**

754190 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

756088 BAE Systems PLC The patent has been assigned to **Airbus UK Limited**

756744 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

758997 LG Electronics Inc The patent has been assigned to **LG N-Sys Inc.**

759575 LG Electronics Inc The patent has been assigned to **LG N-Sys Inc.**

768559 Barreiro Motor Company Pty Ltd The patent has been assigned to **Barreiro Technologies Pty Ltd**

769305 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

772526 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

772938 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

Assignments Registered - cont'd

773903 Waste Reduction by Waste Reduction, Inc. The patent has been assigned to **Digestor, LLC**

774061 Harsudi Soepandi The patent has been assigned to **John Benson**

774237 Engineered Support Systems, Inc The patent has been assigned to **DRS Sustainment Systems, Inc.**

775777 LG Electronics Inc The patent has been assigned to **LG N-Sys Inc.**

781541 Fujitsu General Limited The patent has been assigned to **Canon Kabushiki Kaisha**

784952 BTG International Limited The patent has been assigned to **Simeg Limited**

Alteration Of Name In Register

681858 MedImmune Oncology, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

687087 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

694847 MedImmune Oncology, Inc. ; Arizona Board of Regents on Behalf of The University of Arizona The name of the patentee(s) has been changed to **Arizona Board of Regents on Behalf of The University of Arizona ; MedImmune, LLC**

697541 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

701020 MedImmune Vaccines, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

705099 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

705338 Plasmaco Inc. The name of the patentee(s) has been changed to **Panasonic Plasma Display Laboratory of America, Inc.**

706234 MedImmune Vaccines, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

706901 Cadbury Schweppes PLC The name of the patentee(s) has been changed to **Cadbury Holdings Limited**

707554 Aderans Co., Ltd. The name of the patentee(s) has been changed to **Aderans Holdings Co., Ltd.**

713113 MedImmune, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

714998 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

733921 Cadbury Schweppes PLC The name of the patentee(s) has been changed to **Cadbury Holdings Limited**

734122 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

736840 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

Alteration of Name in Register - cont'd

739068 MedImmune Oncology, Inc. ; The Arizona Board of Regents The name of the patentee(s) has been changed to **The Arizona Board of Regents ; MedImmune, LLC**

741206 Aderans Co., Ltd. The name of the patentee(s) has been changed to **Aderans Holdings Co., Ltd.**

742409 MedImmune, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

745323 Cadbury Schweppes PLC The name of the patentee(s) has been changed to **Cadbury Holdings Limited**

746644 Zycos Inc. The name of the patentee(s) has been changed to **MGI PHARMA Biologics, Inc**

747811 Weed Control Australia Ltd The name of the patentee(s) has been changed to **Photonic Detection Systems Pty Ltd**

750591 MedImmune Oncology, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

751066 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

755679 University Of Colorado, University Technology Corporation ; University of Rochester ; MedImmune, Inc. The name of the patentee(s) has been changed to **University Of Colorado, University Technology Corporation ; MedImmune, LLC ; University of Rochester**

761715 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

764811 St. Jude Children's Research Hospital ; MedImmune, Inc. The name of the patentee(s) has been changed to **St. Jude Children's Research Hospital ; MedImmune, LLC**

766455 MedImmune, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

771262 Zycos Inc. The name of the patentee(s) has been changed to **MGI PHARMA Biologics, Inc**

772726 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

774207 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

774868 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

775995 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

776370 MedImmune Vaccines, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

776828 MedImmune, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

777012 ALTANA Pharma AG The name of the patentee(s) has been changed to **Nycomed GmbH**

782155 Zycos Inc. ; King's College London The name of the patentee(s) has been changed to **King's College London ; MGI PHARMA Biologics, Inc**

Alteration of Name in Register - cont'd

783482 Aderans Co., Ltd. The name of the patentee(s) has been changed to **Aderans Holdings Co., Ltd.**

784735 MedImmune Oncology, Inc. The name of the patentee(s) has been changed to **MedImmune, LLC**

785038 MedImmune, Inc. ; Applied Molecular Evolution, Inc. The name of the patentee(s) has been changed to **Applied Molecular Evolution, Inc. ; MedImmune, LLC**

785319 Zycos Inc. The name of the patentee(s) has been changed to **MGI PHARMA Biologics, Inc**

Extensions of Term of Standard Patents, Section 70

Grant

The following application(s) for Extension of Term have been granted under Section 74.

715779 **Celgene Corp.**

REVLIMID lenalidomide

Date extended term due to expire on 24/07/2022

777564 **Amylin Pharmaceuticals, Inc.**

BYETTA 5 exenatide/BYETTA 10 exenatide

Date extended term due to expire on 28/06/2022

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

Australian Patent 597784 in the name of Sanofi-Aventis

Section 105 *PATENTS ACT 1990*

Advertisement for publication in Official Journal pursuant to Order 58 Rule 10(1) of the Federal Court Rules

PATENT MATTER DETAILS

Australian Patent No 597784 in the name of sanofi-aventis for 'Dextro-rotatory enantiomer of methyl alpha (4,5,6,7-tetrahydro(3,2-C) thieno pyridyl) (2-chlorophenyl)-acetate, A process for its preparation and the pharmaceutical compositions containing it'.

DETAILS OF COURT PROCEEDINGS

Federal Court Proceeding No. NSD 1639 of 2007 - Apotex Pty Ltd v Sanofi-Aventis

Federal Court Proceeding No. NSD 214 of 2008 – Spirit Pharmaceuticals Pty Ltd v Sanofi-Aventis & Anor

PARTICULARS OF PROPOSED AMENDMENT

As the registered proprietor, sanofi-aventis proposes to seek leave of the court to amend the Australian Patent No 597784 under Section 105 of the *Patents Act 1990* and in accordance with Order 58, Rule 10 of the Federal Court Rules. The particulars of the amendment sought are:

- (1) Addition of the following new claims 1A, 10A and 11A and amended claim 10 are set out on claim page 22:
 - 1A. Pharmaceutically acceptable salts of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
 10. Pharmaceutical composition comprising as active ingredient one compound according to one of Claims 1, 1A, 2, 3, 4 or 5 together with a pharmaceutically acceptable carrier.
 - 10A. Pharmaceutical composition comprising as active ingredient one compound according to one of Claims 2 to 5 together with a pharmaceutically acceptable carrier.
 - 11A. Composition according to Claim 10A comprising unit doses containing from 0.001 g to 0.100 g of active ingredient.

APPLICANT'S ADDRESS FOR SERVICE

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OPPOSITION

Any person or corporation intending to oppose the application not being a party to the proceedings must, not later than 28 days after publication of this advertisement, give written notice of that intention to each of the Commissioner of Patents, sanofi-aventis at the above address for service, Apotex Pty Ltd , c/- Blake Dawson, Level 39, 101 Collins Street, Melbourne VIC 3000 and Spirit Pharmaceuticals Pty Ltd, c/- Blake Dawson, Grosvenor Place, 225 George Street, Sydney NSW 2000.

AUSTRALIA
Patents Act 1990

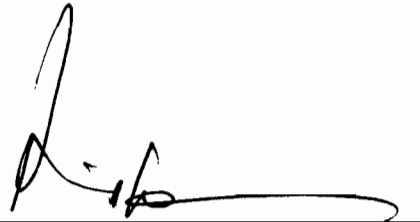
sanofi-aventis, Australian Patent No 597784 entitled 'Dextro-rotatory enantiomer of methyl alpha (4,5,6,7-tetrahydro(3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate, A process for its preparation and the pharmaceutical compositions containing it '

STATEMENT OF PROPOSED AMENDMENTS

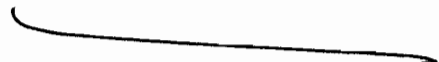
CLAIMS

1. Cancel claim page 22 and replace with new claim page 22 attached.

Dated this 3rd day of September 2008.



Philip John Kerr
Solicitor for the Applicant



Claims:

1. Dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate and its pharmaceutically acceptable salts.
- 5 1A. Pharmaceutically acceptable salts of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
2. Hydrochloride of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
3. Hydrogen sulfate of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
- 10 4. Hydrobromide of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
5. Taurocholate of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
- 15 6. Process for the preparation of the compound according to Claim 1, comprising the formulation of a salt of racemic methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate with an optically active acid in a solvent, repeated recrystallizations of the salt are carried out until a product of constant optical rotatory power is obtained, then the dextro-rotatory isomer is liberated from its salt by a base and, if necessary, salt formation is carried out with a pharmaceutically acceptable acid.
- 20 7. Process according to Claim 6, comprising levo-rotatory camphor-10-sulphonic acid as the optically active acid.
8. Process according to one of the Claims 6 or 7, comprising the performance of recrystallizations from acetone.
9. Process according to one of the Claims 6 to 8, comprising the formation of a salt in
25 acetone.
10. Pharmaceutical composition comprising as active ingredient one compound according to one of Claims 1, 1A, 2, 3, 4 or 5 together with a pharmaceutically acceptable carrier.
- 10A. Pharmaceutical composition comprising as active ingredient one compound according to one of Claims 2 to 5 together with a pharmaceutically acceptable carrier.
- 30 11. Composition according to Claim 10 comprising unit doses containing from 0.001 g to 0.100 g of active ingredient.
- 11A. Composition according to Claim 10A comprising unit doses containing from 0.001 g to 0.100 g of active ingredient.

Claims:

1. Dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate and its pharmaceutically acceptable salts.
- 5 1A. Pharmaceutically acceptable salts of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
2. Hydrochloride of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
3. Hydrogen sulfate of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
- 10 4. Hydrobromide of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
5. Taurocholate of the dextro-rotatory isomer of methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate.
- 15 6. Process for the preparation of the compound according to Claim 1, comprising the formulation of a salt of racemic methyl alpha-5 (4,5,6,7-tetrahydro (3,2-c) thieno pyridyl) (2-chlorophenyl)-acetate with an optically active acid in a solvent, repeated recrystallizations of the salt are carried out until a product of constant optical rotatory power is obtained, then the dextro-rotatory isomer is liberated from its salt by a base and, if necessary, salt formation is carried out with a pharmaceutically acceptable acid.
- 20 7. Process according to Claim 6, comprising levo-rotatory camphor-10-sulphonic acid as the optically active acid.
8. Process according to one of the Claims 6 or 7, comprising the performance of recrystallizations from acetone.
- 25 9. Process according to one of the Claims 6 to 8, comprising the formation of a salt in acetone.
10. Pharmaceutical composition comprising as active ingredient one compound according to one of Claims 1 to 1A, 2, 3, 4 or 5, together with a pharmaceutically acceptable carrier.
- 30 10A. Pharmaceutical composition comprising as active ingredient one compound according to one of Claims 2 to 5 together with a pharmaceutically acceptable carrier.
11. Composition according to Claim 10 comprising unit doses containing from 0.001 g to 0.100 g of active ingredient.
- 11A. Composition according to Claim 10A comprising unit doses containing from 0.001 g to 0.100 g of active ingredient.