



Australian Government

IP Australia

CERTIFICATE OF GRANT INNOVATION PATENT

2016102046

The Commissioner of Patents has granted the above patent on 9 February 2017, and certifies that the following are the particulars of this patent appearing in the Register of Patents:

Name and Address of Patentee(s):

One08 Inc

333 S State St Lake Oswego OR 97034-3932 United States of America

The Trustee for Gourlay Innovations Family Trust

PO Box 132 Braidwood NSW 2622 Australia

Name of Actual Inventor(s):

Gourlay, Robert and Kelly, Michael

Title of Invention:

An integrated technology that combines a patented device that restores water to its natural negative charge with Quantum Code Technology™(QCT). The QCT uses a proprietary process that infuses the water devices with natural energies that restores water to its most pristine state. The water restructuring device comprises a magnetic configuration with sacred geometry to permanently hold the negative charge in stored water. QCT amplifies the natural frequencies and activates the restructured water for greater cellular absorption. This restructured, frequency water re-balances the human Biofield.

Term of Patent:

Eight years from 16 January 2017

NOTE: This Innovation Patent cannot be enforced unless and until it has been examined by the Commissioner of Patents and a Certificate of Examination has been issued. See sections 120(1A) and 129A of the Patents Act 1990, set out on the reverse of this document.



Dated this 9th day of February 2017

Commissioner of Patents

PATENTS ACT 1990

The Australian Patents Register is the official record and should be referred to for the full details pertaining to this IP Right.

Extracts from the Patents Act, 1990

Sect 120(1A) Infringement proceedings in respect of an innovation patent cannot be started unless the patent has been certified.

Sec 128 **Application for relief from unjustified threats**

(1) Where a person, by means of circulars, advertisements or otherwise, threatens a person with infringement proceedings or other similar proceedings a person aggrieved may apply to a prescribed court, or to another court having jurisdiction to hear and determine the application, for:

- (a) a declaration that the threats are unjustifiable; and
- (b) an injunction against the continuance of the threats; and
- (c) the recovery of any damages sustained by the applicant as a result of the threats.

(2) Subsection (1) applies whether or not the person who made the threats is entitled to, or interested in, the patent or a patent application.

Sec 129A **Threats related to an innovation patent application or innovation patent and courts power to grant relief.**

Certain threats of infringement proceedings are always unjustifiable.

(1) If:

- (a) a person:
 - (i) has applied for an innovation patent, but the application has not been determined; or
 - (ii) has an innovation patent that has not been certified; and
- (b) the person, by means of circulars, advertisements or otherwise, threatens a person with infringement proceedings or other similar proceedings in respect of the patent applied for, or the patent, as the case may be; then, for the purposes of an application for relief under section 128 by the person threatened, the threats are unjustifiable.

Courts power to grant relief in respect of threats made by the applicant for an innovation patent or the patentee of an uncertified innovation patent

(2) If an application under section 128 for relief relates to threats made in respect of an innovation patent that has not been certified or an application for an innovation patent, the court may grant the applicant the relief applied for.

Courts power to grant relief in respect of threats made by the patentee of certified innovation patent

(3) If an application under section 128 for relief relates to threats made in respect of a certified innovation patent, the court may grant the applicant the relief applied for unless the respondent satisfies the court that the acts about which the threats were made infringed, or would infringe, a claim that is not shown by the applicant to be invalid.

Schedule 1 **Dictionary**

certified, in respect of an innovation patent other than in section 19, means a certificate of examination issued by the Commissioner under paragraph 101E(e) in respect of the patent