



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) 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.

(iv) 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.

(v) 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.

(vi) 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 **Internationally agreed Numbers for the Identification of Data** 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 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 accepted - 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> of the accepted document	(10)
The <u>date</u> of filing	(22)	The <u>number</u> assigned to the application	(21)
The <u>title</u>	(54)	The <u>date</u> of filing	(22)
The <u>classification marks</u>	(51)	The <u>title</u>	(54)
Priority document <u>number(s)</u>	(31)	The <u>classification marks</u>	(51)
<u>Date</u> of filing of priority document(s)	(32)	PCT publication <u>number</u>	(87)
<u>Country</u> in which priority document filed	(33)	Priority document <u>number</u>	(31)
Publication <u>date</u> of unexamined document	(43)	<u>Date</u> of filing of priority document(s)	(32)
Inventors names if known	(72)	<u>Country</u> in which priority document filed	(33)
<u>Patent Attorneys</u>	(74)	Publication <u>date</u> of unexamined document	(43)

<u>ITEM</u>	<u>INID</u> <u>No.</u>
E) Patents Certified – Name Index	
The <u>name</u> of the applicant	(71)
The <u>number</u> of the accepted document	(10)
The <u>number</u> assigned to the application	(21)
The <u>date</u> of filing	(22)
The <u>title</u>	(54)
The <u>classification marks</u>	(51)
Priority document <u>number</u>	(31)
<u>Date</u> of filing of priority document(s)	(32)
<u>Country</u> in which priority document filed	(33)
Publication <u>date</u> of granted patent	(45)
Inventors <u>names</u>	(72)
<u>Patent Attorneys</u>	(74)
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 **Accepted**.
- F) 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.

The indices to use are

- A) Applications **OPI** - IPC Index
- B) Applications **accepted** - IPC Index.

These indices give you the numbers of the applications which are either OPI 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.

AUSTRALIAN OFFICIAL JOURNAL OF PATENTS 8 December 2011

Official Notice

Declaration of the days in 2012 when the Designs Office, the Patent Office, the PBR Office and the Trade Marks Office and their sub-offices are taken not to be open for business

The close-down provisions in the Designs, Olympic Insignia protection, Patents, Plant Breeder's Rights and Trade Marks legislation provide for the effect of Designs Office, the Patent Office, the PBR Office and the Trade Marks Office ('the Canberra offices') or any of their sub-offices in the State capitals or territory not being open for business.

On 22 November 2011, the Director General of IP Australia declared under the close-down provisions the days when the Canberra offices and the sub-offices will not be open for business for the 2012 calendar year. A copy of the declaration is attached.

The Canberra offices and the State offices will not be open for business on the following days in the period **1 January 2012 to 1 January 2013**.

The Queensland government has not yet approved public holidays for Queensland (other than for Monday 2 January 2012 – This was declared last year). Close down provisions for Queensland will be separately declared and published after the Queensland government approve them

All the Canberra offices and the sub-offices:

All Saturdays and Sundays in the period

The Canberra office

Monday, 2 January 2012	New Year's Day
Thursday, 26 January 2012	Australia Day
Monday, 12 March 2012	Canberra Day
Friday, 6 April 2012	Good Friday
Monday, 9 April 2012	Easter Monday
Wednesday, 25 April 2012	Anzac Day
Monday, 11 June 2012	Queen's Birthday Holiday
Monday, 1 October 2012	Labour Day
Monday, 8 October 2012	Family & Community Day
Tuesday, 25 December 2012 to Tuesday, 1 January 2013	Christmas Close Down

The New South Wales office

Monday, 2 January 2012	New Year's Day
Thursday, 26 January 2012	Australia Day
Friday, 6 April 2012	Good Friday
Monday, 9 April 2012	Easter Monday

Wednesday, 25 April 2012	Anzac Day
Monday, 11 June 2012	Queen's Birthday Holiday
Monday, 1 October 2012	Labour Day
Tuesday, 25 December 2012 to Tuesday, 1 January 2013	Christmas Close Down

The South Australian office

Monday, 2 January 2012	New Year's Day
Thursday, 26 January 2012	Australia Day
Monday, 12 March 2012	Adelaide Cup Day
Friday, 6 April 2012	Good Friday
Monday, 9 April 2012	Easter Monday
Wednesday, 25 April 2012	Anzac Day
Monday, 11 June 2012	Queen's Birthday Holiday
Monday, 1 October 2012	Labour Day
Tuesday, 25 December 2012 to Tuesday, 1 January 2013	Christmas Close Down

The Tasmanian office

Monday, 2 January 2012	New Year's Day
Thursday, 26 January 2012	Australia Day
Monday, 13 February 2012	Royal Regatta Day
Monday, 12 March 2012	Eight Hour Day
Friday, 6 April 2012	Good Friday
Monday, 9 April 2012	Easter Monday
Tuesday, 10 April 2012	Easter Tuesday
Wednesday, 25 April 2012	Anzac Day
Monday, 11 June 2012	Queen's Birthday Holiday
Thursday, 25 October 2012	Hobart Show Day
Tuesday, 25 December 2012 to Tuesday, 1 January 2013	Christmas Close Down

The Victorian office

Monday, 2 January 2012	New Year's Day
Thursday, 26 January 2012	Australia Day
Monday, 12 March 2012	Labour Day

Friday, 6 April 2012	Good Friday
Monday, 9 April 2012	Easter Monday
Wednesday, 25 April 2012	Anzac Day
Monday, 11 June 2012	Queen's Birthday Holiday
Tuesday, 6 November 2012	Melbourne Cup Day
Tuesday, 25 December 2012 to Tuesday, 1 January 2013	Christmas Close Down

The Western Australian office

Monday, 2 January 2012	New Year's Day
Thursday, 26 January 2012	Australia Day
Monday, 5 March 2012	Labour Day
Friday, 6 April 2012	Good Friday
Monday, 9 April 2012	Easter Monday
Wednesday, 25 April 2012	Anzac Day
Monday, 4 June 2012	Foundation Day
Monday, 1 October 2012	Queen's Birthday Holiday
Tuesday, 25 December 2012 to Tuesday, 1 January 2013	Christmas Close Down

The Northern Territory office

Monday, 2 January 2012	New Year's Day
Thursday, 26 January 2012	Australia Day
Friday, 6 April 2012	Good Friday
Monday, 9 April 2012	Easter Monday
Wednesday, 25 April 2012	Anzac Day
Monday, 7 May 2012	May Day
Monday, 11 June 2012	Queen's Birthday Holiday
Friday, 27 July 2012	Darwin Show Day
Monday, 6 August 2012	Picnic Day
Tuesday, 25 December 2012 to Tuesday, 1 January 2013	Christmas Close Down

For more information on the effect of the close-down provisions, please see the Official Notices of 23 March 2007 titled *Intellectual Property Legislation Amendment Regulations 2007 (No. 1)* and *The new close-down provisions in*

the trade marks legislation available on IP Australia's website through the page www.ipaustralia.gov.au/resources/officialnotices.shtml.

Contact: IP Australia
Phone: 1300 651 010
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E-mail: assist@ipaustralia.gov.au
Web: www.ipaustralia.gov.au

Official Notice

Intellectual Property Legislation Amendment Regulations 2011 (No. 2)

On 23 November 2011, the Federal Executive Council made the [Intellectual Property Legislation Amendment Regulations 2011 \(No. 2\)](#) ('the Regulations'). The Regulations have been registered in the Federal Register of Legislative Instruments and can be viewed on the ComLaw website (www.comlaw.gov.au).

The Regulations amend:

- the *Designs Regulations 2004*, the *Olympic Insignia Protection Regulations 1993*, the *Patents Regulations 1991*, the *Plant Breeder's Rights Regulations 1994* and the *Trade Marks Regulations 1995* to update references to the *Acts Interpretation Act 1901*, reflecting amendments to that Act made by the *Acts Interpretation Amendment Act 2011* – commencing on **27 December 2011**.
- the Patents Regulations to remove an exception to the existing general rule for determining when the Commissioner or the Patent Office is taken to have given someone a document – commencing on **1 January 2012**. This will allow documents made available to someone electronically to be treated the same as posted documents.
- the Patents Regulations to allow applicants for standard patents to request deferred consideration of proposed amendments to their complete specifications until substantive examination of their applications has commenced. The changes will provide greater flexibility for applicants seeking to amend their patent applications – commencing on **1 January 2012**.
- the classes of goods and services in Schedule 1 to the Trade Marks Regulations to reflect those in the Tenth Edition of the International Classification of Goods and Service (Nice Classification) – commencing on **1 January 2012**.

Further details are set out in the [Explanatory Statement to the Regulations](#).

Queries Terry Moore
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Proceedings under the Patents Act 1990

Opposition Proceedings

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

Notice of Opposition under Section 75

715655

Notice of Opposition under Section 75 filed on 12 November 2011
by Spirit Pharmaceuticals Pty Limited

Notice of Opposition under Section 75

715655

Notice of Opposition under Section 75 filed on 12 November 2011
by Spirit Pharmaceuticals Pty Limited

Assignments Registered

697557 Knelson Intellectual Property Inc The patent has been
assigned to **FLSmith A/S**

712661 E Guide, Inc. The patent has been assigned to **Gemstar
Development Corporation**

719402 Knelson Intellectual Property Inc The patent has been
assigned to **FLSmith A/S**

720866 E Guide, Inc. The patent has been assigned to **Gemstar
Development Corporation**

725766 Biocompatibles UK Limited The patent has been assigned
to **MedX Health Corporation**

733993 E Guide, Inc. The patent has been assigned to **Gemstar
Development Corporation**

736436 E Guide, Inc. The patent has been assigned to **Gemstar
Development Corporation**

768124 Vanessa Gay Kiehne The patent has been assigned to
Occupational & Medical Innovations Ltd

Extensions of Term of Standard Patents, Section 70

Application filed

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

704043 **Janssen Pharmaceutica N.V.**

RESOTRANS prucalopride (as succinate)