

AUSTRALIAN PATENT OFFICE  
SEARCH REPORT AND ADVISORY OPINION

National application No.  
FIJI 747

Furnished for the information of the FIJIAN ADMINSTRATOR-GENERAL

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Patentability and Novelty according to Australian patent law concepts:

The submission seeks to introduce the feature of a dual flue in close thermal coupling with the perforated plate for increased thermal efficiency. This feature is nowhere disclosed in the application as filed. All figures show only a single flue and this is emphasised at page 1, lines 15-20 where the simplicity of the single flue heater of the invention is discussed.

- 1) The amendment would not be allowable under Section 102(1) of the Patents Act 1990, since this dual flue feature was not in substance disclosed in the application as originally filed.
- 2) If the amendment had been allowable then the invention of the search statement with the incorporation of this feature would be considered patentable, as in the original opinion, and novel since neither previously cited document - AU 52642/79, AU 68784/80 - disclose a dual flue arrangement and there is no evidence to suggest that such an arrangement is part of common general knowledge in the art.

REMARKS: No further search has been conducted for this opinion.

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