



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) 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.

Official Notice

Temporary Relocation of New South Wales Sub-Office

IP Australia's sub-office in Sydney will temporarily relocate from Monday 19 November 2012 to Friday 30 November 2012 inclusive.

The present sub-office, the Australia Post Shop located at 44 Market Street, is currently being refurbished. It has become evident that for the comfort and amenity of our valued customers it will be necessary for the Post Shop to close to facilitate the final stage of the refurbishment.

For the purposes of the Patents Act 1990, the Trade Marks Act 1995 and the Designs Act 2003, from Monday 19 November 2012 to Friday 30 November 2012 inclusive, the Sydney sub-office is:

Sydney GPO
1 Martin Place
Sydney NSW

IP Australia lodgements will continue to be processed at the Sydney GPO by the same team of experienced counter officers from the Market Street Post Shop. Consistent with existing legislative requirements, this service will be available from 9.00am – 5.00pm Monday to Friday, except for public holidays.

Payments or other correspondence can continue to be lodged directly at IP Australia in Canberra to PO Box 200 Woden ACT 2606; or by fax to +61 2 6283 7999. IP Australia will provide further advice on the Sydney sub-office arrangements ahead of 30 November 2012.

Queries: Contact – Kay Ward
 Section – Customer Service Centre
 +61 2 6283 2274

 Contact – Craig Myers
 Section – Business Process Improvement
 +61 2 6283 7908

Contact: IP Australia
Phone: 1300 651 010
Fax: +61 2 6283 7999
E-mail: assist@ipaustrialia.gov.au
Web: www.ipaustrialia.gov.au

Annexure 1

Advertisement

IDENTITY OF PROCEEDINGS

Court: Full Federal Court
New South Wales District Registry
General Division
No. NSD 1386 of 2012

Parties: ESCO Corporation
ESCO Australia Holdings Pty Limited (ACN 140 443 223)
(Applicants)

Bradken Resources Pty Limited (ACN 098 300 988)
Bradken Limited (ACN 108 693 009)
(Respondents)

PARTICULARS OF PROPOSED AMENDMENT

ESCO Corporation, the registered proprietor of Australian Patent no. 696335 will seek an order under section 105(1) of the *Patents Act 1990* (Cth) to amend Australian Patent no. 696335 as follows:

1. by adding the following words to the end of claim 54 "secure the wear member to the boss"

The Applicant's address for service is:

Minter Ellison
Aurora Place
88 Phillip Street
SYDNEY, NSW, 2000
Telephone: +61 (02) 9921 4800
Fascimile: +61 (02) 9921 8300

Attention: Lynne Peach

OPPOSITION

Any person or corporation intending to oppose the application not being a party to the proceeding must, within 28 days of the publication of this advertisement, give written notice of that intention to the Commissioner of Patents and each party to the proceedings.

secure the wear member to a the boss.

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	
639188 (14)	647360 (14)	649358 (14)
650794 (14)	650797 (14)	652285 (14)
652482 (14)	652485 (14)	653065 (14)
653435 (14)	653637 (14)	653639 (14)
654395 (14)	654891 (14)	655322 (14)
655323 (14)	658102 (14)	659777 (14)
660052 (14)	661242 (14)	666138 (14)
667489 (14)	668519 (14)	669675 (14)
674132 (14)	677165 (14)	677166 (14)
781207 (14)		

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.

699411 Child carrier with kickstand **American Recreation Products, Inc.** The nature of the proposed amendment is: Amend the Patentee to read American Recreation Products, LLC . Address for service in Australia - E F Wellington & Co 312 St Kilda Road MELBOURNE VIC 3006

Assignments Registered

716218 BELLUS Health Inc. The patent has been assigned to **BHI Limited Partnership**

725562 CSL Limited The patent has been assigned to **Pfizer Inc.**

739849 Carl-Zeiss-Stiftung trading as Carl Zeiss The patent has been assigned to **Carl Zeiss Vision GmbH**

758133 CSL Limited The patent has been assigned to **Pfizer Inc.**

779734 Ethicon Endo-Surgery, Inc. The patent has been assigned to **Devicor Medical Products, Inc.**

782423 Ethicon Endo-Surgery, Inc. The patent has been assigned to **Devicor Medical Products, Inc.**

Alteration Of Name In Register

679448 University of Kent at Canterbury ; Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **University of Kent at Canterbury ; Merck Sharp & Dohme Corp.**

726882 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

730172 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

731679 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

735230 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

739393 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

740477 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

741769 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

744536 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

745841 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

749234 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

753381 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

753391 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

759307 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

Alteration of Name in Register - cont'd

759469 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

760075 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

760633 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

761182 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

761982 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

764138 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

764482 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

764515 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

767433 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

768262 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

770165 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

771061 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

772321 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

772512 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

778937 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

780009 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

780364 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

781200 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

781552 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

784200 Merck Sharp & Dohme Corp. The name of the patentee(s) has been changed to **Merck Sharp & Dohme Corp.**

Notice of Intention to Amend pursuant to Rule 34.41 of the Federal Court Rules

Australian Patent 696335 in the name of ESCO Corporation