

APPENDIX 1

LIST OF PUBLIC SUBMISSIONS, TABLED DOCUMENTS AND ADDITIONAL INFORMATION AUTHORISED FOR PUBLICATION BY THE COMMITTEE

Submissions received

- 1 Partington, Mr Michael
- 2 Sutherland, Dr G K
- 3 Ronan, Dr Anne
- 4 Centre for Governance of Knowledge and Development (Dr Luigi Palombi)
- 5 Lawson, Dr Charles
- 6 Winfield, Ms Bee
- 7 Australian Medical Association
- 8 Hamblin, Dr John
- 9 Kirk, A/Professor Judy
- 10 Such MP, The Hon Bob
- 11 Haskell, Professor Dennis and Ms Rhonda
- 12 National Health and Medical Research Council
- 13 Wahlstrom, Emertius Professor Jan
- 14 Western Australian Government
- 15 Willcox, Professor Mark
- 16 South Australian Government
- 17 Sarnoff, Professor Joshua D
Kahn, A/Professor Jonathan
Andrews, Professor Lori B
 - Supplementary submission received 24.04.09
- 18 Australian Law Reform Commission
- 19 Department of Innovation Industry, Science and Research and IP Australia
 - Supplementary submission dated 30.09.09
- 20 Moir, Dr Hazel
- 21 Medicines Australia
- 22 Hawkins, Ms Naomi
- 23 Nicol, Professor Dianne and Nielsen, Dr Jane
- 24 Genetic Technologies Limited

- 25 Bath, Mr David
- 26 Walter and Eliza Hall Institute of Medical Research
- 27 Davies Collison Cave
- 28 Peter MacCallum Cancer Centre
- 29 Biotechnology Industry Organization
- 30 Breast Cancer Action Group NSW
- 31 Institute of Patent and Trade Mark Attorneys of Australia
- Supplementary submission dated 07.09.09
 - Additional supplementary submission received 06.08.10
- 32 Office of the Gene Technology Regulator
- 33 Human Genetics Society of Australasia
- 34 FB Rice & Co
- 35 Country Women's Association of NSW
- 36 The Intellectual Property Research Institute of Australia
- 37 Swedish National Council on Medical Ethics
- 38 Christie, Professor Andrew
- 39 Leary, Professor Jennifer
- 40 National Coalition of Public Pathology
- 41 Royal Australasian College of Surgeons
- 42 George, Ms Anna
- 43 Medical Technology Association of Australia
- 44 Johnson & Johnson Family of Companies Australia
- 45 Rimmer, Dr Matthew
- 46 Saul, Dr Ben
- 47 Cancer Voices NSW
- 48 Breast Cancer Network Australia
- 49 Royal College of Pathologists of Australasia
- 50 Cancer Council Australia
- 51 Pfizer Australia
- 52 Australian Marfan Foundation
- 53 Tasmanian Government
- 54 New South Wales Government
- 55 Coyte, Dr Belinda
- 56 Carey, Ms Trish

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- 57 Intellectual Property Committee of the Business Law Section of the Law
Council of Australia
- 58 Royal Australian and New Zealand College of Obstetricians and
Gynaecologists
- 59 Johnston, Mr Adam
- 60 Centre for Governance of Knowledge and Development (Professor Peter
Drahos)
- 61 Victorian Government
- 62 Department of Health and Ageing
- 63 MADGE
- 64 Wylie, Ms Alison
- 65 Ninham, Ms Veronica
- 66 Skippings, Ms Tracy
- 67 Campbell, Dr M
- 68 Gill, Dr Deepak
- 69 Parke MP, Ms Melissa
- 70 Xenome Limited
- 71 CSL Limited
- 72 Association of Australian Medical Research Institutes
- 73 Bourne, Mr Paul
- 74 Chartered Institute of Patent Attorney's
- 75 AusBiotech
- 76 Heffernan, Senator the Hon Bill
- 77 Beardsell, Mr Harry
- 78 Rijk Zwaan Australia

Tabled Information

- 1 Breast Cancer Network Australia (Submission 48)**
 - 'The key issues for BCNA's members' tabled at hearing 03.08.09
- 2 Cancer Council Australia (Submission 50)**
 - Letter to Senator the Hon Humphries tabled at hearing 18.05.10
- 3 Cancer Voices NSW (Submission 47)**
 - Opening statement from hearing 05.08.09
- 4 Department of Innovation Industry, Science and Research and IP Australia (Submission 19)**
 - Opening statement for hearing 20.08.09
 - Copy of Patent No. 13,427/23 application dated 19 July 1923, provided at hearing 20.08.09
 - Copy of Patent No. 11,047/19 application dated 8 May 1919, provided at hearing 20.08.09
 - 'Timesframes of ACIP Review and IP Australia's IP Reform Project', tabled at hearing 15.06.10
- 5 Heffernan, Senator the Hon Bill (Submission 76)**
 - Correspondence by Genetic Technologies referred to in questions, tabled at hearing 19.03.09
 - Proposed amendments to the Patents Act, tabled at hearing 20.08.09
- 6 The Intellectual Property Research Institute of Australia (IPRIA) (Submission 36)**
 - Copy of overheads of presentation provided at hearing 03.08.09
- 7 Moir, Dr Hazel (Submission 20)**
 - Boldrin & Levine: Against Intellectual Monopoly, Chapter 9: The Pharmaceutical Industry, provided at hearing 20.08.09
- 8 Nicol, Professor Dianne and Nielsen, Dr Jane (Submission 23)**
 - Copy of articles they authored tabled at hearing 03.08.09:
 - Whither patent use without authorisation in Australia? Federal Law Review, v36 no.3 2008, pp333-364
 - Patents and Medical Biotechnology: An empirical analysis of issues facing the Australian industry, Centre for Law and Genetics, Occasional Paper No.6/2003

Additional Information

- 1 Australian Competition & Consumer Commission**
 - Comments on issues concerning competition law, exceptions from the TPA and Genetic Technologies Ltd's patent rights over BRCA1&2 testing, dated 16.10.09
- 2 Australian Marfan Foundation (Submission 52)**
 - Additional information dated 10.08.09
- 3 Breast Cancer Network Australia (Submission 48)**
 - Response to Senator the Hon. Heffernan submission, received 29.04.10
- 4 Cancer Council Australia (Submission 50)**
 - Response to questions on notice arising from the hearing 05.08.09, received 18.08.09
 - Correspondence clarifying the Council's position on evidence received dated 15.12.09
 - Response to Senator the Hon Heffernan submission, dated 22.04.10
- 5 Cancer Voices (Submission 47)**
 - Response to Senator the Hon Heffernan submission, dated 09.04.10
- 6 Centre for Governance of Knowledge and Development, (Dr Luigi Palombi) (Submission 4)**
 - Responses to questions on notice from hearing 19.03.09, dated 02.04.08 and received 06.05.09
 - Copy of presentation at hearing 14.09.09
- 7 Christie, Professor Andrew (Submission 38)**
 - Response to question on notice arising from hearing 04.08.09, received 02.10.09
- 8 Coyte, Dr Belinda (Submission 55)**
 - Additional information concerning gene testing, received 19.08.09
- 9 Department of Innovation Industry, Science and Research and IP Australia (Submission 19)**
 - Response to questions arising from the preliminary briefing 19.03.09, dated 04.06.09
 - Response to question regarding exclusions from patentability under TRIPS and AUSFTA, dated 29.07.09
 - 'Estimating the Patent Premium: Evidence from the Australian Inventor Survey', P.H. Jensen, R. Thomson and J. Yong, May 2009, received 07.08.09

- Response to question on notice arising from hearing 20.08.09, received 31.08.09
- Response to question on notice arising from hearing 20.08.09 concerning copies of two patent applications, dated 01.09.09
- Clarification of evidence relating to the 202 Australian patents, dated 07.09.09
- Response to a question arising from the hearing 20.08.09 regarding ALRC recommendations, dated 07.09.09
- Response to question on notice arising from hearing 20.08.09, received 07.09.09
- Response to Senator the Hon. Heffernan submission, dated 08.04.10
- Correction to IP response to Senator the Hon. Heffernan's submission, received 03.05.10
- Clarification of evidence from hearing 18.05.10, received 07.06.10
- Response to questions on notice arising from public hearing 15.06.10, received 30.07.10

10 Genetic Technologies Limited (Submission 24)

- Web Link to articles relating to the granting of patents on human genes, received 31.03.09

11 The Intellectual Property Research Institute of Australia (IPRIA) (Submission 36)

- 'An Empirical Investigation into Patent Enforcement in Australian Courts', K. Weatherall and P.H. Jensen, received 03.08.09

12 Medicines Australia (Submission 21)

- Response to a question arising from the hearing on 05.08.09, dated 28.09.09

13 Moir, Dr Hazel (Submission 20)

- Response to two IP Discussion papers dated 06.05.09
- Submission to the ACIP Review of patentable subject matter 2008, received 15.09.09
- Response to a question on notice arising from the hearing 20.08.09, received 16.09.09
- Response to Senator the Hon. Heffernan submission, dated 02.05.10

14 National Health and Medical Research Council (Submission 12)

- Response to questions concerning SCNIA gene and its association with Dravet syndrome, dated 23.04.09

15 Nicol, Professor Dianne and Nielsen, Dr Jane (Submission 23)

- Additional information regarding patent pooling arrangements arising from hearing 03.08.09, received 31.08.09

16 Pfizer Australia (Submission 51)

- Additional information commenting on a ban on gene patenting, dated 30.04.09

17 Rimmer, Dr Matthew (Submission 45)

- Additional information relating to a US lawsuit which argues that patents on two human genes associated with breast and ovarian cancer are unconstitutional and invalid, received 13.05.09
- Additional information regarding higher threshold standards for patent validity arising from the hearing 20.08.09, received 21.08.09

18 Royal College of Pathologists of Australasia (Submission 49)

Documentation received following hearing 03.08.09:

- 'Genetic Testing in the 21st Century: Are we ready?', Royal College of Pathologists of Australasia
- 'Report of the Australian Genetic Testing Survey 2006', Royal College of Pathologists of Australasia
- Clarification of evidence and response to question arising from 04.08.09 hearing, received 16.08.09
- Copy of the presentation from the Chair of the US Secretary's Advisory on Genetics, Health and Society received 16.10.09
- Meeting summary of Secretary's Advisory Committee on Genetics, Health, and Society (SACGHS) October 8-9 2009, received 20.10.09
- 'The Supreme Court, Process Patents, and Medical Innovation', A. Kesselheim, New England Medical Journal; 361:24
- 'Who Owns Science? The Manchester Manifesto', University of Manchester, Institute for Science Ethics and Innovation, November 2009

19 Walter and Eliza Hall Institute of Medical Research (Submission 26)

- Response to question arising from hearing 03.08.09, received 03.08.09

