

MEDIA RELEASE



Warren Entsch, MP
Parliamentary Secretary to the
Minister for Industry, Tourism and Resources

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REPORT ON INNOVATION PATENTS EXCLUSION

Federal Industry Parliamentary Secretary Warren Entsch MP today announced the Government has accepted the recommendations of the Advisory Council on Intellectual Property (ACIP) in their report, *Should plant and animal subject matter be excluded from protection by the innovation patent?*

The report, released today by Mr Entsch, examines whether Australia should provide an intermediate level of patent protection – the innovation patent – for plants and animals and the biological processes for their generation.

The report recommends no change to the current arrangements at this time.

Innovation patents were introduced in 2001 in response to demand in Australia for an inexpensive second-tier or intermediate level of patent protection to safeguard small, incremental innovations.

However, plant and animal subject matter and the biological processes for their generation were excluded from the innovation patent system due to concerns expressed by some industry sectors at the time.

Mr Entsch thanked ACIP for their report, which concluded there was no immediate reason to extend the innovation patent to cover plant and animal material.

“There will be ongoing monitoring of the effectiveness of the innovation patent system and a major evaluation of the system by 2006,” Mr Entsch said.

“This will include looking at how much the system has been used and consulting with users, particularly small businesses”.

A copy of the report is available at www.acip.gov.au.

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