

Dear Sean,

In response to the request on page 17 of the Options Paper I submit the following:

There are two aspects of my Patent Value business.

The first is in the valuation of a company's intellectual property as part of new international accounting standards IFRS 3 on business combinations.

The second is in the development of more commercially valuable patents through encouraging inventors to develop more fulsome patent specifications.

It is the second aspect of my business which may be affected by the options available.

I shall only address the four preferred options.

1. New arguments

Against option B:

* any resultant risk averse behaviour by researchers in some sectors may lead to a loss of investment opportunity in top research teams in Australia.

Against Option C1:

* the lack of certainty of courts' responses may lead to risk averse behaviour by researchers.

Against Option C7:

* the uncertainty resulting from flexibility may lead to risk averse behaviour by researchers.

2. Effect on sectors

Despite the current lack of significant evidence of market failure, the increased awareness of researchers to patent litigation may lead to risk averse behaviour not only in some research sectors but also in the investment sector. Of the options preferred, C8 appears to provide most certainty.

3. Effect on my business

Any option which may act to inhibit the ability of researchers to provide detailed information in their patent specification would have not only an impact on my business, but may also drive research offshore.

In my opinion, Options B, C1 and C7 provide greater risk to undertaking research than option C8 and may therefore act to inhibit researchers and investors.

4. Other Evidence

None

5. Preference

Option C8 based on its apparent relative certainty for the research and therefore investment communities.

I trust that this submission may be of use to your Council.

Yours sincerely

Dr. George Paul, MBA

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