

04 Nov 2025

2022339936

Commissioner of Patents
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4 November 2025

Our Reference: P0053664AU
Telephone Contact: Michelle Lee

Dear Commissioner,

Re: Australian Patent Application No. 2022339936
National Phase of International PCT Application No. PCT/US2022/075747
A system and method for installing an aggregate pier
Geopier Foundation Company, Inc.

Response to Examination Report

We acknowledge receipt of the Examination Report dated 17 July 2025.

Withdrawal of Postponement of Acceptance

The Applicant withdraws the postponement of acceptance.

Amendments

The Applicant seeks leave of the Commissioner under Section 104 to amend the application in accordance with the attached Statement of Proposed Amendments.

Comments on Objections Raised

We comment as follows in regard to the objections raised in the Examination Report.

Novelty and Inventive Step

At **items 1 and 2** of the Report, the Examiner asserts that claims 1 to 6 and 11 to 14 are not novel and do not involve an inventive step in view of each of KR 100668504 ("D1"), JP 2015183395 ("D2"), AU 2015349623 ("D3"), and US 9115477 ("D4"). In view of the amendments and the remarks included herein, the Applicant respectfully disagrees with the Examiner's assertions.

The Applicant submits that amended claims 1 to 19 are novel and involve an inventive step in view of each of D1 to D4, either alone or in combination, at least because each of D1, D2, D3 and D4 fails to disclose or suggest each and every feature of amended claims 1 and 12.

Specifically, independent claim 1 of the present application has been amended to incorporate the subject matter of previous claim 2. Amended claim 1 of the present application now defines:

"compacting device fixed relative to the pipe and positioned between the distal end of the pipe and a bottom surface of the helix, the compacting device defining a compacting surface extending radially outward from the outer surface of the pipe and extending upward in a direction

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of the proximal end of the pipe, the compacting surface configured to impart an axial force and a radial force on soil matrix adjacent thereto when the pipe is rotated in the first direction.”

Previous claim 2 has been deleted and the claim numbers and their dependencies have been amended accordingly. The Applicant notes that amended claims of the present application have been amended for substantial conformity with claims of the corresponding issued US patent (US 11952736).

The Applicant notes for the Examiner that the “helix” element (62) and the “compacting device” element (64) are separate structures in the present invention and are configured differently and perform different functions.

While the Applicant agrees that D1, D2, D3 and D4 may disclose or suggest helix structures, there are no separate compaction device features as defined in amended claims 1 and 12 of the present application in these cited references. For example, amended claims 1 and 12 define a compaction device “positioned between the distal end of the pipe and a bottom surface of the helix”. None of the cited references discloses or suggests such a structure. Additionally, the compacting device defined in amended claims 1 and 12 is configured to impart an axial force and a radial force on soil matrix adjacent thereto when the pipe is rotated in a first direction. Again, there is no such separate structure disclosed or suggested in the cited references which has these capabilities.

With respect to D1, the only structure arguably “below” the helix is the “leader” of the shoe (111), which is described as a structure which opens and closes in order to provide a conduit for aggregate and which is clearly angled as a “tip” to enhance driving of the shaft, rather than for compaction.



With respect D2, para. [0051] of D2 paragraph describes that compaction is actually performed by the lowest blade (3b) of the helix, not by an additional structure which is positioned even below the helix such as the “compacting device” claimed in Applicant’s amended claim 1.

With respect to D3, there is also no compacting device below the helix (13) of D3. Instead, there is a cutting head (12). See FIG. 2, para. [0066] of D3.

With respect to D4, there is nothing below the helix of the second drill (11) except for a drill point (25). See FIG. 3, Col. 6, lines 35-54 of D4. Therefore, there cannot be a compacting device.

There is simply no motivation provided in the disclosure of each of D1 to D4 that would have directly led a person skilled in the art, as a matter of course, to arrive at the claimed invention.

In view of the above, the Applicant respectfully submits that each of D1 to D4 fails to disclose or render obvious the invention defined in amended claims 1 and 12 of the present application. The claims of the present application are therefore submitted to be both novel and involve an inventive step.



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Favourable reconsideration of the application is respectfully requested.

Yours sincerely,



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