



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

Commercial Development & Industry Partnerships (CDIP) is the commercial arm of Sydney University. CDIP is responsible for the identification, protection and commercialisation of intellectual property (IP) developed at Sydney University. CDIP is committed to excellence, to explore new ways of commercialising science, to efficient and effective operation at the highest standards in industry.

CDIP is aware that the Intellectual Property Laws Amendment (Productivity Commission Response Part 2 and Other Measures) Bill 2019 includes provisions that will result in abolition of the innovation patent system (IPS).

Innovation patents offer a rapid low-cost means for protecting and/enforcing IP rights. The removal of the IPS will undoubtedly reduce the options available for protecting certain types of innovations, in particular in the information and communication technology space. For this reason, CDIP is opposed to the abolition of the IPS.

CDIP is also aware that issues may exist with the current IPS but believes that the system can be readily reformed to address these issues. Thus, CDIP believes that the proposed abolition of the IPS is an unnecessary and extreme measure given that the IPS could be finetuned to better serve Australian innovators.

CDIP is also very concerned about the introduction of an object's clause into the Patents Act, which we understand will introduce uncertainty and impact patent eligible subject matter. The object's clause will also add to litigation costs. For these reasons CDIP is also opposed to the introduction of an object's clause.

Yours sincerely,

Tim Lee

Intellectual Property Rights Officer | Commercial Development & Industry Partnerships | Research Portfolio

Commercial Development & Industry
Partnerships

University of Sydney
NSW 2006 Australia

www.sydney.edu.au

ABN 15 211 513 464
CRICOS 00026A