

AusPat Tips and Hints

Names

- ① In the Name Selector, "The" preceding a company name is removed from the beginning and replaced at the end, so that "The Patenting Company Pty Ltd" becomes "Patenting Company Pty Ltd, The". To find this name in the Name Selector start typing from "Patenting", ignoring the word "The".
- ① Punctuation of the original name is retained in the Name Selector, even though the punctuation may be insignificant characters when searching. E.g C.S.I.R.O. is listed in the Name Selector separately from CSIRO even though these may be the same organization and return the same search results.
- ① Note that different variations of the same company name will need to be searched separately, and will appear as different names in the Name Selector. For example, CSIRO in the applicant name will require a different search to "Commonwealth Scientific and Research Organization" which may be different again to "Commonwealth Scientific & Research Organisation"
- ① The Name Selector will only match the start of a name. It won't match a string of characters in the middle of a name.
- ① Searching for Applicant Names will return matches from both the Applicant Name and Old Name(s).
- ① Name formats for real people have been standardised as
FamilyName, GivenName OtherNames

Numbers

- ① A search of the Related Application Number field will find any associated additional/divisional parent/child applications. You can enter the application number, serial number, or PCT number into the Related Application Number search field.
- ① Priority number searches will match both the original priority number supplied to IP Australia including any spaces or special characters (commas, hyphens, decimal points etc) and a standardised version that has spaces and special characters removed (leaving just alpha-numeric characters).
- ① Mainframe applications numbers (formerly found in PATADMIN) can be found by their original application number and as a transformed 10 digit AusPat number. The AusPat number is a standardised 10 digit version of the mainframe application number used for identifying all applications in AusPat. As the first four digits represent the application year, all PAMS and mainframe applications from the same year will be together in a search results list. Eg: All 2002 applications will be listed before 2001 applications.

Standard and petty patent applications with an application number like nnnnn/yy, nnnn/yy, nnn/yy, nn/yy, or n/yy become CCyy0nnnnn, CCyy00nnnn, CCyy000nnn, CCyy0000nn and CCyy00000n respectively, where yy is the application year and CC is the corresponding century (20 for years 00, 01 and 02, 19 for all others).

- ① Provisional application numbers like PMnnnn have an AusPat number formatted as CCYPMnnnn, where CCYY is the century and year recorded as the provisional application filing date.
- ① PAMS applications using a 10 digit application number keep this number as their AusPat number.
- ① PCT numbers may be found using either PCT/CCyy/nnnnn or PCT/CCyyyy/nnnnnn formats. PCT numbers have been standardised for display as PCT/CCyyyy/nnnnnn.

Similarly, WIPO publication numbers may be found as either WOyy/nnnnn or WOyyyy/nnnnnn and have been standardised for display as WOyyyy/nnnnnn.

IPC Marks

- ① Do not include spaces when searching for IPC marks (eg: B23K11/093).

Truncated IPC marks may be used in conjunction with wildcards when searching by replacing the rest of the IPC mark with a wildcard on the right. Eg: to find all applications within a particular IPC main group, enter the main group of the IPC mark, followed by a slash '/' and the * wildcard: B23K1/*

Omitting the slash character could give misleading results. For example, a search for B23K1* would return everything with main group B23K1/-, as well as everything in main groups B23K10/-, B23K11/-, B23K13/-, B23K15/- and B23K17/-, as well as everything with indexing codes B23K101/- or B23K103/-.

Provisional applications

- ① Australian provisional applications can form priority to a complete application through being an associated provisional, or sometimes as a convention priority. A provisional can appear as a convention priority when a provisional forms a priority for a PCT application, and the PCT designates Australia. Where it forms a convention priority, AusPat will not show the corresponding complete application on the Provisional's application details page. Using the provisional number in the priority number search field (and AU as the priority country to further narrow the search results, if needed) will return all applications in AusPat using that Provisional as an associated complete, or as a convention priority.

PCT applications filed after 2004 will not be in AusPat unless they have entered the national phase. These applications can be found in the WIPO search system by using the provisional number in the priority number search field, and AU as the priority country, once the PCT has been published by WIPO.

Keyword searching

- ① Stopwords are not indexed. However, where a stopword appears between two words, the relative order of the words is preserved. As a consequence, a search for the phrase "retracting the wheels" will return different results to the phrase "retracting wheels" with the stopword 'the' omitted. A search for "retracting a wheels" will also return "retracting the wheels" as both 'a' and 'the' are stopwords, and the relative position of the words 'retracting' and 'wheels' is the same.
- ① The wildcard '?' substitutes for exactly one character, unlike some other search systems where it can substitute for zero or one character. The asterisk '*' substitutes for zero to many characters.
- ① The percentage character (%) has been blocked from use in search terms for security purposes.

- ① Search terms should be in lower case. This means that priority country codes should be in lower case, even though they would normally be written in upper case. Using upper case may give incorrect results. For example, IN (the country code for India) is an AusPat operator.

Dates

- ① “Date of Patent” and “Expiry Date” only apply to granted patents. In a patent application they show the dates expected should the application proceed to grant, based on the currently available data. During the prosecution of a patent application these dates may change.
- ① “Paid to Date” shows the date up to which continuation/renewal fees have been paid for an application or patent. It does not necessarily mean that the application/patent is still active if the paid to date is a future date. Where this date is a future date, the application/patent status may indicate an inactive status if the application/patent has already ceased, lapsed etc. The application /patent status should be considered to be active for up to six months after the “Paid to Date” has passed, as the relevant fee can be paid up to six months late.
- ① “Years Paid” indicates the number of years for which continuation/renewal fees have been paid and is calculated as the number of years between the “Date of Patent” and the “Paid to Date”. This value is also the anniversary number of the next continuation/renewal fee required to maintain the patent/application. This data element is not populated for patents of addition.
- ① The year part of a patent application number indicates the year the application was processed. Generally this will be the same as the year it was filed. However, in some circumstances this may be different. For example, innovation patent 2004100092 was converted from a standard patent application in 2004, but it keeps the original filing date which is 10 September 1999. Similarly, patent applications filed towards the end of December in one year will have a filing date for that year, but may not have been processed until January of the following year.
- ① When searching for dates AusPat will assume a default of 1904-01-01 if no FROM date is entered and today’s date if the TO date is blank. Of course, at least one FROM or TO date must be entered.

Where the FROM date entered is a future date, the TO date will still default to today if you do not enter a date, giving misleading results (this would apply to an expiry date or a continuation/renewal fee paid to date search). In that case enter a TO date that is later than your FROM date.

- ① The “Australian OPI Date” data element is the date a patent application was available to the public in Australia. Generally, this is the date it was published (either by IP Australia or by WIPO if the PCT was filed after 1 January 2004). For PCT applications filed before 1 January 2004 this is usually the date a copy of the PCT application was received at IP Australia, after publication by WIPO.
- ① Only divisional parents have a date in the “Priority Date” field in “Priority Details”. This is the “Earliest Priority Date” of the divisional parent application.
- ① A search in the “Priority date” search field searches for “Earliest Priority Date”, the “filing date” of the priority application (for convention, associated provisional and divisional parent priorities) or the earliest priority date of any divisional parents shown as priority.

Specifications

- ① A link to specifications is available for applications published from 17 December 1998. While specifications are available for non-convention, non-PCT applications filed from 1975, links are not available.

Data elements

- ① The re-examination details section currently shows re-examination requests initiated by applicants or third parties – and not those initiated by IP Australia.
- ① The expected “date of patent” and “expiry date” of applications managed in PATADMIN have been derived from available information in PATADMIN. This may not always be accurate as the required data has not always been available.

Legislation

- ① The data contained in AusPat is from patent applications filed under the Patents Act 1990 and the Patents Act 1952. The Patents Acts and Regulations have undergone many changes in the period covered by AusPat data (since 1979) that have resulted in many changes to the way patent applications have been processed.

Where possible, AusPat does not refer to specific sections of the Patents Act, as this may have changed many times over the period of data coverage. Instead, plain English language has been used to describe the data elements. Note that the section “Restoration Details” applied to standard patents covers data on actions that were only available in the Patents Act 1952 and is not relevant to any “restorations” that may occur under the Patents Act 1990. Restoration under the 1952 Act has similarities to some “Extensions of Time” under the 1990 Act.