

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**
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 of 27 Aug. 2008 on 11 Sep. 2008.

Under the under PCT Article 22 or 39(1), which as National fee is AU\$ 320 of the page 2 of "PCT Applicant's Guide" only and PCT Article 27(1), No national law shall require compliance with requirements relating to the form or contents of the international application different from or additional to those which are provided for in this Treaty and the Regulations. So your extra charges of PCT national fee from the web-pages was feigned.

Your letter interpret that AU.05 A continuation (renewal) fee must be paid to maintain the application is wrong, because the continuation (renewal) fee of "application" is after if I have to get the UA patent, therefore, it absolutely not at the "application" of national phase.

Under the PCT Article 24(1)(iii), if I was not fails to perform the acts referred to in Article 22 within the applicable time limit, under (1) that was show: "...any designated State with the same consequences as the withdrawal of any national application in that State;", further, under the PCT Article 25(2)(a), if I was to paid the national fee within the prescribed time limit, "...as far as effects in the State of the designated Office are concerned, treat the international application as if such error or omission had not occurred.", therefore, you must to remind my Examiner does not to be at a stick for me.

On the side, about the fee for filing a response to an examination report more than 12 months, you were wrong again, 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, so I was for filing a response to an examination report more than 1 month not the three month, under the PCT Article 48(2)(b), I think, AU office may as far as that State is concerned, excuse, for reasons other than those referred to in subparagraph (a), any delay in meeting any time limit for me!

Thank you.

Yours faithfully,



Applicant and inventor: Lin Zhen Man
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