

Australia (AU) Coverage

Patent Office Details

IP Australia
Discovery House
47 Bowes Street
Woden ACT 2606
Australia

Mailing address:
P.O. Box 200,
Woden ACT 2606
Australia

Web: <https://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

Kind	DWPI Start Dates
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

* Note that there is additional pre-1970 DWPI coverage as follows:

Coverage starts	Subject coverage
1963	Pharmaceuticals
1965	Agrochemicals
1966	Polymers

DWPI Data elements	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 Indexing	DCR, Chemical Fragmentation, Polymer and Markush

Numeration

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

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

YY or YYYY

2 or 4 digit year

NNNNN

5 digit serial number

nnnnnn

6 digit serial number**

Application Numbers*			
Original Data	Derwent Patent Search	Dialog	STN
<i>Before 2000</i>			
AU NNNNN/YY AU 89808/91	AUYYYYNNNNNA AU199189808A	AU YYYYNNNNN AU 199189808	AUYYYY-NNNNN AU1991-89808
<i>2000 to June 2002</i>			
AUYYYYNNNNN AU200259346	AUYYYYNNNNNA AU200259346A	AU YYYYNNNNN AU 200259346	AUYYYY-NNNNN AU2002-59346
<i>July 2002 onwards</i>			
AUYYYYnnnnnn AU200510023	AUYYYYnnnnnnA AU200510023A	AU YYYYnnnnnn AU 200510023	AUYYYY-nnnnnn AU2005-10023

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 Patent Search	Dialog	STN
<i>Until June 2002</i>			
AUNNNNNN AU722596	AUNNNNNN AU722596	AU NNNNNN AU 722596	AUNNNNNN AU722596
<i>July 2002 onwards**</i>			
AUYYYYNNNNNN AU2002100455	AUYYYYNNNNNN AU2002100455	AU YYYYNNNNNN AU 2002100455	AUYYYYNNNNNN AU2002100455

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

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