

IN THE AU INTELLECTUAL PROPERTY OFFICE

A/Supervising Examiner
Patent Examination B / B3 - Pharmaceuticals

In re PATENT APPLICATION of:

Applicant(s) : Zhen-man Lin)
Application No. : 2003248601) **Respond for First**
PCT Filed Date : 12. 06, 2003) examination
For : **Surface Treatment of SARS-Infected Lungs**)

Patent Examination B
B3 – Pharmaceuticals

Fax: 61-2-6283-7999

Dear Madam/Sir

I had received the first examination report on 24 March 2007. It was regarding the post time, so the sign-date of report it shown 13 March 2007. I have attached a payment form to pay the fee of AUD \$100 for filing a response to an examination report more than 1 month.

Under the comment 1.of the Examination Report is below:

- « 1. You have not supplied me with a Notice of Entitlement which makes it clear that you are entitled to have a patent granted to you. In the Notice of Entitlement you will need to state either that you are the actual inventor or how you gained the right to apply from the actual inventor.»

Respond I

Because this is a case of PCT application in AU office, by the documents of PCT rule, which could show that the actual inventor and the applicant is the same person, please do acknowledge this.

Under the comment 2.of the Examination Report is below:

- « From a reading of your application, it appears that the invention resides in the use of compositions comprising ozone and a per fluorocarbon solvent in the surface treatment of SARS-infections. On that basis I have carried out a search of the available prior art, and am of the opinion that the invention that you have claimed is not inventive in view of G. V. SUNNEN, SARS and Ozone Therapy: Theoretical Considerations, May 2003. Retrieved from the internet: <URL: <http://www.triroc.com/sunnen/topics/sars.html>>. This citation discloses the use of ozone in the treatment of SARS infections. The only difference between your claimed invention and the citation is the use of a perfluorocarbon solvent. Such solvents are known as drug delivery systems in lung disease (see for example "Pulmonary Drug Delivery", N. K. Ghilzai, a review accessed http://www.drugdel.com/Pulm_review.pdf), and your application provides no apparent inventiveness in their application to the present treatment. In the absence of some unexpected advantage, an inventive step cannot be acknowledged.»

Respond II.

Firstly, the document of network is not recognized by any official ! And it is always difficult to distinguish the true and false, so it cannot to give the priority qualifications in patent field;
Secondly, the examiner can see from the background of specification in the following:

<http://www.ycec.com/Surface-Treatment-of-SARS-hk200503.htm>

☐ Since February 2003 years, SARS infection has wreaks havoc in China, Hong Kong and many other countries in the world. Its effects had send repercussion throughout the entire international society. The death rate has been high and the Chinese and western medical social were quite helpless about this. So China, Taiwan, Hong Kong, Singapore and Canada etc. were listed on travel warning district by World Health Organization and pecuniary loss surmount thousand a hundred million, Mankind is faced with death threat.

Knowing how to treat the SARS virus infection had became the top most urgent matter in the Southeast Asia. During this urgent and difficult period of time, the inventors had came up with an innovative medical scheme to save lives, the newest of medical scheme is "Surface Treatment of SARS-Infected Lungs". Due to the urgency of saving lives, the draft was fax to the Hong kong chief executive and Chinese leader on 15 May 2003. The English version was also forwarded to "WHO-Padey", "WHO-Liden" by Mey-Verme, Mrs Cnia (WDC) and the leaders who were holding the Geneva meeting on 20 May 2003. ▯

So that is to say, the invention specification delivered mail to WHO meeting on 20th May 2003. Under the convention of patent-application, the right of priority of our invention application could be extend to the date. Besides, this invention was to grant the patent from the Hong Kong Government on 23th July. 2004, the patent number is HK1060833, so the promulgate date of this patent on 15th May, 2003 was to get the indirect admit by a official. This important date will write down in history for proclaim mankind society to defeat the SARS and bird-flu already! Please see website of inventor: <http://www.ycec.com/Surface-Treatment-of-SARS-hk200503.htm>

About the "Pulmonary Drug Delivery" of http://www.drugdel.com/Pulm_review.pdf that was uncomplicated and the Drug Delivery not a Drug invent, besides, this document of network is always not recognize by any official too !

In conclusion, **under the comment 3.of the Examination Report** those raise to amend specification. After I think it over, except for the claims1-5 which will amend again, the specification include abstract and total 1-6 figure which no have any change and it same the list D. of application document with a letter sent to office on 16 June 2005.

Please see the above statement for amendment of PCT, except for the claims that specification include abstract and all Figure which no have any change. Please see the Marked-up and substitute Claims of attach 1-2., the underlined show add and square bracket to show delete, the total five claims were to add for total six claims, kindly amend so as not to bring any new matter. For the foregoing reasons, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Yours faithfully,



Applicant and inventor:

Lin Zhen Man

10 Ava Road, Ava Tower, # 19-07 Singapore 329949

18 May. 2008 pm 09:30

Fax: 61-2-6283-7999

Attach 1

A marked-up copy of the amend claims on

15 June 2005

Claims in AU patent office

1. In the lungs infected disease field, a liquid medicine of formulation for the Surface Treatment of SARS-Infected comprising is Per Fluoro Chemicals (PFC) mixing ozone.
2. A formulation as claimed in claim 1 wherein the same is in liquid form and includes all liquids of fluorine element.
3. A formulation as claimed in anyone of 1 or 2 comprising any substitute liquid to mixing ozone or the single oxygen is decomposed by other element.
4. A formulation as claimed in anyone of claims 1 to 3 comprising medicaments selected from anti bacterial agents, antibiotics and lung infection/inflammation curing agents.
5. The Liquid medicine/formulation for the Surface Treatment of SARS-Infected Lungs substantially as herein described and illustrated with reference to the accompanying examples and figures.
6. A formulation as claimed by anyone from claim 1 to 5 comprises any other lung diseases and SARS inflammation.

Attach 2.

Substitute copy of the claims on

18 May. 2008

Claims in AU

1. In the lungs infected disease field, a liquid medicine of formulation for the Surface Treatment of SARS-Infected comprising is Per Fluoro Chemicals (PFC) mixing ozone.
2. A formulation as claimed in claim 1 wherein the same is in liquid form and includes all liquids of fluorine element.
3. A formulation as claimed in anyone of 1 or 2 comprising any substitute liquid to mixing ozone or the single oxygen is decomposed by other element.

4. A formulation as claimed in anyone of claims 1 to 3 comprising medicaments selected from anti bacterial agents, antibiotics and lung infection/inflammation curing agents.
5. The Liquid medicine/formulation for the Surface Treatment of SARS-Infected Lungs substantially as herein described and illustrated with reference to the accompanying examples and figures.
6. A formulation as claimed by anyone from claim 1 to 5 comprises any other lung diseases and SARS inflammation.

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PCT Filed Date : 12. 06, 2003) Fees notify
For : **Surface Treatment of SARS-Infected Lungs**)

Electronic Records
Administration

Fax: 61-2-6283-7999

Dear Madam/Sir

I have received your letter which is dated 16 April 2008.

I have found the page 6 of "PCT Applicant's Guide – Volume II – National Chapter – AU" which states that the annual fee of Continuation/renewal is from the 5th to 19th anniversary, this fee was paid after a patent granted to Applicant and all pct contract country for the most part the same.

I think it was a mistake made by your electronic records, please notify me again after you have made a thorough investigation of the real situation.

Thank you.

Yours faithfully,



Applicant and inventor:

Lin Zhen Man

10 Ava Road, Ava Tower, # 19-07 Singapore 329949

18 May. 2008 pm 09:30

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