

# HARTMANGROUP



Hartman Pacific Pty Ltd  
1/1 Federation Way  
Mentone VIC 3194  
Ph: +61 3 9265 7500  
Fax: +61 3 9551 4122  
ABN: 67 069 587 695

## Via Email Only

economics.sen@aph.gov.au

9 August 2019

Senate Standing Committees on Economics  
PO Box 6100  
Parliament House  
Canberra ACT 2600

**Attention:** Committee Secretariat

**Re: Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Bill 2019**

I am the Managing Director of the Hartman Group which includes Gorilla ladders, a Victorian-based company that manufactures and supplies ladders and ladder-related products.

I understand that the Government intends to abolish the innovation patent by the Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Bill 2019.

Previously, the Government has approached me, as a small/medium business owner, to ask what they can do to make my business grow and to employ more people. I have previously said in letters to the Government that without strong and competitive Australian-based manufacturing, the only fall back my business has of competing against foreign global companies is protection of our innovations using all methods available, this includes use of the innovation patent system.

My company sells ladders and I invented a new platform ladder concept that makes platform ladders (the safest ladder configuration on the market due to its platform and hand rail) more widely used in Australia. Specifically, I designed an Australian Standard compliant height adjustable platform ladder. This new type of ladder is very commercially successful and is purchased by customers that normally would have not considered buying platform ladders.

It is important to understand that it is not enough just come up with an idea. For me and my factory to invest in developing the height adjustable platform ladder, it involved 2 years of independent NATA testing at around \$6,000 per full test, the manufacture of three unusable prototypes, shipping and an investment of large amounts of staff time. Total costs for this innovation were in the order of \$60,000.

Any notion to bring an untried product, such as the height adjustable platform ladder, to market would have been abandoned very early had we not had the option to protect this invention by patent protection, including innovation patent protection. This allowed us to take a calculated risk and make an investment

of time and money knowing that overseas companies and factories could not just copy our product and undercut our price.

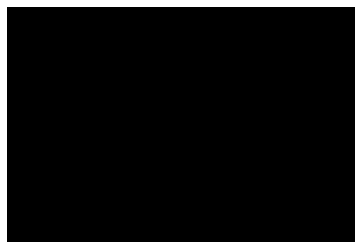
After I had invented my new platform ladder, [REDACTED], a competitor in Australia, marketed an identical copied ladder. Since my invention was covered by an innovation patent I simply issued Sydney Tools with a notice advising them about our innovation patent. This resolved the issue very quickly and cheaply. Without innovation patent protection I would have had no recourse to stop my competitor from copying my product.

It is my view that the Government should be promoting the "Smarter Australia" concept and support businesses and individuals that innovate and conceptualise new ideas. Reducing the options to protect innovation by removing the innovation patent system seems to conflict with the "Smarter Australia" concept.

I support the available options Australian businesses currently have for protecting their IP. As such, I am opposed to the abolition of the innovation patent system.

If the Committee would like clarification of any of the points above, I would be happy to appear at an oral hearing.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Gavin Rundle

Managing Director

Hartman Group AUS/NZ/UK

Gorilla Ladders