

## Australia (AU) Coverage

### Patent Office Details

IP Australia  
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47 Bowes Street  
Woden ACT 2606  
Australia

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P.O. Box 200,  
Woden ACT 2606  
Australia

Web: <http://www.ipaustralia.gov.au>

### Kinds of Protection

Standard Patents	Granted for a term of 20 years from submission date
Extensions	Extensions of five years if a pharmaceutical or pharmaceutical substance is disclosed in the specification, or the term of the patent has not previously been extended. Effective since 27.01.1999
Innovation	Granted for an unextendable term of 8 years

### Convention & Treaty Membership

Patent Cooperation Treaty	31.03.1980
Signatory of:	Paris Convention (Stockholm wording) Budapest Treaty World Intellectual Property Organization International Convention for the Protection of New Varieties of Plants

### Filing for Patents

The invention claimed in a standard patent must be:

- new
- involve an inventive step
- be able to be made or used in an industry.

The innovation patent requires an innovative step rather than an inventive step. An innovative step exists when the invention is different from what is known before and the difference makes a substantial contribution to the working of the invention.

The patent may be granted to the inventor, the assignee of the inventor, the legal representative of the inventor or the assignee of the legal representative.

The official language of IP Australia is English. However, Patent Cooperation Treaty applications where Australia is a designated state may appear in a language other than English when published by IP Australia. This is because Australian patent law gives a 31-month grace period from the international priority application date for the applicant to translate the application into English.

An international application under the Patent Cooperation Treaty designating Australia has the effect of an Australian national application. Priority can be claimed providing a verified English translation has been filed within 31 months of the international priority date.

The applicant must request the making of an examination within five years of the date of filing. Failure to do so will result in the lapse of the patent.

Standard patent applications are published 18 months from the first claimed priority date. However, the applicant may request an early publication.

Opposition to the grant of a standard patent may be made within three months from the date of advertisement of acceptance of the complete specification.

### **DWPI Coverage**

<b>Kind</b>		<b>DWPI Start Dates</b>
A	OPI document (standard and petty patent applications)	4 January 1983
A1	OPI document (standard and petty patent applications)	8 July 2002
A2	Amended OPI document (standard and petty patent applications)	31 July 2001
A4	Granted / OPI innovation patent	7 June 2001
A5	Pre-grant / OPI innovation patent	28 August 2003
A6	Amended innovation patent after grant	6 December 2001
A8	Corrected document (bibliographic data A1-A5)	28 June 2001
A9	Correction document (complete reprint A1-A5)	21 June 2001
B	Examined and accepted patent	28 January 1993
B1	Accepted standard – OPI at acceptance	7 March 2002
B2	Accepted standard – previously OPI	2 September 1993
B3	Granted petty irrespective of whether previously OPI or not	17 October 1991
B4	Certified innovation patent (following an A4 or A5 document kind)	21 June 2001
B8	Corrected document (bibliographic data B1-B4)	16 August 2001
B9	Corrected document (complete reprint B1-B4)	5 July 2001
C1	Amended after acceptance/grant of a standard patent	22 December 2011
C4	Amendment after certification of an innovation patent	2 February 2012
C8	Corrected document (bibliographic data C1-C4)	28 June 2012
C9	Corrected document (complete reprint C1-C4)	2 February 2012

DWPI Data elements online	Notes
✓ Bibliographic data	
✓ English value-add title and abstract	Also Documentation/ Extension Abstracts (1995 onwards)
✓ Original title and abstract	Original title - 2004 onwards
✓ Manual Codes	Chemical (CPI) and Electrical (EPI)
✓ Chemical Indexing	DCR, Chemical Fragmentation, Polymer and Markush

## Numeration

**Kind Codes – A, A1, A2, A3, A4, A5, A8, A9**

Publication Numbers				
Original Data	Derwent Innovation	Dialog	Questel	STN
<i>Before 2000</i>				
AU NNNNN/YY AU 89808/91	AUYYYNNNNN AU199189808	AU YYNNNNN AU 9189808	AUYNNNNN AU9189808	AUYNNNNN AU9189808
<i>2000 to June 2002</i>				
AUYYYNNNNN AU200259346	AUYYYNNNNN AU200259346	AU YYYNNNNN AU 200259346	AUYYYNNNNN AU200259346	AUYYYnnnnnn AU2002059346
<i>July 2002 onwards</i>				
AUYYYnnnnnn AU2005100023	AUYYYnnnnnn AU2005100023	AU YYYnnnnnn AU 2005100023	AUYYYnnnnnn AU2005100023	AUYYYnnnnnn AU2005100023

YY or YYYY            2 or 4 digit year  
 NNNNN                5 digit serial number  
 nnnnnn                6 digit serial number\*\*

Application Numbers*				
Original Data	Derwent Innovation	Dialog	Questel	STN
<i>Before 2000</i>				
AU NNNNN/YY	AUYYYYNNNNNA	AU YYYYNNNNN	YYYYAU-Nnnnnnn	AUYYYY-NNNNN
AU 89808/91	AU199189808A	AU 199189808	1991AU-0089808	AU1991-89808
<i>2000 to June 2002</i>				
AUYYYYNNNNN	AUYYYYNNNNNA	AU YYYYNNNNN	YYYYAU-Nnnnnnn	AUYYYY-NNNNN
AU200259346	AU200259346A	AU 200259346	2002AU-0059346	AU2002-59346
<i>July 2002 onwards</i>				
AUYYYYnnnnnn	AUYYYYnnnnnnA	AU YYYYnnnnnn	YYYYAU-Nnnnnnn	AUYYYY-nnnnnn
AU2005100023	AU2005100023A	AU 2005100023	2005AU-0100023	AU2005-100023

YY or YYYY            2 or 4 digit year  
 NNNNN                5 digit serial number  
 nnnnnn                6 digit serial number  
 Nnnnnnn              7 digit serial number

\*Full coverage of application numbers commenced from DWPI update 199216  
 \*\*From July 2002:  
     Innovation patent applications range from 100000-199999  
     Complete application for standard patents range from 200000-799999  
     Provisional applications range from 900000-999999.

**Kind Codes – B, B1, B2, B3, B4, B5, B8, B9, C1, C4, C8, C9**

Publication Numbers				
Original Data	Derwent Innovation	Dialog	Questel	STN
<i>Until June 2002</i>				
AUNNNNNN	AUNNNNNN	AU NNNNNN	AUNNNNNN	AUNNNNNN
AU722596	AU722596	AU 722596	AU722596	AU722596
<i>July 2002 onwards**</i>				
AUYYYYNNNNNN	AUYYYYNNNNNN	AU YYYYNNNNNN	AUYYYYNNNNNN	AUYYYYNNNNNN
AU2002100455	AU2002100455	AU 2002100455	AU2002100455	AU2002100455

YYYY                    4 digits representing the year of application  
 NNNNN                6 digit serial number

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     Innovation patent applications range from 100000-199999  
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