



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.

Official Notice**Close-down periods for the Patent, Trade Marks, Designs Offices and the sub-offices**

The close-down provisions in the Patents, Trade Marks and Designs legislation provide for the effect of the Patent Office, the Trade Marks Office and the Designs Office in Canberra or any of their sub-offices in the State capitals not being open for business.

On 23 October 2009, IP Australia's Director General declared under the close-down provisions the days when the Patent, Trade Marks and Designs Offices and their sub-offices would not be open for business. This covers the period from 6 November 2009 to 1 January 2011.

Authorised Australia Post outlets, "IP Lodgement Points", in Hobart, Perth, Adelaide, Sydney, Darwin and Melbourne are sub-offices for the purposes of the Patents, Trade Marks and Designs legislation. These Australia Post outlets may be physically open to the general public for other services provided by Australia Post during the close-down period. However, as declared by the Director General, they are taken not to be open for business for the purposes of lodging IP documents and/or making IP-related payments from Friday 25 December 2009 until Friday 1 January 2010.

If the last day for doing an act is a day when a sub-office is not open for business, section 222A(1) of the Patents Act, section 223A(1) of the Trade Marks Act and section 136A(1) of the Designs Act allow for the act to be done on the next day when the sub-office is open for business. This means that customers will not be disadvantaged by the closure of the sub-offices for the period between Christmas Day and the New Year's Day holiday.

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Fax: +61 2 6283 7999
E-mail: assist@ipaustrialia.gov.au
Web: www.ipaustrialia.gov.au

Proceedings under the Patents Act 1990

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(3)/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
608974 (14)	613746 (14) 613757 (14)
613850 (14)	614856 (14) 615299 (14)
616751 (14)	620711 (14) 621891 (14)
622020 (14)	622660 (14) 624158 (14)
624389 (14)	625415 (14) 626542 (14)
626666 (14)	630091 (14) 632493 (14)
632687 (14)	633082 (14) 639779 (14)
641770 (14)	642394 (14) 644284 (14)
646038 (14)	646338 (14) 649032 (14)
652046 (14)	652122 (14) 652341 (14)
655360 (14)	658180 (14) 659149 (14)
660016 (14)	660459 (14) 660790 (14)
662327 (14)	666810 (14) 668550 (14)
668874 (14)	669276 (14) 670083 (14)
670536 (14)	673923 (14) 674752 (14)
674965 (14)	675330 (14) 675714 (14)
676900 (14)	680388 (14) 680504 (14)
680611 (14)	681586 (14) 681850 (14)
682355 (14)	682448 (14) 684084 (14)
685292 (14)	688506 (14) 691284 (14)
692390 (14)	693035 (14) 693543 (14)
694973 (14)	695987 (14) 698432 (14)
698735 (14)	698985 (14) 699334 (14)

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

699745 (14)	699985 (14)	701349 (14)
703840 (14)	704049 (14)	704647 (14)
705707 (14)	705801 (14)	707981 (14)
708155 (14)	708188 (14)	708344 (14)
708520 (14)	708813 (14)	709131 (14)
710175 (14)	710712 (14)	712413 (14)
713053 (14)	713606 (14)	715880 (14)
717464 (14)	719217 (14)	719797 (14)
721622 (14)	722132 (14)	722145 (14)
722446 (14)	724068 (14)	724482 (14)
726594 (14)	727690 (14)	728414 (14)
731231 (14)	731322 (14)	731347 (14)
731942 (14)	734629 (14)	734883 (14)
735771 (14)	739864 (14)	741208 (14)
742896 (14)	743443 (14)	745651 (14)
746005 (14)	746961 (14)	748256 (14)
748813 (14)	750409 (14)	751196 (14)
751429 (14)	751832 (14)	753666 (14)
755736 (14)	758074 (14)	758194 (14)
758253 (14)	758320 (14)	762752 (14)
762923 (14)	763670 (14)	764202 (14)
764231 (14)	764258 (14)	764668 (14)
764877 (14)	765308 (14)	766557 (14)
767055 (14)	767549 (14)	767681 (14)
767873 (14)	768502 (14)	768768 (14)
770570 (14)	770598 (14)	771716 (14)
772846 (14)	772957 (14)	775319 (14)
776119 (14)	776954 (14)	777746 (14)
778393 (14)	780016 (14)	780725 (14)
781995 (14)	782455 (14)	782505 (14)
783453 (14)	783551 (14)	785155 (14)
785163 (14)		

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.

657602 **Bedminster International Ltd.** An application to extend the time from 24 Feb 2009 to 24 Sep 2009 in which to pay a renewal fee has been lodged . Address for service in Australia - PHILLIPS ORMONDE FITZPATRICK 367 Collins Street MELBOURNE VIC 3000

695528 **Automatic Liquid Packaging, Inc.** An application to extend the time from 8 Oct 2008 to 8 Dec 2009 in which to pay a renewal fee has been lodged . Address for service in Australia - Computer Patent Annuities PO Box Q263 QVB Post ShopL SYDNEY NSW 1230

Applications Allowed - Section 223(2)

724161 **AdVec, Inc.** The time in which to pay a renewal fee has been extended to 7 Sep 2009 . Address for service in Australia - Griffith Hack GPO Box 1285 MELBOURNE VIC 3001

740758 **Vivus, Inc.** The time in which to provide search results under S45(3) has been extended to 1 Dec 2008 . Address for service in Australia - F.B. Rice & Co. Level 23 200 Queen Street MELBOURNE Vic 3000

758434 **Spowart, A.R.** The time in which to provide search results under S45(3) has been extended to 20 Sep 2004 . Address for service in Australia - Wrays Ground Floor 56 Ord Street West Perth WA 6005

762110 **Coory, F.M.** The time in which to pay a renewal fee has been extended to 11 Jun 2009 . Address for service in Australia - Middletons GPO Box 4388 Melbourne VIC 3001

Extensions of Term of Standard Patents, Section 70**Application filed**

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

744715 **Chugai Seiyaku Kabushiki Kaisha**

ACTEMRA tocilizumab

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.

718577 **Research Corp. Technologies, Inc.**

VIMPAT lacosamide

Address for Service: F.B. Rice & Co. Level 23 200 Queen Street MELBOURNE Vic 3000

Date extended term due to expire on 17/03/2022

Amendments, Section 104**Amendments Made**

749848 **Lynx Engineering Consultants Pty Ltd** The nature of the amendment is as was notified in the Official Journal dated 1 Nov 2007

775881 **Anulex Technologies, Inc.** The nature of the amendment is as was notified in the Official Journal dated 7 May 2009

779745 **Curis, Inc.** The nature of the amendment is as was notified in the Official Journal dated 28 May 2009

Opposition Proceedings

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

Opposition under Section 104(4) - Lodged

731391 **Kissei Pharmaceutical Co. Ltd.** (Gavin Recchia)