

Dear Mr Crawford,

I agree that there should be an exemption for experimental use for patents associated with biotechnology. Plant biotechnology is a long process, often involving many patents. In order to carry out "proof of concept" work researchers need the ability to use process or matter patents in order to progress research.

The current research exemption under plant breeder's rights does not appear to inhibit the ability of the owner to obtain a reasonable return on their development investment. The research time lines using biotechnology are much longer than for conventional plant breeding and as such have an even greater need for a research exemption.

It should also be noted that the practice of unauthorized use of patents for research is widespread, particularly in countries that are new to intellectual property rights such as China. Changing the law would legitimize this practice.

Research using patents can often add value to an existing patent and this has the potential to add value to the original patent holder. Plant biotechnology is an expensive and time consuming process and quality projects often do not get the full attention of the patent holder when a request comes in for a research license. We have had problems obtaining licenses due to a lack of resources with the patent holder, quite apart from any consideration of the research merits.

Yours sincerely,

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