

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
Wynnes Patent and Trade Mark Attorneys
PO Box 7053
Holland Park East
Brisbane Queensland 4121
AUSTRALIA

PCT

INVITATION TO PAY ADDITIONAL FEES
(PCT Article 17(3)(a) and Rule 40.1)

Date of mailing

Applicant's or agent's file reference

PAYMENT DUE

Within ONE MONTH from the above date of mailing

International application No.

PCT/AU2011/XXXXXX

International filing date

Applicant

XYZ COMPANY PTY LTD et. al.

1. This International Searching Authority

- (i) considers that there are two (2) inventions claimed in the international application covered by the claims indicated below:

1-29

- (ii) therefore considers that
- the international application does not comply with the requirements of unity of invention**
- (Rules 13.1, 13.2 and 13.3) for the reasons indicated on an extra sheet:

See Supplemental Box

- (iii)
-
- has carried out a partial international search (see Annex)
-
- will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos:
- 1-20**

- (iv) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. The applicant is hereby **invited**, within the time limit indicated above, to pay the amount indicated below:

\$2,200.00 **1** = **AUD \$2,200.00**
Fees per additional invention **X** number of additional inventions total amount of additional fees

The applicant is informed that, according to Rule 40.2(c), **the payment of any additional fee may be made under protest**, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

- 3.
-
- Claim(s) Nos. have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the ISA
AUSTRALIAN PATENT OFFICE

PO BOX 200, WODEN ACT 2606, AUSTRALIA

Email address: pct@ipaaustralia.gov.au

Authorised Officer

AUSTRALIAN PATENT OFFICE

(ISO 9001 Quality Certified Service)

Telephone No.

INVITATION TO PAY ADDITIONAL FEES

International Application No.

Supplemental Box**PCT/AU2011/XXXXXX**

This International Application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept.

This Authority has found that there are different inventions based on the following features that separate the claims into distinct groups:

- Claims 1-20 relate to an electrode for detecting at least a metabolite, and a method of fabricating said electrode. The features of an electrode having a conductor layer on a substrate, carbon nanotubes with a basal end disposed on the conductor layer, and a carbon nanotube-ferrocene solgel deposited on the distal end of the carbon nanotubes is specific to this group of claims.
- Claims 21-29 relate to a method of producing a sol-gel for use in an electrode for detecting at least a metabolite, and the sol-gel itself. The feature of mixing a combination of compounds to make a sol-gel is specific to this group of claims.

PCT Rule 13.2, first sentence, states that unity of invention is only fulfilled when there is a technical relationship among the claimed inventions involving one or more of the same or corresponding special technical features. PCT Rule 13.2, second sentence, defines a special technical feature as a feature which makes a contribution over the prior art.

When there is no special technical feature common to all the claimed inventions there is no unity of invention.

In the above groups of claims, the identified features may have the potential to make a contribution over the prior art but are not common to all the claimed inventions and therefore cannot provide the required technical relationship. Therefore there is no special technical feature common to all the claimed inventions and the requirements for unity of invention are consequently not satisfied *a priori*.

It is considered that search and examination for the second invention will require more than negligible additional search and examination effort over that for the first invention, and therefore an additional search fee is warranted.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
 SHELSTON IP
 Level 21
 60 Margaret Street
 SYDNEY NSW 2000

PCT

INVITATION TO PAY ADDITIONAL FEES
 (PCT Article 17(3)(a) and Rule 40.1)

Date of mailing

Applicant's or agent's file reference

PAYMENT DUE

Within ONE MONTH from the above date of mailing

International application No.

PCT/AU2012/XXXXXX

International filing date

Applicant

ABC INDUSTRIES PTY LTD et. al.

1. This International Searching Authority

- (i) considers that there are three (3) inventions claimed in the international application covered by the claims indicated below:

1-134

- (ii) therefore considers that **the international application does not comply with the requirements of unity of invention** (Rules 13.1, 13.2 and 13.3) for the reasons indicated on an extra sheet:

See Supplemental Box

- (iii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos: **1-66, 133, 134**

- (iv) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid.

2. The applicant is hereby **invited**, within the time limit indicated above, to pay the amount indicated below:**\$2,200.00****2****=****AUD \$4,400.00**

Fees per additional invention **X** number of additional inventions **2** = total amount of additional fees **AUD \$4,400.00**

The applicant is informed that, according to Rule 40.2(c), **the payment of any additional fee may be made under protest**, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. Claim(s) Nos. have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the ISA
 AUSTRALIAN PATENT OFFICE

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Authorised Officer

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(ISO 9001 Quality Certified Service)

Telephone No.

INVITATION TO PAY ADDITIONAL FEES

International Application No.

Supplemental Box**PCT/AU2012/XXXXXX**

This International Application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept.

This Authority has found that there are different inventions based on the following features that separate the claims into distinct groups:

- Claims 1 to 66 and 133, 134 are directed to a mobile multipurpose simulator installation for emergency response training including a module with a first simulator and a second simulator. The feature of the installation including a module with a first simulator and a second simulator is specific to this group of claims.
- Claims 67 to 131 are directed to a mobile multipurpose simulator installation for emergency response training including a first module with a first simulator and a second module with a second simulator. The feature of the installation including a first module with a first simulator and a second module with a second simulator is specific to this group of claims.
- Claim 132 is directed to a mobile multipurpose simulator installation for emergency response training including a first module with a first simulator able to simulate a fire training simulation located within or about the first module, and a second module with a second simulator able to simulate a confined space training simulation located within or about the second module, third module and a plurality of different types of simulation located within or about the third module. The feature of the installation including a first, second and third modules wherein a first and second modules with a first and second simulators located within or about the first and second modules and a module with a plurality of different types of simulations located within or about the third module is specific to this group of claims.

PCT Rule 13.2, first sentence, states that unity of invention is only fulfilled when there is a technical relationship among the claimed inventions involving one or more of the same or corresponding special technical features. PCT Rule 13.2, second sentence, defines a special technical feature as a feature which makes a contribution over the prior art.

When there is no special technical feature common to all the claimed inventions there is no unity of invention.

In the above groups of claims, the identified features may have the potential to make a contribution over the prior art but are not common to all the claimed inventions and therefore cannot provide the required technical relationship. The only feature common to all of the claimed inventions and which provides a technical relationship among them is the means to have simulator(s) in and/or around a module.

However this feature does not make a contribution over the prior art because it is disclosed in:

D1: US 2005/0233289 A1 (HOGLUND) 20 October 2005

Therefore in the light of this document this common feature cannot be a special technical feature. Therefore there is no special technical feature common to all the claimed inventions and the requirements for unity of invention are consequently not satisfied *a posteriori*.

As the search and examination for the additional inventions will each require more than negligible additional search and examination effort over that for the first invention and each other, two additional search fees are warranted.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

DAVIES COLLISON CAVE
1 Nicholson Street
MELBOURNE VIC 3000

PCT

COMMUNICATION IN CASES FOR WHICH
NO OTHER FORM IS APPLICABLE

	Date of mailing <i>(day/month/year)</i>
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Applicant's or agent's file reference	REPLY DUE See paragraph 1 below
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International application No. PCT/AU2012/XXXXXX	International filing date <i>(day/month/year)</i>
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Applicant XYZ INDUSTRIES PTY LTD et. al.
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1. REPLY DUE within 7 from the above date of mailing

NO REPLY DUE

2. COMMUNICATION:
See Supplemental Box

Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA Email address: pct@ipaaustralia.gov.au	Authorized officer Patents Examiner AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No. +61262830000
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COMMUNICATION IN CASES FOR WHICH NO OTHER FORM IS APPLICABLEInternational Application
No.**Supplemental Box****PCT/AU2012/XXXXXX**Informal Request for Comment on a Finding of Lack of Unity

The International Searching Authority has determined that the international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept as indicated briefly in the accompanying Invitation to Pay Additional Fees.

The Searching Authority informally invites you to comment on this finding and particularly to indicate which of the identified inventions you intend the Authority to search and whether a more detailed invitation should be issued further elaborating on the finding of lack of unity. If you are considering paying additional fees under protest you must request a detailed invitation and, in that case, the time permitted for payment of additional fees will be reset.

At the end of the period mentioned above, if no response has been received by the authorised officer it will be assumed that you require the search to be continued on the first invention mentioned in the claims and that a more detailed invitation is not required.

Written responses, if made, must be filed by facsimile to ensure they are received by the authorised officer within the time specified.