

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**) & National fee

Senior Examiner of Patent
Mr. L.F.McCaffery &
Kieran Power

Fax: 61-2-6283-7999

Dear Sir/Madam

I had received your refund check of AUD \$100 that date is 30 Mar. 2009. The AUD \$100 is the Continuation fee for my respond of the first examination report, so I do not understand why you refunded me the full continuation fee. Because I had to explain why to pay this AUD \$100 of continuation fees in my first respond the first paragraph, below:

「 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. 」

Therefore, I do not agree with the refunded amount.

To date, the continuation fees of 5-19th under the “Continuation/renewal fees” paragraph of “PCT Applicant’s Guide – Volume II – National Chapter – AU Annex AU.I” is our argument focus. Regarding this argue, I was respond in the second paragraph of letter sent on 27 Oct. 2008, below:

「 I reiterated that the continuation fees, under the PCT Article 22 or 39(1), which stated 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 this continuation fees of 1-19 years is an extra charges. 」

As in the context of the applicable law, it is correct and conformed to an ordinary rule in per country, so the office does not have any reasonable excuse for refutation. It was opposite, the office’s respond letter on 27 Oct. 2008, the Examiner clearly show him will to table the examining total 45 days up to the deadline and declare my this application has lapsed under Section 142(2)(e). I simply can't believe it.

Ironically, the New Zealand patent office has already approved this application to become a first civilized national and to leave behind a good reputation in the annals of history. It was big news in WHO and intellectual property field of world, because brave New Zealander of AU brother had smashed force-out from China Government and conceal, as the AU eldest brother it how could not straighten

one's back? For more information regarding my patent and other information, please kindly view my website at www.ycec.net or <http://www.ycec.net/nz/540943.htm> to view and emulate that how I to respond to the examiner report of NZ patent office, this objective is request Examiner who does not to squander time in examination again.

Beside, because Australia is a civilized country and legal system integrity too, the H1N1 flu in AU will spread speedily fast, this invention can save lives in AU civil any lung infect disease sure, all things on earth which ought to attach most importance for life. So you must to amend the guiding principle of examination to satisfy require for China Government and grant this patent for me as soon as possible.

Thank you!

Yours faithfully,



Lin Zhen Man

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10 July 2009 pm 0510

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